**Hope for major social security ‘brutality’ campaign after ‘breakthrough’ Labour meeting**

Many of the disabled activists who have played a key role in exposing the harm caused by the government’s social security cuts and reforms have come together for a “breakthrough” campaign meeting attended by five Labour shadow ministers.

Labour’s shadow chancellor John McDonnell, who chaired the meeting, said afterwards that he believed that it could herald the start of “a significant movement to expose the brutality of the system” and secure “permanent change”.

The meeting was welcomed by disabled activists who attended, but some of them also warned Labour that they now needed to see “concrete action”, with two saying separately that “the proof of the pudding will be in the eating”.

The meeting focused on [the deaths and other serious harm](https://www.disabilitynewsservice.com/four-opposition-parties-demand-dwp-answers-over-wca-deaths-cover-up/) caused by the much-criticised work capability assessment (WCA), but it also covered many other areas of concern, particularly the damage caused to disabled people by the government’s new universal credit.

The meeting is set to be the launchpad for a new series of campaigning efforts linking the party with disabled activists and allies, with Labour hoping eventually to secure support from members of other political parties.

A follow-up meeting is set to take place later this autumn.

It is believed to be the first time that representatives of so many of the disabled-led grassroots organisations who have campaigned against cuts and reforms – in many cases since 2010 – together with researchers, journalists and union representatives, have gathered together in the same room\* to discuss the concerns and plan a campaigning response.

The key theme of the meeting was the importance of campaigning around the links between the WCA and the deaths and other serious harm caused to claimants.

This included [the repeated failure](https://www.disabilitynewsservice.com/dwp-pilot-failure-on-wca-calls-into-question-willingness-to-learn-from-suicides/) of the Department for Work and Pensions (DWP) to ensure that the “further medical evidence” needed to demonstrate benefit eligibility is always collected, particularly for claimants with mental health conditions.

Another theme was the need [to hold Conservative politicians such as Iain Duncan Smith and Chris Grayling to account](https://www.disabilitynewsservice.com/mother-of-fit-for-work-victim-calls-for-ministers-to-face-criminal-charges/) for the decisions they made within DWP in 2010 that many believe led to the deaths of claimants of out-of-work disability benefits.

But those present also said that it was vital to “look at the bigger picture”, and they brought in other crucial issues such as the introduction of universal credit and personal independence payment, the benefit sanctions and conditionality regimes, the impact of the reforms on disabled women, and the cuts to social care support.

One contributor said: “People are having their lives utterly destroyed today.”

One disabled activist told the meeting that there was a need both for “harm reduction”, to address the immediate problems with the assessment process, and “system change” to secure the eventual abolition of the WCA altogether.

He said: “Saying ‘change the WCA right now’ is not saying ‘keep the WCA’, it is saying ‘stop it killing so many people’.”

Other contributors said the government had made a deliberate attempt to create a “hostile environment for disabled people”.

One activist who had provided unpaid advocacy for other disabled people said they and colleagues had been “inundated with people terrified of the introduction of universal credit”.

People were realising that they could not move out of their local authority area in case they were forced to move onto the government’s new working-age benefit ssytem, they said.

The meeting heard from one attendee about the importance of putting the government’s reforms into historical perspective and highlighting how they had been strongly influenced by the US insurance industry, which had wanted all disabled people seeking benefits “to be treated as bogus claimants”.

She added: “The WCA was brought in to destroy public confidence in the welfare state.”

There was also a call for nurses and GPs to be held to account for the way they had “compromised” their own medical ethics in dealing with requests for evidence to support disability benefit claims and in acting as assessors for private contractors.

And there was concern at the continuing roll-out of the Improving Access to Psychological Therapies (IAPT) programme, which was leading mental health professionals to “come out with the sort of language we are hearing from the Department for Work and Pensions”.

One contributor told the meeting: “You can’t divorce what’s happening in DWP with what’s happening in psychiatry.”

The idea for a meeting of politicians, activists and researchers had originally come from [Black Triangle’s](http://blacktrianglecampaign.org/) John McArdle, who had put the idea to McDonnell.

