**PIP suicide woman’s sister blames ‘barbaric’ system for her death**

The sister of a disabled woman who she believes was driven to kill herself by the anxiety caused by re-applying for the government’s new disability benefit has called for reform of the “barbaric” system.

Diane Hullah, from east Kent, took her own life on 21 April, and her sister is convinced that she was overwhelmed by the pressure of being forced to reapply for personal independence payment (PIP).

Helen Young believes the PIP system is a “national scandal” and told Disability News Service (DNS) that it was the anxiety caused by the PIP process and the 50-page application form she was confronted with – three years after applying for it successfully for the first time – that sent her sister “downhill”.

She said the pressure led her sister to start self-harming again, and twice try unsuccessfully to kill herself before she eventually took her own life. And she said it had left her confined to her bed for days at a time, and too ill to look after herself.

She said Diane had told her that the Department for Work and Pensions was “going to try and catch me out”, and was convinced her claim would be rejected and she would be left without the support she needed.

Helen said: “Somebody like my sister was incapable of doing it, given her mental health.

“I feel very angry about it, I think it is completely barbaric, a national scandal.

“If Charles Dickens was alive, he would be writing about the social injustice of it.”

It is the second suicide of a Kent woman to be linked to PIP, [following the death of Susan Roberts](http://www.disabilitynewsservice.com/pip-claimant-who-took-her-own-life-had-written-about-unfair-assessment-report/), from Tunbridge Wells, who killed herself last year, hours after being told she would not be entitled to PIP, despite previously claiming disability living allowance.

Diane had applied for PIP for the first time in 2014, and had also successfully applied for employment and support allowance (ESA), the out-of-work disability benefit.

But her sister said: “ESA was awful but PIP just seemed to take it to a new level.

“It all chips away, so the scar is opened up with ESA and PIP just comes along and pours a bit of salt on it to rub it in.”

She said Diane had expected her new PIP claim to be turned down.

Helen, who previously worked as a manager in the education sector, where she frequently had to submit funding bids, said it took her “three full days” to help her sister fill out her PIP form.

She said: “I don’t understand why she had to do it at all, given that her illness was so well-documented by the medical authorities.

“I just don’t understand why that has to be gone through.

“One can only have quite a cynical view that they just hope that people can’t be bothered to do it, or don’t do it well enough and then have to go through another hoop of appealing.

“It just feels like ‘they are trying to catch me out, they don’t believe I’m ill’. She had to keep proving her needs all the time.

“It is exhausting and it did make her much worse. It’s just this sort of Sword of Damocles hanging over you all the time.”

She added: “Diane had me, and some people don’t have that, and how they manage I can’t even begin to imagine.”

The irony, she said, was that her sister had in fact been found eligible for the enhanced rates of both the mobility and daily living components of PIP, but the decision letter only arrived after she died.

Young now plans to ask all of the candidates standing in the general election in the South Thanet constituency what they will do about this “scandal” and how they will fight for better mental health services.

Young first spoke out about her sister’s death [in an interview](https://thanetwatch.wordpress.com/2017/05/04/how-pip-killed-my-sister/) filmed by the independent local media organisation Thanet Watch.

She described in the interview how her sister was driven to repeatedly self-harm by the thought of having to reapply for PIP and knowing that “if she didn’t get it right, she said the wrong thing or didn’t phrase it properly or did something else wrong, that it would automatically get turned down”.

Although she doesn’t blame local NHS staff, Young said she believed her sister had been let down by the overstretched mental health system, which was not equipped to cope with the level of local need.

“There just simply aren’t enough resources for this area. This is such a Cinderella service. I don’t blame the workers. They are all over-run.

“But Diane hadn’t seen a worker since September. She was due to see a psychiatrist on the Monday after she died.”

Diane’s psychotherapist, who she saw privately at a reduced rate, and paid for with her PIP, has told DNS that she believes the suicide attempts were a “direct result” of “the stress caused by PIP”.

She said Diane had been anxious “for a while” about the PIP application, although she had written a letter of support for her claim, and her sister had helped her fill in the form.

And she said that although Diane had a long history of self-harm and suicide attempts, her mental health had improved in the year she had been seeing her, until she learned of the PIP reassessment.

She said the suicide attempts were “direct results in my opinion of the stress caused by PIP”.

She said Diane found the “unpredictability” of PIP “worrying”, and added: “Members of my team are good at obtaining the benefit for our clients but for someone without this support it is a long and complicated form.

“It also infuriates me that letters from professionals who have taken years to obtain their qualifications and expertise are often ignored.”

She also said that Diane had received “little support or input” from the local community mental health team, because of the levels of demand and possibly her age.

Peter Dunger, service manager for East Kent Community Drug and Alcohol Service, also knew Diane well, following treatment she had received previously for an alcohol addiction.

Although she was no longer in treatment, she would occasionally call him when she was struggling with her mental health, he said.

He added: “I spoke to her on the phone once or twice and she was under enormous pressure. She was very, very worried, she was frightened.

“She found these processes very difficult and she also found [PIP] quite threatening.

“I think it was the final straw.”

**18 May 2017**

**Disabled people ‘forced into dangerous workfare that breaches health and safety laws’**

Disabled people are being subjected to dangerous violations of health and safety laws after being forced to take part in government workfare programmes, according to new research published this week.

The analysis of first-hand accounts of benefit claimants forced into unpaid work by the Department for Work and Pensions is one of 24 short essays collected in The Violence of Austerity\*, a new book that details the “devastatingly violent consequences” of the government’s austerity policies.

Academics, journalists and campaigners show in the book how austerity policies have led to destitution, eviction, power supplies being cut off, the seizure of possessions, homelessness, deportation and hunger.

