**Minister hid judges’ criticism of McVey from MPs, hours after shock appointment**

The minister for disabled people has refused to apologise for misleading MPs about a court of appeal judgment that was highly critical of her new boss, Esther McVey, just a day after her appointment as the new work and pensions secretary.

Sarah Newton was responding to [a Commons debate on the Independent Living Fund (ILF)](http://hansard.parliament.uk/commons/2018-01-09/debates/0FDBD161-0672-4B38-B58E-414C42DEE899/IndependentLivingFund), less than 24 hours after McVey’s surprise appointment as the replacement for David Gauke in this week’s ministerial reshuffle.

McVey played a crucial role in the fund’s closure – one of the cuts and reforms that has most angered disabled people over the last eight years – as minister for disabled people between September 2012 and October 2013.

And in November 2013, a month after she was promoted to the role of employment minister, three court of appeal judges [delivered a damning judgment](https://www.disabilitynewsservice.com/independent-living-fund-victory-mcvey-silent-over-possible-resignation/) about the decision she had taken in December 2012 to close the fund.

The three judges unanimously overturned an earlier ruling by the high court and found that her decision to close the fund was unlawful, and that she had breached the Equality Act’s public sector equality duty.

She was heavily criticised by the judges, with one saying there was no evidence that she had “directed her mind to the need to advance equality of opportunity”.

He added: “Nor is there evidence she considered the proposals having due regard to the need to minimise the particular disadvantages from which ILF users and other disabled persons suffer or the need to encourage such persons to live independently and to participate in public life and other activities.”

The judges were also highly critical of DWP officials, with one saying there was a tendency for officials “to tell the Minister what they thought she would want to hear”, although he added that he was convinced that McVey “was sufficiently aware of the very real adverse consequences which closing the fund would have on the lives of many of the more severely disabled”.

The government, through McVey’s replacement, Mike Penning, [later went ahead with the closure](https://www.disabilitynewsservice.com/trio-launch-fresh-court-battle-to-save-ilf/) after reconsidering the decision, this time paying proper attention to DWP’s legal obligations.

DWP also defeated a second legal attempt by a disabled campaigner to overturn the closure.

But despite the judges’ criticism of her new boss and the finding that the closure had been unlawful, Newton told fellow MPs in Westminster Hall this week that the government’s decision to close ILF “was challenged in a judicial review, and throughout the process the DWP won on all points”.

Newton added: “It was judged that the consultation was fair and that it had paid due regard and proper attention to the public sector equality duty.”

A DWP spokeswoman told Disability News Service that Newton had been aware of the court of appeal’s decision.

But she said: “As the debate focussed on the effect on claimants following closure of the ILF along with forthcoming changes coming into effect in devolved administrations, the minister did not intend to discuss the different legal proceedings in any depth but responded to challenges in the debate as required.”

She added: “The preparation for the ILF debate was carried out well before the reshuffle, and the minister had no prior knowledge of its outcome.”

She had failed to say by noon today (Thursday) whether Newton would apologise for misleading MPs about the court of appeal’s ruling and its severe criticism of McVey.

Tuesday’s debate had been secured by the Welsh Labour MP Ian Lucas, and was focused on the decision of the Welsh government to start devolving funding – paid by the UK government following the ILF closure in 2015 – to local authorities in Wales, without ring-fencing it for former ILF-users.

The funding had previously been used in Wales to set up the Welsh independent living grant (WILG).

Lucas paid tribute to his constituent, Nathan Lee Davies, a former ILF-user who has campaigned against the Welsh government’s decision to scrap WILG and begin devolving the funding later this year.

[Last September](https://www.disabilitynewsservice.com/disabled-activist-is-fighting-for-his-life-as-he-hands-petition-to-welsh-government/), Davies handed in a petition of hundreds of signatures that called on the Welsh government to reverse this decision.

Davies has been told that without WILG his own care package would be reduced from 86.5 hours to just 31 hours a week.

Lucas told fellow MPs: “As a result of support from the fund, Nathan has been able not only to live in the community but, as the ILF intended, to contribute in a really positive way to the community in which he lives, notwithstanding his disability and the challenges that he faces.

“The difficulty is that doubt about the future of the fund in Wales is now causing Nathan great worry.

“Devolution of funding to local councils when their budgets are under great pressure means that there is no guarantee that the levels of funding will be maintained, even if an individual recipient’s condition deteriorates.”

He said he would now discuss the future of the fund in Wales with his own party – including Welsh ministers – because he was “not convinced that the evidence from what has happened in England [where funding has been devolved for nearly three years] supports devolution to local authorities as a good way forward”.

SNP’s Patricia Gibson urged Newton to learn lessons from Scotland, where the Scottish government has set up its own Independent Living Fund Scotland.

Marsha de Cordova, Labour’s shadow minister for disabled people, said that “extensive cuts to local government funding” had led to many disabled people being “restricted or limited in the lives they could lead”.

She said: “We would all agree that it is fundamental that disabled people’s independence should not be dependent on the level of funding or eligibility criteria set by an individual local authority.

“Distribution of funding should also be based on need; therefore, there should be some sort of universal policy for how that is done.”

Newton insisted that the decision to close the fund was “driven by a clear case for reform, rather than any desire to cut costs” and that ILF had become “increasingly outdated” because choice and control was now “far more available in mainstream provision than it was at the time when people thought we needed an Independent Living Fund”.