McDonnell told Disability News Service (DNS) after the meeting: “I think this is a breakthrough meeting in terms of getting many of the relevant organisations and individuals together who have their concerns about what is happening to disabled people and their treatment in the welfare system.

“I think it is the start of what could be a significant movement to expose the brutality of the system, but more importantly to secure permanent change.”

McArdle told DNS afterwards: “I’m really glad the meeting happened. John McDonnell seems to be taking this seriously.

“I am encouraged that we are going to be having another meeting in the next six weeks and that a strategy will be formulated to really take the fight for disability rights to the heart of Westminster politics.

“But the proof of the pudding is in the eating. We want some concrete action.”

Marsha de Cordova, the shadow minister for disabled people, told DNS that it was the first time that the various groups had been brought around the same table to talk about different issues – including crucial concerns about the imminent “migration” from benefits such as employment and support allowance onto universal credit – that all fed into the idea that the government had created a “hostile environment towards disabled people”.

She said: “It is good that we are talking about it. It’s great that we are bringing people around the table, and mainly disabled people.”

Paula Peters, from [Disabled People Against Cuts](https://dpac.uk.net) and the [Mental Health Resistance Network](https://www.facebook.com/MHResist/), said the meeting had provided “ideas to go forward”.

But she echoed McArdle’s words, saying: “Actions speak louder than words. The proof of the pudding is in the eating.

“We have heard words for a long time while disabled people continue to die.”

She also said there was “a lot more work to do” on Labour’s position on universal credit, which her two groups believe needs to be “stopped and scrapped” rather than paused and fixed, as is the current Labour policy.

She said: “We still have to persuade them to stop and scrap. The system is at breaking point.”

Researcher and campaigner Catherine Hale, lead researcher and project manager of the [Chronic Illness Inclusion Project](https://inclusionproject.org.uk/), and a member of the [Spartacus Network](https://spartacusnetwork.wordpress.com/), said the meeting was “very exciting”.

She said: “In 2015 it felt like the Labour party turned its back on disabled people because the leadership thought that showing us support would work against them in the election. We all know how that ended.

“Now John McDonnell has given new momentum and hopefully new unity to our campaigns against the WCA, sanctions, PIP and universal credit.

“I hope that with Labour now standing squarely behind disabled people we can overturn the Tories’ cruel policies and vicious rhetoric that have devastated our communities.”

Researcher Mo Stewart added: “It was a very welcome meeting, demonstrating Labour’s commitment to changing the plight of claimants of disability benefit for the better.

“There is a tendency to overlook the American corporate influence behind the introduction of the fatally flawed WCA. That needs to change.

“The disabled lobby petitioned for years to stop being identified by a medical label, and so the social model was adopted.

“Along comes big business to play them at their own game, advising the DWP to disregard medical opinion in favour of the flawed biopsychosocial model, and a world of pain and persecution followed with the adoption of the WCA.

“Labour plans to stop the WCA when elected to office, which has given a lot of hope to the persecuted sick and disabled community.”

Five Labour shadow ministers attended the meeting: McDonnell and de Cordova; Margaret Greenwood, the shadow work and pensions secretary; Mike Amesbury, the shadow employment minister; and Lyn Brown, the shadow Treasury minister with responsibility for social mobility.

*\*The meeting was conducted under the Chatham House rule, so although the contributions made during the meeting can be reported, the names of those who spoke and their organisations cannot, unless they spoke afterwards on-the-record. Labour has allowed DNS to report the names of the five shadow ministers who attended*

**13 September 2018**

**Government’s response to ‘human catastrophe’ UN report is ‘deeply unsatisfying’**

The government has been accused of publishing a “deeply unsatisfying” response to a devastating report by a UN committee that concluded last year that the UK had been “going backwards” on independent living.

One disabled people’s organisation (DPO) said the government had been “clutching at straws” in the response in an attempt to persuade the committee that it was implementing the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

Another DPO said the response to the UN added to concerns that the government failed to understand the convention and the concept of both independent living and the social model of disability.

Last September, an international committee of disabled human rights experts [delivered a damning verdict](http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhspCUnZhK1jU66fLQJyHIkqMIT3RDaLiqzhH8tVNxhro6S657eVNwuqlzu0xvsQUehREyYEQD%2bldQaLP31QDpRcmG35KYFtgGyAN%2baB7cyky7) on the UK government’s progress in implementing the convention.