In one chapter, Jon Burnett and Professor David Whyte, one of the book’s editors, analyse more than 500 individual accounts written by benefit claimants who took part in workfare schemes between 2011 and 2015 and left descriptions of their experiences on the [Boycott Workfare website.](http://www.boycottworkfare.org/)

Whyte, who is professor of socio-legal studies at the University of Liverpool, and Burnett, who works at the Institute of Race Relations, found that 97 of those accounts raised concerns about health and safety issues.

Many clearly involved illegal activity, with 36 of the 97 health and safety concerns taking place in retail stores or warehouses run by charities or social enterprises, and others in hospitals, recycling or waste disposal plants, and profit-making retailers.

As part of their exploitation, welfare claimants were often forced to complete physical labour at an intense pace, and were discouraged from taking rest or lunch breaks, with some even refused access to food or water.

All of them faced the threat of having their benefits sanctioned if they refused to follow orders.

One wrote: “Hard labour on feet all day heavy lifting despite my medical conditions.

“Out of eight that started, only three remain after working all day in the heavy rain and getting soaked and chilled to the bone.”

Another claimant who challenged the unsafe working conditions was “sacked” and given a six-month benefit sanction.

The authors analysed the accounts and found 64 “concrete allegations of breaches of health and safety law at 43 different workplaces”.

Often this related to the failure to provide protective safety equipment, for example from chemicals and dust, or carrying out heavy lifting and manual handling tasks without proper risk or health assessments, sometimes despite health conditions that had been brought to the attention of the supervisor.

One claimant described the “hard labour” he carried out from 9am to 5pm, and added: “I told them of my backpack pain and they just ignored it, they didn’t care.”

Another said: “I can’t stand or walk for more than 10 minutes and have severe stomach illness that means when I eat I’m in agony half an hour until 4 hrs after. They may as well have sent me a death sentence.”

Whyte and Burnett conclude: “The testimonies analysed in this chapter reveal how workfare, as a form of forced labour, effectively permits employers to breach health and safety laws with impunity.”

It is not clear how many of the claimants whose comments they analysed were disabled people, but Whyte has told Disability News Service (DNS) that he believes “a large number have ongoing health problems and have disability issues”.

A spokesman for the Health and Safety Executive (HSE) said: “Any specific allegations of unsafe working practices need to be reported to HSE through the proper channels\*\* so we can look into them.

“HSE does not hold any specific guidance relating to work by, or workplaces employing, benefit recipients who are required to work as a condition of their status as claimants.

“Such persons or workplaces would be treated no differently to any other category. HSE would expect the approach to health and safety to be the same in all cases.”

He added: “Any allegations of this sort are taken very seriously and would be considered on a case by case basis.”

John Pring, editor of DNS, has also written an essay for the book, on the impact of welfare reforms on disabled people, and describes how the current and previous governments have refused to conduct basic research on the impact of their “reckless and ill-evidenced” policies.

He says that for every policy “there is testimony from friends or family of the harm caused to individual disabled people who have been powerless to protect themselves, have had their freedom catastrophically affected, and have seen their dignity, health, choices and ability to control their own lives restricted in a way that can only be described as damaging and violent”.

But he also describes how disabled people have fought back, through protests and campaigns, petitions, legal actions, their own high-quality research, and through [Disabled People Against Cuts’ complaint](http://www.disabilitynewsservice.com/uns-conclusion-that-uk-violated-disability-rights-is-vindication-for-activists/) to the UN committee on the rights of persons with disabilities.

Another of the essays is by the award-winning social affairs journalist and author Mary O’Hara, who writes about the links between austerity and a rise in mental distress and suicides.

She describes how, after 2010, jobcentre workers began speaking out about “an increasingly punitive regime that was adding to the mental stress of both claimants and workers”, with one telling her: “It was very distressing to have customers literally without food, without heat, without resources – and these are unwell [and] disabled customers.”

Other chapters also describe the violence imposed on disabled people by austerity policies, including David Ellis’s essay on The Violence of the Debtfare State, which tells how the UK has seen “the normalisation of pervasive debt as a means of replacing the living wage and sufficient welfare provisions”.

He discusses the relationship between debt and mental health problems, and points out that estimates suggest that “half of British adults with problem debt also have mental health problems, including stress, anxiety, depression and even suicide attempts”.

And in his second essay, Jon Burnett describes how “two forms of institutionally produced hatred – hatred targeted at migrants and hatred targeted at welfare claimants – have become closely interlinked by ‘austerity politics’”.

He says this has “become apparent in a relentless barrage of headlines about migrant hordes, supposedly exploiting public services and undercutting wages, and the British benefit ‘cheats’ supposedly too idle to work and abusing the welfare state”.

He points to a [survey published by the Disability Hate Crime Network in 2015](http://www.disabilitynewsservice.com/fresh-evidence-that-benefit-scrounger-rhetoric-is-causing-hate-crime/), which found that “scrounger rhetoric” was highlighted by “around one in six of 61 disabled people who described being verbally or physically assaulted in disability hate crimes”.

Whyte and his co-editor Vickie Cooper, a lecturer in criminology at the Open University, conclude in their introduction to the book: “Where the state once acted as a buffer against social practices that put people at risk of harm and violence and provided essential protection for vulnerable groups, the contributions to this book show how the withdrawal of state support has the most devastating of consequences for vulnerable people.”

They add: “The violence of austerity is not delivered by ‘street gangs’ or by the individuals that are typically the focus of public anxieties and tabloid moral panics.

“The violence of austerity is delivered by smartly dressed people sitting behind desks.”

*\*The Violence of Austerity is priced £16.99 and* [*published by Pluto Press*](http://www.plutobooks.com/display.asp?K=9780745399485)

***\*\****[*http://www.hse.gov.uk/contact/concerns.htm*](http://www.hse.gov.uk/contact/concerns.htm)

**18 May 2017**

**Election 2017: Labour’s rights pledges suggest vindication for Abrahams**

Labour’s general election manifesto includes a string of policies aimed at improving the rights of disabled people, including a commitment to incorporate the UN disability convention into UK law for the first time.