She argued that the Care Act 2014, brought in under the Conservative-Liberal Democrat coalition, had “brought in consistency in eligibility and in quality of care”, and that transferring ILF funding to local authorities was “very much part of the government’s thinking on supporting the principles of localism”.

She said councils would have access to £9.25 billion more in social care funding over the next three years, and that “with this additional funding, local authorities have the ability to meet the needs that have been clearly set out there and to meet the responsibilities set out in the Care Act”.

But she also claimed that the former ILF funding had been “certainly transferred in the full expectation that its recipients would have their funding maintained”.

Former ILF-users in England are likely to find that claim surprising, as there have been many reports of [individual ILF-users who have had their support slashed](https://www.disabilitynewsservice.com/council-faces-legal-action-after-slashing-womans-post-ilf-care-without-telling-her/) following the fund’s closure, including that of Luke Davey, [who lost a high-profile legal bid](https://www.disabilitynewsservice.com/failed-legal-bid-shows-un-was-right-to-call-for-a-right-to-independent-living/) last September to reverse a drastic cut to his support package.

And [research by Newton’s own department](https://www.disabilitynewsservice.com/dwp-report-confirms-fears-over-impact-of-ilf-closure/) found that some former ILF-recipients experienced a loss of support, a greater reliance on unpaid care and an “adverse” impact on their physical and mental health after its closure.

**11 January 2018**

**Backlash over ‘terrible insult’ of McVey’s DWP appointment**

Campaigners have reacted furiously to the decision to appoint Esther McVey as the new secretary of state for work and pensions, calling it a “heartsink moment” and a “terrible insult” to disabled people.

McVey, who served as both minister for disabled people and employment minister between 2012 and 2015, is blamed for many of the welfare reforms that had the harshest impact on disabled people under the coalition government.

In just three years, before she lost her seat at the 2015 general election, McVey faced repeated attacks for her attitude towards disabled people and other benefit claimants.

They included severe criticism from court of appeal judges, being repeatedly shamed for misleading fellow MPs and the public about the impact of her policies on disabled people, and appearing to welcome the increasing use of foodbanks caused by her government’s austerity policies.

Probably the most serious attack on her credibility came in November 2013 when [she was heavily criticised by three court of appeal judges](https://www.disabilitynewsservice.com/independent-living-fund-victory-mcvey-silent-over-possible-resignation/) over her decision to close the Independent Living Fund 12 months earlier.

They found that the closure decision had been unlawful, and that McVey had breached the Equality Act’s public sector equality duty when making that decision.

One judge said there was no evidence that she had “directed her mind to the need to advance equality of opportunity”.

He had added: “Nor is there evidence she considered the proposals having due regard to the need to minimise the particular disadvantages from which ILF users and other disabled persons suffer or the need to encourage such persons to live independently and to participate in public life and other activities.”

[McVey was criticised again](https://www.disabilitynewsservice.com/activist-loses-appeal-over-unfair-20-metres-pip-consultation/) over the highly unpopular decision to tighten key eligibility criteria for the higher rate of mobility support from 50 metres to 20 metres under the new personal independence payment (PIP).

McVey’s civil servants had consulted on PIP in 2012 but did not mention her plans to cut the criteria from 50 metres to 20 metres until after the public consultation had closed.

She only avoided another legal defeat by carrying out a second consultation, but only after a disabled activist had launched a judicial review of her decision.

In March 2013, [she was shamed](https://www.disabilitynewsservice.com/mcvey-refuses-to-apologise-after-misleading-mps-on-bedroom-tax/) – but refused to apologise – after misleading MPs about the impact of the bedroom tax on families with disabled children or disabled people who had family members as carers.

The following month, McVey was accused of [using misleading government statistics to “stoke up antagonism”](https://www.disabilitynewsservice.com/mcvey-uses-misleading-dla-stats-to-stoke-up-antagonism/) towards disabled benefit claimants, when she told the Mail on Sunday that disability living allowance (DLA) claims had shot up ahead of the introduction of PIP.

The newspaper had described this as “an extraordinary ‘closing-down sale’ effect, with rocketing claims as people rush to get their hands on unchecked ‘welfare for life’”, a description a DWP spokeswoman later said was a fair representation of her interview although she had not used the exact phrases “closing-down sale” or “welfare for life”.

Analysis of the figures used by McVey to justify the claim showed that the number of claimants aged 16-64 – the group who would be affected by the introduction of PIP – had actually fallen by more than 1,600 in the three months she was referring to.

In August 2013, McVey [refused to apologise](https://www.disabilitynewsservice.com/ministers-silent-after-being-caught-pulling-lies-out-of-thin-air/) after she was caught again “pulling lies and false information out of thin air” in a bid to justify her government’s cuts to spending on disability benefits and services.

She had claimed that the UK was spending “almost double the OECD average” on disabled people, a claim that was shown to be wrong by OECD statisticians.

Two months later, [McVey was facing further claims of using misleading statistics](https://www.disabilitynewsservice.com/mcvey-gets-caught-out-on-stats-for-the-third-time/), this time to try to show MPs that her policies were not damaging inclusion and equality for disabled people, after she misreported both the results of an international report on the implementation of the UN disability convention and her own department’s research on disability equality.