The UN committee on the rights of persons with disabilities said it was “deeply concerned” that the government still believed it was a “champion of human rights”, while its chair said that the UK’s cuts to social security and other support for disabled people had caused “a human catastrophe”.

A year on, the government [has now delivered its response](https://www.gov.uk/government/publications/disabled-peoples-rights-information-following-the-uks-first-periodic-review/concluding-observations-on-the-initial-report-of-the-united-kingdom-of-great-britain-and-northern-ireland-initial-government-response) – as requested by the committee – to 25 of the 80-plus recommendations that were made in that report and an earlier inquiry from 2016 which found it guilty of [“grave and systematic violations” of the convention](https://www.disabilitynewsservice.com/un-confirms-that-uk-governments-treaty-violations-were-both-grave-and-systematic/).

But the government appears to have decided that there was a need for improvements in just six of the 25 areas it was asked to respond to.

Its response to most of the recommendations has been to ignore or dismiss the UN’s criticisms and defend its existing policies.

Among the recommendations it has ignored are: the need to introduce a legal right to independent living; a call for action to address the disability pay gap; the need for an assessment of the cumulative impact of all its social security cuts and reforms on disabled people; and a call to review the employment and support allowance conditionality and sanction regime.

It also ignored the call to develop a “comprehensive plan” – in “close collaboration” with DPOs – aimed at the “deinstitutionalization” of disabled people.

But the government does appear to have made a small number of concessions to the committee’s reports.

It points in its response to refreshed guidance on employing disabled people (published last month); says the minister for disabled people has convened a cross-sector taskforce on communicating in an accessible way with disabled people; and says the Office for Disability Issues will be “reinvigorating” its “stakeholder engagement” to ensure it engages with more “Disabled People’s User Led Organisations, smaller local stakeholders and individuals”.

It also says the government will be refreshing its [much-criticised hate crime action plan](https://www.disabilitynewsservice.com/governments-hate-crime-plans-unforgiveable-failure-on-disability/) later this year, including areas focused on disability hate crime, although it makes no reference to the call by the UN committee to combat “negative and discriminatory stereotypes or prejudice” against disabled people that is linked to benefit claimants.

And the government report points out that the minister for defence people and veterans announced a review last December of the long-standing “reservation” to the employment rights contained in the convention, which gives the UK an opt-out in relation to jobs in the armed services.

DPOs and grassroots groups have been highly critical of the government’s response.

Ellen Clifford, campaigns and policy manager for [Inclusion London](https://www.inclusionlondon.org.uk/), said: “The first government follow-up report is deeply unsatisfying, in that it demonstrates a failure to substantively engage with the UN disability committee’s recommendations.

“Similar to their report as part of the public examination process in 2017, it is little more than a list of legislative and policy measures and spend with no evidence of impact or effectiveness.

“The report and cover letter moreover add to concerns around a failure to properly understand either the convention itself, with repeated misinterpretations of the concept of independent living or a social model approach to disability.”

She said it was also “quite frankly offensive” for the government to include discussion of autism in the report’s section on health.

Clifford added: “There is also a notable lack of mention of engagement with DPOs, which is required under the convention but which the UK government has steadfastly avoided over the last 12 months.

“The [new general comment from the committee](https://www.ohchr.org/en/hrbodies/crpd/pages/gc.aspx) sets out the specific requirement to involve organisations of disabled people in implementation and monitoring of the UNCRPD, yet time and again consultation and engagement with non-user-led charities is being prioritised [by the UK government].”

[Disability Rights UK (DR UK)](https://www.disabilityrightsuk.org) accused the government’s report of “clutching at straws” in its attempts to persuade the committee that the convention was being implemented in the UK.

Kamran Mallick, DR UK’s chief executive, said: “Although the report says there are plans for engaging with disabled people and our organisations these are yet to take place even though we were told the same thing last year in Geneva.

“The creation of the inter-ministerial group on disability and society is welcome and I hope it will really get to grips with implementing our rights, rather than what seems to be the current approach of side-lining the UNCRPD.