[The manifesto](http://www.labour.org.uk/index.php/manifesto2017) appears to be a vindication of the efforts of shadow work and pensions secretary Debbie Abrahams, who headed a national disability equality roadshow that aimed to co-produce the party’s disability policies alongside disabled people, although the process was cut short by the prime minister’s decision to call a snap general election.

It offers a stark contrast to [the disability manifesto Labour published before the 2015 general election,](http://www.disabilitynewsservice.com/election-2015-labours-disability-manifesto-chaos/) which offered few concrete pledges around disabled people’s rights.

The party stresses twice in its new manifesto that it follows the social model of disability, a rights-based approach that sees the party pledging to “remove the barriers in society that restrict opportunities and choices” for disabled people.

It says: “The next Labour government will sign the UNCRPD [the UN Convention on the Rights of Persons with Disabilities] into UK law.

“Labour will act to tackle discrimination, remove barriers and ensure social security delivers dignity and empowerment, not isolation and stigma.”

Among the barriers it pledges to tackle is the “social isolation” faced by autistic people, with the party pledging to make the country “autism-friendly” by working with employers, trade unions and public services to “improve awareness of neurodiversity in the workplace and in society”.

It also promises to legislate to make terminal illness a protected characteristic under the Equality Act, and says it will give full legal status to British Sign Language.

Alongside a pledge to start renationalising the railways, Labour promises to introduce legal duties to improve access for disabled rail passengers, while it will reform laws on taxis and private hire services with “national standards to guarantee safety and accessibility”.

It also promises to push sports bodies to make “rapid improvements” on improving access for disabled fans.

Although it does not promise to reverse the “devastating cuts” to the budget of the Equality and Human Rights Commission, which it says reveal the Conservative party’s “real attitude” to equality and discrimination, it says it would enhance the commission’s “powers and functions” and make it “truly independent” to “ensure it can support ordinary working people to effectively challenge any discrimination they may face”.

There is also a pledge to “reinstate the public sector equality duties” – the “specific” duties introduced through Labour’s Equality Act 2010 but subsequently removed by the coalition – and even seek to extend them to the private sector.

The manifesto makes a series of pledges on social security, promising to “change the culture of the social security system, from one that demonises people not in work to one that is supportive and enabling”.

Its welfare policies were overshadowed by its apparent admission that it could not afford to abandon the Tory benefits freeze that is set to last until 2020 and affects disabled people in the employment and support allowance (ESA) work-related activity group (WRAG) and on other mainstream working-age benefits, which is having an increasingly severe impact because of rising levels of inflation.

Although the party says it would scrap the hated “bedroom tax”, it only promises – as it has before – to end the government’s “punitive sanctions regime”, rather than scrapping all benefit sanctions.

It promises to reverse both the highly-controversial cut of £30-a-week for new claimants in the ESA WRAG – introduced this April by the government – and [new government regulations](http://www.disabilitynewsservice.com/shabby-labour-fails-again-on-disability-rights-after-abstaining-on-pip-cuts-vote/) that will make it far harder for people with experience of severe mental distress to secure mobility support through personal independence payment (PIP).

A Labour government would also scrap the work capability assessment, and the assessment process for PIP, and replace them with “a personalised, holistic assessment process that provides each individual with a tailored plan, building on their strengths and addressing barriers”.

It would end the use of private companies to carry out assessments – meaning an end to the lucrative government contracts enjoyed by the outsourcing giants Maximus, Atos and Capita – and put an end to the “pointless stress of reassessments for people with severe long-term conditions”.

The party also says that it would commission a report into expanding the Access to Work programme that provides funding for workplace support for disabled people.

On social care, Labour says the system will need an extra £3 billion in public funds every year, which it says would allow it to “place a maximum limit on lifetime personal contributions to care costs, raise the asset threshold below which people are entitled to state support, and provide free end of life care”.

It has not yet decided how to fund this, but says it would “seek consensus on a cross-party basis about how it should be funded, with options including wealth taxes, an employer care contribution or a new social care levy”.

It promises to “lay the foundations” for a National Care Service, which would be built “alongside the NHS”, with a shared requirement for “single commissioning, partnership arrangements, pooled budgets and joint working arrangements”.

Despite a series of pledges on housing, there is no mention of addressing the shortage of accessible housing, a failing matched by the Liberal Democrats and Plaid Cymru in their pitches to voters.

There is also a promise to deliver a strategy for children with special educational needs and disabilities (SEND) that is “based on inclusivity”, although no pledge to work towards a fully inclusive education system.

And Labour promises to increase the number of disabled people securing apprenticeships.

The manifesto also says that a Labour government would report annually on violence and disability hate crime against disabled women, and produce national action plans, in accordance with the Istanbul Convention.

The manifesto has far more of a focus on disabled people than the other manifestos published so far, with 31 mentions of the words “disabled people”, “disability” or “disabilities” compared with just one in the Plaid Cymru manifesto and only six in the Liberal Democrat manifesto.

Labour is also the only one of the three parties to say that it supports the social model of disability, which explains that it is the barriers in society – and not people’s impairments – which disabled people.

**18 May 2017**

**DWP pilot failure on WCA ‘calls into question willingness to learn from suicides’**

The Department for Work and Pensions (DWP) appears to have gone back on its promise to a tribunal to address a fatal flaw in its “fitness for work” test that has led to the deaths of multiple benefit claimants with mental health conditions.

More than two years after ministers promised the upper tribunal that it would test improvements to the work capability assessment (WCA) process, DWP has finally released some details of the measures it has introduced.

The details – which were heavily redacted – emerged following freedom of information requests from Disability News Service and lawyers from The Public Law Project (PLP), which represents the claimants who took the case.

But PLP says the DWP’s response “must call into question whether there is any political will to stop the discriminatory effect of the WCA on people with mental health problems”.