The following year, [McVey emphasised her belief](https://www.disabilitynewsservice.com/disability-employment-strategy-reform-rationing-and-a-new-gateway/) in the controversial and discredited biopsychosocial model of disability – an approach, favoured by the insurance industry, which puts much of the blame for disability on the disabled person – in a foreword to a paper on the government’s disability employment strategy.

She said then: “A person’s belief about what they can do can be as important as other factors, including their health condition, in determining how likely they are to find a job.”

McVey was also minister for disabled people when the department launched the ill-fated Disability Confident scheme in July 2013.

[DNS later revealed](https://www.disabilitynewsservice.com/disability-confident-attracts-just-40-mainstream-private-sector-partners-in-three-years/) that the government had signed up only about 40 mainstream private sector employers in the three years after McVey helped launch the flagship scheme.

Many disabled people also pointed this week to a speech McVey made in December 2013, when minister for employment, in a Commons debate, in which she appeared to suggest that it was “right” that more people were visiting foodbanks.

A [recording of her speech](https://www.youtube.com/watch?v=4BHZiN4BLV0&feature=youtu.be) shows (about 10 minutes in) that she said: “In the UK it is right that, you know, more people are visiting, which you would expect, going to food banks, because as the time is tough, as we’re all having to pay back this £1.5 trillion debt personally which spiralled under Labour, as we’re all trying to live within our means…”

McVey lost her Wirral West seat at the 2015 general election, a defeat blamed largely on unpopularity caused by her DWP work, but she returned to parliament last year after replacing former chancellor George Osborne as MP for Tatton when he quit parliament.

Soon after McVey’s appointment this week as the new work and pensions secretary, [a petition calling on the prime minister to sack her was launched](https://you.38degrees.org.uk/petitions/sack-esther-mcvey?bucket&source=facebook-share-button&time=1515493788) by a disabled campaigner on the website 38 Degrees as a way to “give people hope, a visual representation of numbers of support for those of us who’ve woken to this frightening news today”.

One of those who signed the petition said: “This is a terrible insult to every disabled and sick person.

“She didn’t show any understanding of the struggles people endure on a daily basis and I doubt she learned anything from her past experiences.”

Another pointed out that the UN had criticised the government [for causing a “human catastrophe”](https://www.disabilitynewsservice.com/uk-faces-un-examination-government-cuts-caused-human-catastrophe/) with its disability policies, with the appointment showing Theresa May “returning one of the very ministers who has been at the heart of this ‘conscious cruelty’ meted out by the Tories to society’s disabled, sickest and poorest citizens”.

Disabled researcher and campaigner Catherine Hale said McVey’s appointment had been “a heartsink moment”, and that she felt “anguished on behalf of people on employment and support allowance especially”.

She said: “The appointment of McVey as secretary of state for work and pensions must be the Tories’ darkest hour yet.

“We can’t give her the benefit of the doubt in her intentions towards us, given her record as minister for disabled people.

“She and her morally bankrupt party have to be unseated urgently if disabled people are to survive and thrive.”

Anne McGuire, a former Labour minister for disabled people, said: “This is an unbelievably worrying decision.

“Esther McVey will be treated with justifiable suspicion after her tough, uncompromising and insensitive approach when last a DWP minister.

“Her lack of understanding of the severe problems facing those at the sharp end of benefit cuts means her appointment will fuel the fear that disabled people and other benefit recipients will continue to bear the brunt of government’s austerity policies.”

But McGuire also condemned the “vile abuse being thrown at Esther McVey” by some critics on social media.

She said: “It is totally unacceptable and should not be tolerated.”

Linda Burnip, co-founder of [Disabled People Against Cuts](https://dpac.uk.net/), said: “The appointment of the much-hated Esther McVey as secretary of state for DWP has provoked a massive backlash from disabled people and their organisations against Theresa May and her government.

“People see this as a deliberately provocative appointment which they feel will lead to the further abuse and denial of rights for disabled people.”

She said that neither McVey nor Jeremy Hunt – who was re-appointed as health secretary, with his role renamed as health and social care secretary – were “fit to be MPs, let alone hold any office”.

Disability rights activist Alice Kirby said: “In Esther McVey, the prime minister has selected someone whose actions had already caused considerable harm to disabled people to oversee a department already renowned for abusing our rights.

“In the past she has championed sanctions, the bedroom tax, and reducing the number of people being awarded disability benefits by replacing DLA with PIP.

“She also stated that it was ‘right’ and to be expected that people needed food banks as well. McVey's record speaks for itself, she is not to be trusted.”

John McArdle, co-founder of [Black Triangle](http://blacktrianglecampaign.org/), said: “The fact that Theresa May has appointed someone with such an infamous reputation for defending policies that the chair of the UN committee on the rights of persons with disabilities (UNCRPD), Theresia Degener, [has described as a ‘human catastrophe’](https://www.disabilitynewsservice.com/uk-faces-un-examination-government-cuts-caused-human-catastrophe/) reveals in stark relief the utter contempt with which this government holds the human rights and welfare of disabled people.

“We can now expect an intensification of the government’s campaign of violations against the fundamental human rights of the UK’s disabled population.

“We urge everyone to protest vigorously by signing the petition on 38 Degrees calling for McVey to be sacked and urge a campaign of peaceful direct action against Conservative members of parliament to highlight this grave injustice at local, national and international level.