“Examples of the ‘clutching at straws’ approach include the Care Act principle of wellbeing being used to try and demonstrate a commitment to independent living whereas in reality the two things are not the same.

“In fact, the idea of independent living was rejected by the government when the [care bill] was going through parliament.”

And he said another of many examples of straw-clutching was that the report claimed the government was following the UNCRPD principle of supported decision-making through the Mental Capacity Act 2005, when in fact the bill it has introduced to amend the act would “take supported decision-making away”.

Michelle Maher, of the [WOWcampaign](https://twitter.com/wowpetition?lang=en), was also heavily critical of the response and said she was “devastated” to see the UK government again ignoring the UN’s recommendations.

She said: “The Tory party have dismissed the UN’s findings with their usual disregard of disabled people’s lives in the UK, and the affect of cuts upon us.”

She said the government was ignoring the “heart-breaking reality” of the “despair, humiliation and desperation” shown by disabled people as a result of its cuts, while it was “ignoring the truth about the impact”.

She said this was why the campaign launched its [WOWvoices](https://wowvoices.uk/) website, to provide “a space to allow people to have their voices heard, to put the truth out there”.

WOW is now pushing for a second House of Commons debate on the need for an assessment of the cumulative impact of the government’s cuts and reforms, something the UN committee called for in its concluding observations and in the November 2016 “grave and systematic violations” report.

The government’s response insists yet again that such an assessment “cannot be reliably modelled”, even though the Equality and Human Rights Commission (EHRC), [the government’s own social security advisers](https://www.gov.uk/government/publications/ssac-occasional-paper-12-the-cumulative-impact-of-welfare-reform-a-commentary), and Virginia Bras-Gomes, chair of the UN committee on economic, social and cultural rights – among others – have all insisted that it could and should be done.

The government [was humiliated in 2014](http://www.disabilitynewsservice.com/ministers-humiliated-over-cumulative-impact-assessment/) when the Institute for Fiscal Studies – which ministers repeatedly claimed shared its view that such an assessment would not be possible – published research that included a CIA.

EHRC has also [published its own CIA report, in March](https://www.disabilitynewsservice.com/eight-years-of-benefit-cuts-will-cost-some-disabled-lone-parents-11000-a-year/), which calculated its own impact assessment of all the tax, national insurance, social security and minimum wage reforms introduced between May 2010 and January 2018.

Maher said the government had “blocked a full assessment at every turn, ignoring any duty of care”, and was “heartlessly cutting, knowing the impact”.

She said: “They laid the ground work for cuts by poisonous rhetoric against us and they are continuing.”

She called on disabled people and their allies [to write to their MP](https://wowvoices.uk/write-to-your-mp-to-get-another-debate/) to support WOW’s call for a new House of Commons debate on the need for a CIA.

A DWP spokeswoman declined to say if the government agreed that its response accepted the need to make improvements in six of the 25 areas highlighted by the committee, or which of the measures detailed in its response were introduced as a result of the UN committee's concerns.

But she said in a statement: “We have noted all the concluding observations, and not just those that the UN asked us to provide information on this year.

“We will respond fully to the UN committee on the rights of persons with disabilities in 2023. This is the deadline set by the committee for the next UK periodic report.

“We’re committed to building a society which is fully inclusive of disabled people across every area of their lives, from transport and housing to healthcare and employment.

“Our response to the UN sets out our progress over the last year, including the creation of a new inter-ministerial group on disability and society, which will drive progress against the implementation of the UN convention.

“While we’ve made significant progress there is always more we can do. We’re determined to continue making progress in creating a society that works for everyone, where all can participate fully.”

**13 September 2018**

**Hundreds of thousands more PIP claimants would challenge awards… if they could**

New government research shows that hundreds of thousands more claimants of personal independence payment (PIP) would have taken further steps to challenge the results of their claims if the system had been less stressful and more accessible.

[The research](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/738909/summary-personal-independence-payment-claimant-research-final-report.pdf), carried out for the Department for Work and Pensions (DWP) by Ipsos MORI, has cast fresh doubt on government claims that only a small proportion of disabled people are unhappy with the decisions made on their PIP claims.