In May 2013, [the upper tribunal administrative appeals chamber had ruled](http://www.disabilitynewsservice.com/six-years-on-and-still-no-dwp-progress-on-further-medical-evidence/) that the WCA discriminated against some people with mental health conditions.

DWP promised the tribunal it would work with its contractor – which at the time was Atos, which has now been replaced by [the discredited US outsourcing giant](http://www.disabilitynewsservice.com/dwps-new-fitness-for-work-provider-faces-fresh-allegations/) Maximus – to develop a pilot programme to test ways to ensure that medical evidence relating to claimants of out-of-work disability benefits was collected more often from health professionals who knew them well.

This would ensure that fewer claimants would be found unfairly fit for work or would have to go through the WCA if it was unnecessary or harmful to them.

Previous guidelines for Maximus assessment staff stated that further medical evidence must be obtained if, for example, there was evidence of a previous suicide attempt, suicidal ideation or self-harm, and in certain other cases, such as when a claimant had an “appointee” to make important decisions on their behalf.

But DWP has now drawn up new guidance, following a small-scale study involving less than 250 claimants.

The new guidance, implemented this week, states that further medical evidence can now also be requested at the “filework” stage – the stage before any face-to-face assessment is carried out – if it is felt that “further information would be helpful”.

But if the Maximus healthcare professional decides there is no need to seek this further medical evidence, they will not need to justify that decision.

This shows that DWP has disregarded the recommendation made more than four years ago by Professor Malcolm Harrington, who carried out [the third independent review of the WCA](https://www.gov.uk/government/publications/work-capability-assessment-independent-review-year-3) on behalf of ministers.

He said that DWP decision-makers should, at a later stage in the process, “actively consider the need to seek further documentary evidence in every claimant’s case”, and that any decision not to seek further evidence “must be justified”.

And he said that “particular care” should be taken to ensure this evidence was obtained when the claimant has a mental health condition or learning difficulty.

The information released by DWP reverses Professor Harrington’s recommendation, as it says the Maximus healthcare professional “must provide an appropriate justification” in every case in which they make a request for further medical evidence, rather than in those in which they do not.

There are also concerns that DWP never carried out the large-scale pilot, as it said it would, but only a feasibility study involving less than 250 people, which led to further evidence being requested in just 11 more cases.

It originally planned a pilot of 4,000 people, before reducing this to 1,000 people, and telling the tribunal that it first had to carry out a feasibility study before any pilot.

It now appears that no proper pilot was ever carried out, even though the upper tribunal had said its evidence was “clearly needed” to show what reasonable adjustments were needed to address the “substantial disadvantage” experienced by claimants with mental health conditions.

A freedom of information response sent to The Public Law Project by DWP refers only to “a small scale test” rather than a pilot.

DWP’s efforts to avoid taking meaningful steps to improve the safety of the WCA – by ensuring that all the necessary evidence is gathered before a decision on a claim for out-of-work disability benefits is taken – stretch back all the way to April 2010.

More than seven years ago, coroner Tom Osborne wrote to DWP to express concerns that it did not automatically seek further medical evidence from a claimant’s GP or psychiatrist if they had a mental health condition, following [an inquest into the death of Stephen Carré in January 2010](http://www.disabilitynewsservice.com/dwp-dismissed-coroners-concerns-over-wca-suicide-link-document-reveals/).

Four years later, another letter was sent to DWP by a coroner, raising the same concerns and making almost identical recommendations, this time following [the death of a north London man](http://www.disabilitynewsservice.com/coroners-ground-breaking-verdict-suicide-was-triggered-by-fit-for-work-test/).

The deaths of other claimants have also been linked to the failure to ensure that further medical evidence was obtained, including those of [Mark Wood](http://www.disabilitynewsservice.com/mother-of-fit-for-work-victim-calls-for-ministers-to-face-criminal-charges/), [Paul Donnachie](http://www.disabilitynewsservice.com/fit-for-work-suicide-mans-sister-tried-to-take-her-own-life-after-dwp-ordeal/), [David Barr](http://www.disabilitynewsservice.com/documents-show-wca-suicide-death-mirrored-2010-tragedy/), and [a woman known only as Ms D E](http://www.mwcscot.org.uk/media/180939/who_benefits_final.pdf).

Rakesh Singh, a solicitor with The Public Law Project, said: “I am seriously concerned that the DWP has failed to carry out the pilot it promised several years ago to the tribunal, that it has failed to implement the change recommended by Professor Harrington in 2012, and that it has failed to give any reasons for not doing so.

“The new guidance that has come into force this week shows that the DWP is simply not willing to listen to its own independent reviewer or to the courts about what needs to be done to make the WCA process safer and fairer for people with mental health conditions, or to learn lessons from the tragic suicides of those who had been subjected to the WCA and follow the recommendations of the independent bodies who had investigated their deaths.

“This must call into question whether there is any political will to stop the discriminatory effect of the WCA on people with mental health problems.”

A DWP spokesman said: “The pilot\* in Glasgow fulfilled our commitment to test gathering further evidence at the relevant stages of the WCA process (filework, post face-to-face assessment and decision-making stages).

“A learning outcome of the pilot is that we should request additional medical evidence before the face-to-face assessment (at the filework stage).”

He added: “Additional medical evidence is not needed in every situation.

“The medically-trained healthcare professional can therefore decide whether it is necessary and we simply ask that they record the reason for requesting the additional medical evidence for the claimant’s case file.”

He said DWP had put other safeguards in place for people with mental health conditions, including giving them more flexibility with returning their “ESA50” questionnaire, and attempting to contact an ESA claimant by telephone if they have been identified as “vulnerable” and do not attend their face-to-face assessment, and, if appropriate, arranging a “safeguarding home visit” before making a decision on their ESA entitlement.