“Along with other organisations we will be keeping the UNCRPD informed of developments as they occur and will seek by every means at our disposal to hold the government to account in the courts and in the court of public opinion at home and abroad.”

Sue Bott, deputy chief executive of [Disability Rights UK](https://www.disabilityrightsuk.org/), said McVey had “a very full in-tray when it comes to disabled people”.

She said: “We hope she’ll work with us to come up with practical responses to some of the critical issues around disabled people’s ability to live as full and equal citizens in the UK.

“High on the list are the assessment process for disability benefits such as employment and support allowance and personal independence payment; these assessments were a growing problem during her earlier tenure as minister for disabled people, and that remains the case.

“The injustices around the bedroom tax and the burgeoning problems with universal credit are also things that disabled people are worried about.

“We want to see concrete proposals to support disabled people coming out of the previously announced industrial strategy, and the health and work discussion paper – that is the only way we might start making progress on the stated aim to get more disabled people into paid work.

“If the new secretary of state really wants to make a difference to disabled people’s lives, she’ll have to do more than promote the Disability Confident initiative and encourage employers to be more disability friendly.

“Actions, not words, need to be the order of the day.”

McVey was one of the few high-profile appointments in [this week’s ministerial reshuffle](https://www.gov.uk/government/news/ministerial-appointments-january-2018), and becomes the fifth work and pensions secretary in less than two years.

But she was reportedly only appointed after education secretary Justine Greening turned down the job and decided instead to leave the government after being sacked.

The reshuffle also saw employment minister Damian Hinds replaced by Alok Sharma, and family support, housing and child maintenance minister Caroline Dinenage replaced by Kit Malthouse, although his duties have yet to be confirmed.

Sarah Newton, the minister for disabled people, has kept her job.

Hinds has become the new education secretary and Dinenage a minister of state in the newly-renamed Department of Health and Social Care.

**11 January 2018**

**MPs refuse to explain failure to quiz minister on ESA suicide stats**

Nine MPs on a Commons committee are refusing to explain why they failed to ask the minister for disabled people about shocking figures that suggest attempted suicides among people claiming out-of-work disability benefits doubled between 2007 and 2014.

The work and pensions select committee was passed the figures by Disability News Service (DNS) a few days before Sarah Newton gave evidence last month.

But despite being promised that the figures had “informed the briefing” prepared for the MPs on the committee ahead of the minister’s evidence session – and Labour MP Neil Coyle telling DNS that he was “sure it will be raised” – no effort was made to ask Newton about them.

And this week, none of the nine committee members who attended the session – Labour’s Frank Field, who chairs the committee, Coyle, Ruth George and Stephen McCabe, Tory MPs Heidi Allen, Andrew Bowie, Alex Burghart and Chris Green, and SNP’s Chris Stephens – would explain why they failed to ask the minister about the figures.

Instead, they hid behind the committee’s media officer, who accused DNS of trying to “circumvent” her by asking the MPs individually why they failed to raise the issue with Newton.

Last month, the media officer had told DNS that the figures had “informed the briefing” handed to the MPs before the evidence session, but that the committee “does not discuss those decisions outside the committee”.

She insisted this week that, because she had already told DNS that Field would not comment on the refusal to raise the figures with the minister, this meant that she had “fully answered” questions on the figures.

When DNS pointed out that it was a fundamental democratic principle to be able to hold MPs to account for their work, she said that all the MPs “have been advised to refer you to me but this is, again, the final response”.

She later said in a statement: “Committees deliberate in private. Revealing the committee’s private deliberations has been considered a contempt of parliament.”

DNS has pointed out that it has been asking MPs to explain their failure to ask questions in an open, public session, and not to release their “private deliberations”.

The committee’s media officer had failed by noon today (Thursday) to provide any examples of where revealing a committee’s private deliberations has been considered a contempt of parliament.

The new analysis of NHS statistics, prepared by the independent social research institute NatCen and [published by Disability News Service (DNS) for the first time last month](https://www.disabilitynewsservice.com/staggering-esa-suicide-figures-prompt-calls-for-inquiry-and-prosecution-of-ministers/), showed that in 2007 – a year before the introduction of the much-criticised work capability assessment (WCA) – 21 per cent of incapacity benefit (IB) claimants told researchers they had attempted suicide at some point in their lives.

The following year, IB began to be replaced by employment and support allowance (ESA), with eligibility tested by the WCA, under the New Labour government.

But by 2014, following six years of the WCA – and four years of social security reforms under the new coalition government, and austerity-related cuts to disability benefits and services – more than 43 per cent of claimants were saying they had attempted suicide at some point in their lives.

Over the same period, the proportion of adults questioned for the Adult Psychiatric Morbidity Survey (APMS) who were not claiming IB (in 2007) or ESA (in 2014) and had attempted to take their own lives remained statistically stable (6.0 per cent in 2007 against 6.7 per cent in 2014).

Although the figures do not prove that the rate of attempted suicides doubled in that period – for example, the group of IB claimants could have had less severe impairments than those on ESA – and there is no proof that the introduction of the WCA caused the increase, they have alarmed many disabled activists and researchers.

Sally McManus, who leads research on the survey for NatCen, on behalf of NHS Digital, has also shown that the proportion of IB/ESA claimants who have ever deliberately self-harmed also rose sharply from 2007 to 2014, as did the proportion of claimants who had had suicidal thoughts at some point in their lives.