DWP has repeatedly claimed that only about nine per cent of PIP decisions have been appealed since it was launched in April 2013, and that as few as four per cent of all PIP decisions have been overturned at appeal.

They have used this to suggest that this means that the overwhelming majority of claimants are happy with the PIP assessment system.

But the new research, based on more than 1,200 interviews, explains why many disabled people who applied for PIP decided not to appeal against an award, even if their claim was rejected completely or was lower than they believed they needed.

The research found that, of those PIP claimants who decided not to request a mandatory reconsideration (MR) – the internal review stage of the process, after a decision on a PIP claim has been made – 10 per cent took that decision because they thought it would be too stressful, four per cent did not know how to seek an MR, and seven per cent said they did not know enough about MR to proceed\*.

Only three-fifths of those surveyed said they had not sought an MR because they were happy with the award they were given.

But the research also questioned those claimants who decided not to appeal to an independent tribunal after seeking an MR and being told it had produced no change to their award.

The researchers found that the most popular reason not to appeal was that the process would be too stressful (37 per cent), while a fifth of such claimants (20 per cent) said they did not expect the award to change, and a fifth (20 per cent) said they were too unwell to appeal\*.

Others said they did not want to prolong the process (13 per cent), that they did not know enough about appeals (six per cent), had left it too late (six per cent), or did not know how to appeal (five per cent).

In all, just eight per cent of those who decided not to appeal after a no-change MR said this was because they were happy with the award they were given.

Between the introduction of PIP in April 2013 and April 2018, more than 3.4 million claims for PIP were dealt with and completed, the report says, with about 1.6 million rejected.

By the end of April 2018, there had been 781,000 requests for an MR, with about four-fifths of those resulting in no change to the PIP award.

But by March 2018, only 300,000 PIP appeals had been lodged and 211,000 PIP had been decided at a tribunal hearing, with 65 per cent decided in favour of the claimant.

[Previous research by Disability News Service](https://www.disabilitynewsservice.com/more-than-one-in-eight-rejected-pip-claims-are-overturned-dwp-figures-reveal/) has already questioned DWP’s suggestion that the vast majority of PIP decisions were accurate because just four per cent of PIP decisions had been overturned on appeal.

That research showed instead that the proportion of PIP decisions overturned, either at MR or tribunal, rises dramatically if the calculation only considers PIP claims that have been rejected.

It found that, of all the PIP claims rejected by DWP decision-makers in the year to June 2017, 13 per cent were eventually overturned because the decisions were found to have been wrong, either through an MR or at a tribunal\*\*.

That research suggested that the true proportion of incorrect decisions was likely to be even higher, because many rejected PIP claimants had not challenged the rejection of their claims.

DWP’s new research confirms that suggestion.

Together, the two sets of figures provide fresh evidence of deep-rooted concerns about the PIP assessment process, and about the accuracy and fairness of the face-to-face assessments carried out by government contractors Atos and Capita.

Earlier this year, [DWP told the Metro newspaper](https://metro.co.uk/2018/02/12/government-spends-100000000-trying-not-give-disability-benefits-7305304/): “A vast majority of people are happy with their assessments, and only a very small proportion of all ESA [employment and support allowance] and PIP decisions are overturned at appeal – just 4 per cent for PIP and 5 per cent for ESA.”

But the new figures and the previous DNS research show that hundreds of thousands more PIP claimants than DWP previously suggested were not happy with the award they received and would have liked to seek an MR, and that tens or possibly hundreds of thousands more would have appealed if the process had been less stressful and more accessible.

The new figures follow years of mounting anger about the way PIP has been designed and run, since it was launched in 2013 as a replacement for working-age disability living allowance.

They also follow a lengthy DNS investigation which found [claims of widespread dishonesty by PIP assessors](https://www.disabilitynewsservice.com/my-picture-is-proof-that-healthcare-professionals-lie-in-benefit-assessments/) – from both Atos and Capita – with hundreds of claimants saying that their PIP assessment reports contained clear lies.

A DWP spokeswoman declined to say if the department agreed that the new figures and previous DNS research showed that hundreds of thousands more PIP claimants than DWP previously suggested were not happy with the award they received and would have liked to seek an MR, and that many more would have liked to appeal, if the process had been quick, easy and not stressful.