*\*The DWP freedom of information response refers to “a small scale test” and not a pilot*

**18 May 2017**

**Election 2017: Plaid Cymru call for social security powers… so they can sack Maximus**

Plaid Cymru have called in their election manifesto for the Welsh government to be given responsibility for running the social security system in Wales, which would allow it to ban private companies from carrying out disability benefit assessments.

The policy mirrors [what has happened with some benefits in Scotland](http://www.gov.scot/Publications/2016/07/9955/5), with the Scottish government announcing last month that it was [banning private firms from carrying out assessments](https://news.gov.scot/news/new-social-security-agency-puts-people-first) after having some social security powers devolved by Westminster.

Plaid Cymru told Disability News Service (DNS) that such a policy would allow a Welsh government – which is currently Labour-run – to create a not-for-profit arm’s length body that would conduct assessments “with dignity and efficiency”.

This would allow it to ban the “unscrupulous companies” that currently carry out assessments, a reference to the much-criticised outsourcing giants Maximus, Capita and Atos.

A Plaid Cymru spokesman said: “Far too many disabled people have been losing their benefits on the basis of poorly carried out assessments where what they have told assessors, and clear medical evidence, has been totally ignored.

“We would want the future assessment process both fairer and simpler.”

[A DNS investigation has found](http://www.disabilitynewsservice.com/election-forces-mps-to-abandon-pip-inquiry-but-evidence-backs-up-dishonesty-claims/) widespread evidence that healthcare professionals employed by private companies on behalf of the Department for Work and Pensions were guilty of widespread dishonesty in the reports they compiled after carrying out face-to-face assessments for personal independence payment.

Plaid Cymru also says in its manifesto that it would “support and encourage disabled people into employment without facing threats of sanctions”.

This does not appear to mean scrapping all benefit sanctions, but the introduction of a less punitive regime.

A spokesman said: “With our new social security agency, people with disabilities would not face unjustified sanctions because there would not be set targets or profit motives.

“We would support and encourage disabled people into employment with more comprehensive support plans for potential employment or further training opportunities dependent on benefits claimed.”

Plaid Cymru also pledges in its manifesto to scrap the bedroom tax.

Last year, the UN’s committee on the rights of persons with disabilities found that the bedroom tax was one of the policies that had “curtailed the right” of disabled people to choose a place to live independently and to be included in the community, under article 19 of [the UN Convention on the Rights of Persons with Disabilities (UNCRPD)](http://www.un.org/disabilities/convention/conventionfull.shtml).

But the Plaid Cymru manifesto contains few other policies directly targeted at disabled people.

In the party’s 51-page manifesto, which focuses on the “threats” and “opportunities” of Brexit for Wales, there is just one mention of the words “disabled”, “disability” or “disabilities”, which comes in the social security section.

But the manifesto does include a pledge to address the “social care crisis”, which it says is “due to underinvestment and a perverse historic divide between health and social care”.

It promises a “social care rescue plan which will help people to live independently” and says it will “ensure that health and social care services are seamlessly provided”.

The rescue plan appears to focus strongly on the NHS and the needs of carers.

The party spokesman said it included measures such as “full recognition of the role of Community Hospitals” and increased support for carers, including child carers.

He said it would also mean “working with local health boards to maximise the investment available in local health and social care services, providing services that fit the needs of the individual regardless of whether those services involve social care workers, allied health professionals such as occupational therapists, or doctors and nurses”.

The manifesto also warns that “fundamental human rights are at risk, exposing the weakest, most vulnerable members of our communities”.

It promises to publish a “human rights charter for Wales to defend Welsh people against the backdrop of a Tory government intent on undermining the Human Rights Act”, although it does not say what rights would be included in the charter.

**18 May 2017**

**Election 2017: Tories snub opportunity to address disability pay gap**

The Conservative party has refused to explain why it is doing nothing to address the disability pay gap, despite announcing measures it says will tackle the injustice of black and minority ethnic (BAME) employees being paid less for doing the same job as white staff.

Prime minister Theresa May announced this week that her party wanted to extend the duties for some companies to publish data on differences in pay between men and women, and also extend those requirements to figures on BAME employees.

But it made no mention of disabled employees, despite the significant disability pay gap [reported last month](https://www.equalityhumanrights.com/sites/default/files/being-disabled-in-britain_0.pdf) by the Equality and Human Rights Commission (EHRC).

In its “damning new state of the nation report into life for disabled people”, Being Disabled in Britain, EHRC warned that the disability pay gap in Britain was “persistent and widening”.

Rules on gender pay gap reporting, which will affect employers with more than 250 employees, [were introduced by the government last month](https://www.gov.uk/government/news/gender-pay-gap-reporting-goes-live).

But another Conservative government would require large companies to publish more data – including pay for different grades and staff ages – and do the same for BAME staff.

May said: “The fact that different ethnic groups are being paid less for doing the same jobs is an injustice which cannot be allowed in twenty-first century Britain.”

But despite the prime minister announcing the measure on BAME reporting measures as part of her announcement of “a new deal for workers”, a Tory spokesman refused to comment on the failure to include measures that would address the pay gap affecting disabled workers.

There was no mention of the disability pay gap in the Tory manifesto [when it was published this morning](https://www.conservatives.com/manifesto).

The Liberal Democrats appeared to have made a similar omission, after announcing their own plans to introduce reporting measures on employment levels and pay gaps relating to gender and BAME and LGBT+ employees, but later confirmed that this would also include disabled people.

EHRC, and the other equality and human rights bodies that make up the independent mechanism charged with overseeing the UN disability convention’s implementation in the UK, [told the UN’s committee on the rights of person with disabilities](https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/un-convention-rights-persons-disabilities) earlier this year that disabled people “are paid less on average than non-disabled people” and that average pay for disabled people in Britain had fallen between 2010-11 and 2015-16.

The independent mechanism report added: “The UK Government reports annually on the size of gender pay gaps and has introduced gender pay gap reporting from April 2017, but has taken no similar action on disability pay gaps.”