In 2007, the proportion of IB claimants who said they had self-harmed was 14 per cent, and this rose to 34 per cent of ESA claimants in 2014.

And in 2007, the proportion of IB claimants who said they had had suicidal thoughts was 39 per cent, which rose to 66 per cent of ESA claimants in 2014.

[*Samaritans*](https://www.samaritans.org/how-we-can-help-you/contact-us) ***can be contacted free, 24 hours a day, 365 days a year, by calling 116 123 or emailing*** [*jo@samaritans.org*](mailto:jo@samaritans.org)

**11 January 2018**

**Councils refuse to use suicide prevention plans to highlight ‘shocking’ ESA figures**

Local authorities in England are refusing to use their own suicide prevention plans to highlight “shocking” figures that show claimants of out-of-work disability benefits are at a hugely-increased risk of attempting to take their own lives.

The figures, [published in September 2016 by NHS Digital](https://digital.nhs.uk/catalogue/PUB21748), show that more than 43 per cent of claimants of employment and support allowance (ESA) had said (when asked in 2014) that they had attempted suicide at some point in their lives.

The Department of Health [has already refused to explain](https://www.disabilitynewsservice.com/department-of-health-silence-over-failure-to-highlight-esa-suicide-risk/) why it fails to mention these figures or to highlight ESA claimants as a high-risk group in the latest version of its [suicide prevention strategy for England](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/582117/Suicide_report_2016_A.pdf).

In that publication, health secretary Jeremy Hunt said he wanted to strengthen the national strategy through “better targeting of suicide prevention and help seeking in high risk groups” and by “improving data at national and local level and how this data is used to help take action and target efforts more accurately”.

This week, Disability News Service (DNS) has tried to discover if the department – renamed the Department of Health and Social Care (DHSC) as part of this week’s ministerial reshuffle – has alerted local agencies to the figures.

It has found no evidence yet that DHSC has made any attempt to highlight the information with local areas or to advise them to include ESA claimants as a high-risk group in their suicide prevention plans.

DNS has contacted six English local authorities to ask them if they were aware that ESA claimants were at such high risk of attempting suicide; if so, whether DHSC had told them about the figures; and whether they believed the information should be highlighted in their own plans, if it was not already.

Only one of the six local suicide prevention plans\* – for Brighton and Hove – currently even mentions the ESA figures.

The other five – covering the London boroughs of Camden and Islington; Southampton; Shropshire; Gateshead; and Kent – make no mention of the figures and fail to warn that ESA claimants are at such high risk of attempting to take their own lives.

Only one of these five, Gateshead City Council, has promised to look again at its suicide prevention plan and consider amending it to include the information about ESA claimants, after being contacted by DNS this week.

Tory-run Kent County Council said it was “not aware of any national or local figures specifically around ESA claimants” and confirmed that the information had not been passed to the local authority by DHSC.

A spokeswoman for the council said: “If more data becomes available on ESA claimants in Kent then we will certainly review it.”

But she refused to confirm that this meant that – because they are national statistics – it would not highlight the NHS Digital figures when its suicide prevention steering group reviews its plan.

Labour-run Southampton City Council refused to answer questions about the statistics, with a spokesman claiming that council officers “do not have the ESA figures on hand”, even though they were emailed to him by DNS.

Conservative-run Shropshire Council said it was “not aware of any additional information being provided by [DHSC]”, although it said the NHS Digital report was “publicly available information”.

A spokeswoman refused to say if the council was aware that ESA claimants were at such high risk of attempted suicide and said only that it was “aware that those at higher risk of self-harm and suicide include those who are vulnerable due to economic circumstance and those with chronic illness”.

Asked if it would now include the ESA information in its suicide prevention plan, the spokeswoman said the council “will include any additional information should it become available”.

She said the strategy would be updated so that it is “explicit about what is meant by ‘vulnerable groups’ so that it is clear that includes people claiming ESA”.

But she refused to say if the council would ensure that its strategy would make it clear that ESA claimants are at particularly high risk.

A spokeswoman for Labour-run Gateshead council said that relevant documents – including the NHS Digital report – “are published nationally with the expectation that local authorities become aware of them through their information networks”.

[Gateshead’s strategy](https://www.gateshead.gov.uk/DocumentLibrary/JSNA/Suicide-Prevention-Action-Plan-July-2015.pdf) was last reviewed in August 2016, a month before the DHSC figures were first published.

The council spokeswoman said Gateshead’s plan was “due for review” and the information from the NHS Digital report would now “be reviewed as part of this process and the partnership will decide whether more specific preventative activity would be both suitable and effective for this group”.

Labour-led Brighton and Hove City Council has so far refused to answer questions about ESA claimants, although a spokeswoman said: “Deprivation in all its forms – unemployment, insecure housing, debt, etc – are all identifiable risks in our local reviews of coroner’s records and we specifically target more deprived areas in our commissioning and action plans.”

Labour-run Islington council had failed to comment by noon today (Thursday).

*\*The plans are prepared by partnerships of local agencies, including local authorities*

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**11 January 2018**

**Ministerial reshuffle: Concern over further social care role for Hunt**

The government’s decision to rebrand the Department of Health as the Department of Health and Social Care (DHSC) has raised concerns about its plans for addressing the social care funding crisis.

[This week’s ministerial reshuffle](https://www.gov.uk/government/news/ministerial-appointments-january-2018) saw the number of ministers in the department rising from five to six, with Philip Dunne sacked and the appointment of two new ministers of state, Stephen Barclay and Caroline Dinenage.

It is not yet clear which minister will take responsibility for social care, or whether that role will remain with Jackie Doyle-Price, although health secretary Jeremy Hunt is now the health and social care secretary.

But the government also confirmed that DHSC – and Hunt – would be taking on responsibility for the forthcoming social care green paper, which will set out the government’s proposals on care and support for older people and was previously being led by the Cabinet Office.

The reshuffle came as the government faced mounting calls to take action on the social care funding crisis.

In November, the Equality and Human Rights Commission confirmed that it had [asked a barrister](https://www.disabilitynewsservice.com/equality-watchdog-seeks-legal-advice-on-possible-right-to-independent-living/) to examine whether there needed to be a legal right to independent living for disabled people, because of concerns that their right to choice and control over their lives was being “eroded”.

The same month, chancellor Philip Hammond – who kept his job in the reshuffle – failed to provide any new money for social care in his budget, or even mention it in the budget report.

And in August, the UN’s committee on the rights of persons with disabilities [warned that the UK was “going backwards” on independent living](https://www.disabilitynewsservice.com/uk-is-going-backwards-on-independent-living-says-un-committee), and called on the government to draw up a “comprehensive plan” to address the problem.

It also emerged this week that prime minister Theresa May had attempted to move Hunt to another department, but he had refused.

The reshuffle also saw home secretary Amber Rudd taking on the second role of minister for women and equalities, after education secretary Justine Greening – who previously held that post and reportedly refused to become the new work and pensions secretary – left the government.

Professor Peter Beresford, co-chair of [Shaping Our Lives](https://www.shapingourlives.org.uk/), said: “Even Mrs May in her attempted reshuffle seemed to have reached the point of realising that Jeremy Hunt was a corrosive influence on health and the NHS.

“But instead of shipping him out as she wanted to, she has actually extended his role to social care.

“Whether this is just a bit of blather to signify renewed efforts to unify health and social care, we don’t know.”

But Beresford said there were also “more worrying possibilities”.

There have been growing concerns raised by many disabled activists about links between the Department for Work and Pensions and the Department of Health, with last month’s work, health and disability strategy [repeatedly stressing the need to “join up work and health”](https://www.disabilitynewsservice.com/improving-lives-fears-over-strategys-unacceptable-work-and-health-links/).

A Department of Health and Social Care (DHSC) spokeswoman confirmed that DHSC would be taking on responsibility for the social care green paper.

The government [has already made clear](https://www.disabilitynewsservice.com/governments-social-care-plans-side-line-needs-of-working-age-people/) that the needs of working-age disabled people will be addressed through a “parallel programme of work”, and not covered in the green paper.

Beresford said this suggested there was “a new destructive division” between the care needs of older and working-age disabled people, and he pointed out that Doyle-Price had signalled the need for “a welfare and DWP focus on working-age disabled people”\*.

He said: “That’s even more concerning given the appalling history of welfare reform under this administration.”

Sue Bott, deputy chief executive of [Disability Rights UK](https://www.disabilityrightsuk.org/), said: “If Jeremy Hunt’s increased role means that the crisis surrounding social care is to be taken more seriously, that is to be welcomed. However, his track record on the NHS does not offer much confidence.”

Linda Burnip, co-founder of [Disabled People Against Cuts](https://dpac.uk.net/), said: “To put Jeremy Hunt, the man who almost single-handedly has been responsible for the decimation of our NHS, in charge of salvaging social care and producing a green paper as well further terrifies people and reinforces the disdain that the Tories have for us.”

She highlighted how Hunt had tweeted, after the announcement, that “the litmus test of a civilised society” was “how we treat the elderly”, and then went on to talk about leadership of the health and social care systems.

Burnip said: “He seems totally unaware that anyone under 65 years of age is eligible for care and support to live independently.”

She said that neither Hunt nor Esther McVey, who was appointed as the new work and pensions secretary, were “fit to be MPs, let alone hold any office”.

Disability rights activist Alice Kirby was also critical of the move to give Hunt greater responsibility for social care reform.

She said: “Keeping on Jeremy Hunt would have been bad enough, but concerningly he’s potentially been given more responsibilities over social care.

“[In his first Twitter post](https://twitter.com/Jeremy_Hunt/status/950726343368626178) speaking about the change, he entirely focused on the care of elderly people and failed to recognise that social care needs to be prioritised for disabled people of all ages.

“And while Theresa May said this reshuffle was about ‘ensuring the government looks more like the country it serves’, none of the members are (openly) disabled\*\*.

“She’s shown that when it comes to diversity, we don’t count.”

Norman Lamb, the Liberal Democrat former social care minister, questioned the meaning of Hunt’s new title.

He said: “The Department for Health was already responsible for social care policy.

“As health minister responsible for social care, I took the Care Act through parliament – introducing a cap on care costs that has since been abandoned by the Conservatives.

“So what does this new title actually mean? Unless the government is proposing a radical change to social care funding, it looks like mere window dressing.

“This kind of gimmick is no substitute for finding a long-term solution to the crisis facing the NHS and social care.”

A DHSC spokeswoman said in a statement: “From today the department will be renamed Department of Health and Social Care, taking on responsibility for the forthcoming social care green paper which will set out the government’s proposals to improve care and support for older people and tackle the challenge of an ageing population.