It called on the committee to ask the UK and devolved governments what steps they had taken to close the pay gap between disabled and non-disabled employees, and what plans they had to “monitor the extent of the disability pay gap and extend pay gap reporting”.

This has been ignored by the Conservative party in its manifesto.

Liz Sayce, chief executive of [Disability Rights UK](https://www.disabilityrightsuk.org/), said: “We call on all the political parties to commit to placing expectations on large employers that they will report on the proportion of their workforces who report living with an impairment or health condition, at both junior and senior levels; and that they will take action where there are inequalities, for example where disabled people are concentrated in low paid jobs.

“We have seen with the increase in the number of women on boards that national initiatives can deliver some changes when there is a national push behind them.

“We need that impetus on disability, as one part of a wider approach to reducing poverty and opening up greater opportunities.”

**18 May 2017**

**Police force launches review of hate crime procedures, after activist’s complaint**

Police have been forced to launch a major review after refusing to treat online attacks against a leading disabled activist as disability hate crimes.

And a second police force has upheld a series of complaints made by the activist, Doug Paulley, relating to the same disability hate offences.

Paulley’s email hosting provider – which is linked to his website – had been subjected to what his service provider described as a “serious” and “targeted” cyber-attack just a few weeks after he won a high-profile and ground-breaking Supreme Court ruling in January.

[The Supreme Court found](http://www.disabilitynewsservice.com/anger-after-bus-giant-tries-to-weasel-out-of-supreme-court-discrimination-ruling/) that First Bus had breached its duty to make reasonable adjustments for disabled people, as a result of its failure to ensure that wheelchair-users should have priority in the use of dedicated wheelchair spaces.

But in the wake of the ruling, which received high-profile media coverage, Paulley received a flood of “very sweary” emails and online comments attacking him for taking the case.

Early the following month, his email hosting provider was subjected to a concerted and aggressive attempt to force it and his website offline, which was described by his service provider as “almost certainly a malicious attack”, and “almost certainly a targeted attack”.

Paulley reported the offences as disability hate crimes\* to [Action Fraud](http://www.actionfraud.police.uk/), the UK’s national fraud and cyber-crime reporting centre, which is run by City of London Police.

But the force refused to record them as hate crimes, because, it said, it only deals with cyber-crime and fraud.

One senior figure in the force told him: “I can confirm that Action Fraud is only responsible for taking reports about fraud and it is not within their remit to record other crimes including hate crimes.”

But following a complaint into Action Fraud’s response, Paulley has now been told that City of London Police has launched a “full review” into how Action Fraud and the National Fraud Intelligence Bureau deal with reports of hate crime, which is being led by a chief superintendent.

City of London Police has promised Paulley “a full explanation of what has
happened, why this is the case and any further decisions or process changes that are made following your complaint”.

A City of London Police spokeswoman said this week that the force could not comment on Paulley’s complaint as it was “currently being actively investigated by our professional standards department”, but she confirmed the review was taking place.

After the initial response from Action Fraud, Paulley decided to report the offences to his local police force, West Yorkshire Police (WYP).

But a civilian officer refused to treat the cyber-attack as a hate crime because it was a “computer misuse offence”, and she challenged Paulley over his belief that it was motivated by disability-related hostility.

Paulley was forced to complain – again – and West Yorkshire Police changed its mind and investigated both the cyber-attack and the hate mail, treating both as disability hate crimes.

One of the people who sent the hate mail was traced and dealt with through the community resolution process.

Paulley said: “The police officer offered to make him apologise but I decided not to take up that offer.

“The community resolution was that he admitted the crime, that he realised the effect and that he won’t do it in future.”

The process means the offence should appear on any enhanced criminal record check that is carried out on the man’s background if he tries to work with “vulnerable groups”.

WYP has told Paulley it will not be able to investigate the cyber-attack offence any further because of the complex nature of such attacks, which he has accepted.

Yesterday (Wednesday), the force told Paulley that four of his five complaints about the incident had been upheld.

Paulley said: “It’s ludicrous that I have had to fight for four months to get this recorded as a hate crime, in the process having to fight to get two police forces to recognise that online crime can be a hate crime.

“But it finally looks like I’m getting there: the crime has finally been recorded, investigated as far as possible, and both police forces are starting to recognise that online hate crime is hate crime and should be recognised and recorded as such.”

*\*The Crown Prosecution Service defines a disability hate crime as “any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person’s disability or perceived disability”.*

**18 May 2017**

**Access to Work cap hits prominent Deaf campaigner as he starts new job**

The newly-appointed Deaf chief executive of a leading disabled people’s organisation has been told the government will only provide him with enough support to pay for interpreters three days every week.

David Buxton, a British Sign Language-user, began his full-time job as chief executive of [Action on Disability](https://actionondisability.org.uk/) in London last week, but has immediately been hit by the controversial cap on the Access to Work (AtW) scheme.

The scheme provides disabled people with funding to pay for some of the extra disability-related expenses they face at work, reducing the costs organisations face when taking on disabled employees.

The cap [was introduced for new AtW claimants in 2015](http://www.disabilitynewsservice.com/marchers-to-warn-pm-that-access-to-work-cap-will-discriminate/) and is due to affect existing claimants from April 2018.

Campaigners have been warning for the last two years that the cap, which will limit annual AtW awards to one-and-a-half times the average salary, would hit Deaf users of British Sign Language (BSL) hardest, with BSL services accounting for about four-fifths of the highest-value AtW awards.

But they have also warned that the cap will “actively discriminate” against Deaf and disabled people with high support needs in senior positions, like Buxton.

He had previously received enough AtW support to provide BSL interpreters throughout the week when he was a senior manager at the disability charity Scope and was overseeing about 125 staff across the London and south-east region.

His AtW budget at Scope was about £70,000 a year because he needed to book support every day, and sometimes needed a second interpreter for formal meetings.

When he left to join the [British Deaf Association](https://bda.org.uk/) in 2011, he and four colleagues pooled their support, so there was always a full-time interpreter available in the office, while most of the staff used BSL.

But Buxton had to submit a new claim when he was appointed to head Action on Disability, and he has been told that AtW will only pay a maximum of £42,000 a year, enough to pay for three full days a week or five half-days.

Providing him with full-time interpreter support, and occasional second interpreters for long meetings, would come to about £77,000 a year.

Although Action on Disability, a small charity, has been able to provide £5,000 towards his interpreter costs, he believes he will still have to find another £10,000 a year to ensure he is “effectively performing as chief executive to meet key job requirements”.

He said: “I am very concerned about how much time I spend working out which days every week I need to book an interpreter, as I don’t know when people want to meet, etc, mostly at short notice.

“More than 80 per cent of AtW users facing the cap level are Deaf BSL users. This is totally unfair as it seems the government sees us as expensive [even though] we contribute added value to the economy, such as creating jobs.”

He also said it was “totally unfair” of the government to treat all organisations that employ Deaf and disabled employees the same, whether they are large profit-making companies, charities or disabled business owners.

Victoria Brignell, AoD’s chair, said the AtW cap was “deeply frustrating”.

She said: “It will make it much harder for many disabled people to find and keep a job and I fear that many disabled people will be forced to give up work as a result of it.

“One of the most annoying aspects of the policy is that this cap will only save the Government £3 million, yet it will cause huge distress for hundreds of disabled people.

“This policy also undermines the government’s own intentions. It has said it wants to see more disabled people in employment, but this policy will make it more difficult for disabled people to work.”

She herself will be hit by the cap when it comes into effect for existing claimants next April.

She says there will be a £16,000 gap between the costs of her personal assistants and travel expenses and what AtW will fund.

She said: “Luckily, I have an understanding employer but other disabled people aren’t so lucky.”

Brignell was behind [a petition on the parliament website](https://petition.parliament.uk/petitions/185501) that called on the government to abandon the cap, and she plans to relaunch it after the election.

Asked whether DWP still thinks the cap is a good policy, a DWP spokeswoman said: “As we made clear when the cap was announced in 2015, the annual cap is based on one and a half times the average annual wage, and continues to be up-rated annually.

“An individual receiving the highest award will potentially benefit from over £120,000 of support across the three-year period of a maximum award.

“We also announced that we would be working with a range of stakeholders and deaf people to undertake a market review of BSL interpreter provision.”

**18 May 2017**

**DRILL hands out another £1 million in funding for disabled-led research**

A two-year scheme to set up a pan-disability product review website is one of 11 disabled-led research projects that have been awarded a total of £1 million in funding.

The Rate It! project will be co-produced by three disabled led organisations, [Research Institute for Consumer Affairs](http://www.rica.org.uk/), [Leicestershire Centre for Integrated Living (LCiL)](http://www.lcil.org.uk/) and [Enabled by Design](http://enabledbydesign.org/), and will be advised by the consumer organisation Which!

The website will help disabled consumers make “informed choices” about independent living products, with the hope that the reviews will also help build the understanding of retailers and manufacturers.

Rate It! will receive nearly £150,000 from DRILL ([Disability Research on Independent Living and Learning](http://www.drilluk.org.uk/)), a £5 million research programme funded by the Big Lottery Fund, and delivered by [Disability Rights UK](http://www.disabilityrightsuk.org/) (DR UK), [Disability Action](http://www.disabilityaction.org/) (in Northern Ireland), [Inclusion Scotland](http://inclusionscotland.org/) and [Disability Wales](http://www.disabilitywales.org/).

DRILL [has also announced 10 other projects](http://www.drilluk.org.uk/disability-research-independent-living-learning-drill/pilot-projects/research-pilot-grants-2017/#upholding) across England, Scotland, Wales and Northern Ireland that have been handed funding in the latest tranche of awards for the five-year programme.

Every one of the participants in a two-year University of Glasgow project to examine the barriers faced by autistic people, which receives £100,000 DRILL funding, are autistic people themselves.

Another scheme funded by DRILL will see [Glasgow Centre for Inclusive Living](http://www.gcil.org.uk/), [Independent Living in Scotland](file:///C%3A%5CUsers%5CJohn%5CDesktop%5CDocuments%5CDisability%20News%5C2017%5CMay%202017%5CIndependent%20Living%20Scotland), the Scottish Independent Living Coalition, and the University of Stirling receive more than £90,000 to examine the costs and benefits of good self-directed support.

[Disability Sheffield](http://www.disabilitysheffield.org.uk/) is involved in a seven-month project to explore employers’ perceptions about the workplace barriers faced by disabled people, while another research project, which involves disabled parents working with the University of Bedfordshire, will develop solutions to keep families involving disabled parents together and challenge the assumption that having an impairment has a negative impact on your child’s well-being.

Another DRILL-funded scheme will see [Wiltshire Centre for Independent Living](https://www.wiltshirecil.org.uk/) leading on an 18-month project to “explore the transition from childhood to adulthood for disabled young people”.

And the Legally Disabled? project, based in Cardiff but covering England as well as Wales, will examine the barriers faced by disabled people in the legal profession, and has been awarded nearly £90,000 of DRILL funding.

Rhian Davies, chief executive of [Disability Wales](http://www.disabilitywales.org/), which is supporting DRILL projects in Wales, said: “We’re delighted to be announcing this DRILL grant, and supporting a project run by disabled people about disability issues.

“This goes a long way to addressing the gaps in evidence which is needed to create lasting change for disabled people.”

Dr Debbie Foster, of Cardiff Business School, who is managing the Legally Disabled? project, said: “This is a wonderful opportunity to conduct research with disabled people in the legal profession.

“Too often it is assumed that disabled people only work in low-skilled jobs and are not qualified to work in our top professions.