“All costs associated with changing the department’s name will be kept to a minimum.”

DHSC had been unable by noon today (Thursday) to explain the reason for the change in the department’s name.

*\*Doyle-Price stressed* [*in a Commons debate*](https://hansard.parliament.uk/commons/2017-10-25/debates/82934455-30D6-4B0C-94CB-11A0A9A9953D/SocialCare) *last October that the government’s work on adult social care was “connected to the desire to get more people into work”*

*\*\*Disabled Tory MP Paul Maynard was demoted from his post as junior transport minister to a role as a government whip*

**11 January 2018**

**Review calls for more inclusive approach to ‘shared space’ schemes**

A disabled peer has welcomed a new industry review of so-called “shared space” street designs, which has concluded that local authorities should adopt a more “inclusive approach” to them.

[The report](http://www.ciht.org.uk/en/knowledge/streets-and-transport-in-the-urban-environment/index.cfm) by the Chartered Institution of Highways and Transportation (CIHT) looked at 11 shared space developments across England, but found evidence that only one of them had made the environment more inclusive.

Most of the schemes had either a neutral impact on inclusion, or demonstrated a mix of positive and negative impacts.

Shared space schemes often remove kerbs and controlled crossings from a street, encouraging vehicles, pedestrians and cyclists to share the same space, but posing greater risks for partially-sighted and blind people, as well as other disabled people, including many of those with mobility impairments, who have learning difficulties or who are deaf.

[Last September](https://www.disabilitynewsservice.com/protesters-demand-end-to-shared-space-no-go-zones/), campaigners from across the country gathered outside parliament to call for an end to unsafe shared space street designs, which they said risked turning public spaces into “no go zones” for many disabled and older people.

The CIHT review says that some of the schemes “had attracted significant criticism from some groups of users”, and that the impact on inclusion “appeared to vary between different user groups”.

It concludes: “For some user groups such as wheelchair users and older people, there was evidence that particular features of certain schemes had improved their experience.

“However, some visually impaired users were reported as finding the new environments more hostile and consequently said that they altered their behaviour to avoid them.

“Only one case study had included creating an inclusive environment as an objective in the development of the scheme.”

It also pointed out that some schemes had failed to involve disabled people in the consultation process, which appeared to reflect the failure to make the creation of an inclusive environment a “specific aim” for most of the projects.

And it concluded that there was a need for an “inclusive approach” to the use of kerbs and controlled crossings, and that future schemes needed to ensure that the area being redesigned became more inclusive.

The review did find that in four of the schemes the number of accidents and injuries appeared to have fallen following the changes, but accepted that this could have been because of “vulnerable people avoiding the completed scheme”.

The review said that “there should be sufficient provision for all users to cross the carriageway safely and in comfort”.

And it concluded that, where a street needs to be “separated into a carriageway and footway, the interface between them should be clearly delineated and detectable by all” and that “in most situations, a kerb will be the most appropriate and simple way of achieving this”.

Among its recommendations, the review calls on the government to make clear to local authorities their Equality Act 2010 duties when carrying out such developments, and to ensure they know that “stakeholder engagement is an essential part of the process”.

It also calls for education and continuing professional development for those working in the field to cover accessibility and creating inclusive environments.

Lord [Chris] Holmes, the disabled Tory peer, who was a member of the report’s steering group, and has raised repeated concerns about the safety of shared space developments, welcomed the report’s conclusions.

He said the “most striking” conclusion was that only one of the 11 case studies was found to have a positive impact on the inclusive environment, and that was a scheme described as “very much on the limit of what might be called shared space”.

He praised CIHT – which represents professionals who plan, design, build, manage and operate transport and infrastructure – for “taking the issue of accessibility and inclusion in the public realm seriously”.

[He has previously called](https://www.disabilitynewsservice.com/alarming-court-decision-on-traffic-lights-puts-blind-shoppers-at-risk/) for “an immediate moratorium on all shared space” and has described such projects as “dangerous and costly planning follies” that are turning town centres into “dangerous third world traffic free-for-alls”.

He has also accused “overzealous councils” of “risking public safety for aesthetics”, leading to “confusion, chaos, unnecessary cost and catastrophe”.

He said this week: “I am delighted that the recommendations include ensuring that local authorities understand their duties with regard to the Equality Act and also recognise that greater awareness, better training, more research and improved guidance are all needed.”

He added: “I’m also delighted that the report concludes – regarding crossings – that ‘there should be sufficient provision for all users to cross the carriageway safely and in comfort’ and – regarding kerbs – that the separation between carriageway and footway ‘should be clearly delineated and detectable by all’.

“It is essential that all our public spaces are safe, inclusive places for us all to enjoy.”

The sight loss charity RNIB also welcome the report’s publication.

Hugh Huddy, RNIB’s policy manager, said: “RNIB welcomes the publication of CIHT’s review of shared space and agree an inclusive approach to road design is needed.

“We’re now urging the Department for Transport to reform national guidance and make high streets safe again for blind and partially sighted pedestrians.”

A Department for Transport spokeswoman said: “We are absolutely clear that the needs of the whole community must be considered by councils looking to introduce any public realm scheme – including shared spaces.

“We will consider this report’s findings and develop next steps in due course.”