“This research seeks to challenge such stereotypes by highlighting the contribution of disabled people in law and through identifying both the barriers that they continue to face and potential solutions.”

Professor Tom Shakespeare, who chairs the DRILL central research committee, said: “The research committee are delighted to be able to support work about adapted housing, autism, young disabled people, disabled parents and other important issues, from all parts of the United Kingdom.

“It’s particularly rewarding to see the strong new relationships which are emerging between disabled people’s organisations and university researchers.”

DRILL is believed to be the world’s first major research programme led by disabled people, and should eventually fund about 40 pieces of research and pilot projects.

This week, it also issued [a call for new bids for another £1 million in funding](http://www.drilluk.org.uk), with a deadline for applications of 8 August.

**18 May 2017**

**Election 2017: Lib Dems would scrap all sanctions, benefit cap and PIP 20-metre rule**

A Liberal Democrat government would scrap all benefit sanctions, end the benefit cap and reverse the controversial personal independence payment (PIP) “20-metre rule” that has led to tens of thousands of disabled people losing their Motability vehicles.

Although the three policies are not included in the party’s manifesto, which was published yesterday (Wednesday), the Liberal Democrats have confirmed that they remain party policy and would be part of their programme of government if they won the election.

They were among measures that became party policy after being voted through [following a heated debate on a social security policy paper](http://www.disabilitynewsservice.com/lib-dem-conference-bid-to-scrap-wca-approved-despite-calls-for-more-radical-reform/) at last autumn’s annual party conference, a decisive shift from policies it agreed as partners in the Conservative-led coalition between 2010 and 2015.

And although they were not among key pledges made in the social security section of this week’s manifesto, a party spokesman confirmed to Disability News Service today that they would be implemented if the party won power.

He said the party was “wedded to whatever was agreed at conference being party policy”.

When asked whether that meant the three policies would be part of a programme of government, even though they were not included in the manifesto, he said: “Yes.”

It means that the party’s offer to disabled people on social security policies goes considerably further than Labour’s, although it appears to fall short on its policies on disability rights, with Labour promising to incorporate the UN disability convention into UK law for the first time, among a string of rights-based policies.

The benefit cap currently means a family outside London can receive a maximum of £20,000 in benefits every year (and just £13,400 for a single adult with no children).

[Last week](http://www.disabilitynewsservice.com/lower-benefit-cap-sees-income-slashed-for-more-than-10000-disabled-people/), DNS reported how more than 10,000 ESA WRAG claimants had had their benefits slashed in February this year following the introduction of a lower cap (it was previously £26,000 for families).

The PIP 20-metre rule has been one of the highest-profile targets for disabled campaigners since it was introduced under the coalition.

Under disability living allowance (DLA), someone is eligible for the higher mobility rate if they cannot walk more than 50 metres, but under PIP – which is gradually replacing working-age DLA – this walking distance criterion has been set at just 20 metres.

Those who are not eligible for the PIP mobility enhanced rate are not able to hire a vehicle through the Motability scheme, and the rule has seen more than 50,000 disabled people [being forced to hand back their Motability vehicles](http://www.disabilitynewsservice.com/minister-announces-new-pip-flexibility-on-motability-but-no-sign-of-scheme-extension/) since 2013 after losing eligibility.

The call to scrap all benefit sanctions – also supported by party members last autumn – again puts distance between the Liberal Democrats and Labour, with Labour only promising to address the “punitive” nature of the sanctions regime.

In the manifesto, the Liberal Democrats make a series of other pledges aimed at reversing “unfair Conservative policies” on social security and say that “balancing the books on the backs of the poor and disabled, and demonising people who claim benefits, is neither acceptable nor responsible”.

The manifesto says the party would increase working-age benefits by at least the rate of inflation – in contrast to Labour, which appears to have said it could not afford to abandon the Tory benefits freeze that is set to last until 2020 – and would scrap the work capability assessment (WCA).

It plans to replace the WCA with a new assessment system run by local authorities – according to national rules – which would include a “real world” element into the assessment of eligibility for ESA, based on the kinds of jobs available in the local labour market.

And the party said it would reverse the highly-controversial cuts of £30-a-week for new claimants of employment and support allowance placed in the work-related activity group – introduced this April by the government – and scrap the “bedroom tax”.

Last year, the UN’s committee on the rights of persons with disabilities found that the bedroom tax was one of the policies that had “curtailed the right” of disabled people to choose a place to live independently and to be included in the community, under article 19 of [the UN Convention on the Rights of Persons with Disabilities (UNCRPD)](http://www.un.org/disabilities/convention/conventionfull.shtml).

The manifesto also includes a series of policies on social care and mental health [that were announced last week,](http://www.disabilitynewsservice.com/general-election-2017-lib-dems-promise-6-billion-more-a-year-for-care/) including the pledge to raise £6 billion a year extra to spend on the NHS and social care, funded by increasing all rates of income tax by 1p.

They say they would spend at least £2 billion of the money on social care in the next financial year, and £1 billion on mental health.

But apart from the sections on social security, mental health and social care, there were few significant policies that target disabled people in the manifesto, with just six mentions of the words “disability”, “disabilities” or “disabled people” across its 100 pages.

The party pledged to “raise awareness of, and seek to expand” the Access to Work programme; continue funding the Access for All rail station access improvement scheme; improve legislation on blue parking badges; and set up a “benchmarking standard” to compare the accessibility of cities.

There was no backing for inclusive education, although the party said it would “ensure that identification and support for special educational needs and disabilities takes place as early as possible”, while all new schools policies “should have an assessment of how they affect pupils who have special educational needs, and ensure they adhere to duties under the Equality Act”.

The party also said it would establish a review to “pave the way” for the introduction of job-sharing for MPs, which should benefit disabled people who want to become parliamentarians but cannot work full-time.

**18 May 2017**

**News provided by John Pring at** [www.disabilitynewsservice.com](http://www.disabilitynewsservice.com)