**11 January 2018**

**Campaigners welcome resignation of ‘progressive eugenics’ journalist**

Campaigners have welcomed the decision of a controversial right-wing writer and free schools advocate to resign from the board of the government’s new higher education watchdog, and say he should never have been appointed.

Toby Young’s resignation came just hours after disabled Tory MP Robert Halfon called on his own government to reverse its decision to appoint the journalist to the board of the Office for Students.

There was [shock and anger among many disabled people last week](https://www.disabilitynewsservice.com/anger-after-writer-with-insulting-views-on-inclusive-education-is-appointed-to-watchdog/) when Toby Young was appointed to the board, despite writing articles that included “insulting” and “extremist” comments about inclusive education and eugenics.

There had also been outrage at years of misogynist and homophobic remarks Young had made on social media, which he has now deleted from his Twitter account.

Simone Aspis, policy and campaigns coordinator for The Alliance for Inclusive Education (ALLFIE), said ALLFIE welcomed Young’s resignation.

But she said he should “never have been appointed in the first place, never mind being forced to resign, bowing to public pressure”.

She said: “Toby Young, who is against the inclusion of disabled pupils in mainstream education, should never have been appointed in the first place, especially when his views are incompatible with the government’s obligations to promote disabled people’s human rights to inclusive education under article 24 [on inclusive education] of the UN Convention on the Rights of Persons with Disabilities.”

Halfon, a former education minister who now chairs the education select committee, [had told fellow MPs on Monday](http://hansard.parliament.uk/commons/2018-01-08/debates/F8583AB5-9EEC-4E9B-B3AF-A670763965EF/OfficeForStudentsAppointment) of the “quite dark articles” in which Young had supported “progressive eugenics” and written about disabled people and working-class students\*.

Halfon said: “I find this incredibly dark and very dangerous stuff, and I suggest that [Jo Johnson, the universities minister] looks again at this appointment because I do not think it will give students confidence.”

Hours later, Young [published an article](https://blogs.spectator.co.uk/2018/01/toby/) on the website of the right-wing magazine, The Spectator, in which he said his appointment had become a “distraction” from the “vital work” of the OfS and that he was standing down from its board.

He insisted that he was “a passionate supporter of inclusion and helping the most disadvantaged”, but added that “some of the things I said before I got involved in education, when I was a journalistic provocateur, were either ill-judged or just plain wrong – and I unreservedly apologise”.

But the resignation came after the prime minister, Theresa May, and the universities minister, Jo Johnson, had both defended his appointment and insisted that he should not be sacked.

Johnson suggested to MPs that he had not seen the article on progressive eugenics, telling Halfon that he would “look carefully” at the article, but insisting that Young had “expressed his regret” and had “apologised unreservedly for comments that have been made in some cases going back to the 1980s”.

He said that neither he nor the Department for Education were aware of the many offensive messages Young had posted on Twitter until after he had been appointed.

Halfon had been one of two Tory select committee chairs who criticised the appointment.

Dr Sarah Wollaston, chair of the health committee, told MPs on Monday that Young’s comments “do cross a line and are indicative of an underlying character”.

Maria Eagle, a former Labour minister for disabled people, said it was “quite right” that he had resigned.

She had told MPs before his resignation: “As a former minister for disabled people, I am appalled by some of his recently expressed views about the place of disabled people in our society.

“The minister has said that many of Mr Young’s misogynistic tweets were from many years ago, but his views about disabled people are very recent indeed.

“How can the minister appoint somebody who thinks so little of the contribution of disabled people to our society to such an important position? Does he not agree that it is indefensible?”

A Department for Education (DfE) spokesman said: “We can confirm that Toby Young has decided to resign from the board of the Office for Students.

“Everyone appointed to the board brings valuable experience which will be vital to the role of the new higher education regulator and we remain confident it will deliver for students.”

But DfE has refused to comment on whether Johnson had now read the eugenics article, as the universities minister has now been appointed to a post in the Department for Transport as part of this week’s ministerial reshuffle.

*\*Five years ago,*[*in an article for The Spectator*](http://www.nosacredcows.co.uk/blog/2026/article.html) *about plans to bring back O-levels, Young wrote of how “inclusive” was a “ghastly, politically correct” word, which meant that schools had to have “wheelchair ramps… and a Special Educational Needs Department that can cope with everything from Dyslexia to Munchausen Syndrome by Proxy”.*

*He added: “If [Michael] Gove is serious about wanting to bring back O-levels the government will have to repeal the Equality Act because any exam that isn’t ‘accessible’ to a functionally illiterate troglodyte with a mental age of six will be judged to be ‘elitist’ and therefore forbidden by Harman’s Law.”*

*He later added a footnote that claimed he was not opposed to including disabled people in mainstream education and suggested that critics had misunderstood him.*

*He has also written,*[*in another article*](https://quadrant.org.au/magazine/2015/09/fall-meritocracy/)*, published in 2015, of how he is in favour of “progressive eugenics”, arguing that “it is not through changing the culture that we will be able to solve the chronic social problems besetting the advanced societies of the West, but through changing people’s genes”.*

*He adds: “What I’m proposing is a form of eugenics that would discriminate in favour of the disadvantaged.*

*“I’m not suggesting we improve the genetic stock of an entire race, just the least well off.*

*“This is a kind of eugenics that should appeal to liberals – progressive eugenics.”*

**11 January 2018**

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