She also declined to say if DWP agreed that the research showed that the assessment process was far less fair and accurate than DWP had consistently claimed.

But she said in a statement: “We’re committed to ensuring that everyone gets a fair assessment when claiming PIP, which is why we commissioned this research.

“These findings will be helpful in our efforts to continuously improve the process for everyone.

“We’re taking forward actions to promote transparency and trust, including introducing video recording of assessments, and to ensure that people get the support they’re entitled to the first time round.”

*\*Some of those surveyed gave more than one answer to why they did not seek an MR or an appeal*

*\*\*DWP said at the time that the figures were “taken from internal DWP management information and should be viewed as estimates”, “should be used with caution”, and “may be subject to future revision”*

**13 September 2018**

**Autistic MP calls for change in equality laws to make parliament less hostile**

An autistic MP who has only been able to make two speeches in the main Commons chamber since being elected is calling for a change in equality laws to force the authorities to make parliament a more accessible place to work.

Jared O’Mara has had a series of requests rejected by the authorities that he believes would have made his working life easier, as an autistic MP who also has a physical impairment and a mental health condition.

Among those requests was a plea for the introduction of new ground rules to stop shouting and heckling while MPs are delivering their speeches in the Commons chamber, which he finds particularly difficult as an autistic person with anxiety.

O’Mara, who currently sits as an independent MP, told Disability News Service (DNS): “As an autistic person with anxiety that has caused me some problems, it puts off concentration and exacerbates my anxiety and makes it a really horrible, scary atmosphere.”

There have been occasions when he has had to leave the Commons chamber because of the atmosphere, and he has only been able to attend one prime minister’s questions since being elected more than a year ago.

He is due to make only his second speech in the main Commons chamber today – on a Thursday, one of the quietest times of the parliamentary week – during a debate on whether to introduce proxy voting, in which he is set to back calls for a change in the law.

He believes the only way to ensure a more supportive and accessible working environment for the disabled MPs of the future is to push for a change in the law so that the Equality Act’s public sector equality duty (PSED) applies to the authorities that run parliament, and the MPs and peers who work there.

Although parts of the Equality Act 2010 – one of the last pieces of legislation brought in under the last Labour government – apply to parliament, the PSED does not.

The PSED imposes a duty on public bodies – although not parliament – to have “due regard” to various equality considerations when carrying out their work, including having due regard to the need to eliminate conduct such as discrimination, harassment and victimisation.

O’Mara told DNS that he had been left “shocked and distressed” by the discriminatory treatment he has received since becoming on MP, which had been “a huge culture shock”.

He said: “All this has had a huge impact on my health.”

He believes that compulsory equality training could help address the way MPs talk about each other in the media, the way some MPs allegedly treat their staff, and ensure they are more respectful of the people who work on the parliamentary estate.

O’Mara was told in July that he would be re-admitted into the Labour party, given a formal warning and told to attend equality training, following an internal inquiry into comments he had made on internet chat forums when he was younger and comments he denied making to a woman in a nightclub.

But although he quit the party soon afterwards, he has still arranged bespoke equality and diversity training for himself and his staff.

O’Mara told DNS that the public criticism he faced following the investigation had had a significant impact on his health, including his mental health.

This meant, for example, that he was unable to take part in key votes on Brexit, after being signed off sick from work by his GP for two months last November and December, and for a further two weeks [after the Labour party announced the results of its inquiry](https://www.disabilitynewsservice.com/omara-asks-for-forgiveness-and-understanding-as-an-autistic-mp/).

Despite requests to the Speaker’s Office and the Commons procedure committee of MPs, he was denied the right to vote remotely from his constituency or to ask a “proxy” to vote on his behalf.

He said: “It also resulted in attacks on me from certain sections of the media for my voting record and complaints from constituents, which only served to make my health suffer even more and slowed down my recovery.”

O’Mara also believes the Labour party should have warned him – before they accepted him as a parliamentary candidate – that if he won the seat he might not be able to secure the workplace reasonable adjustments he was used to, and legally entitled to, in his previous job.

He has now received confirmation, in a written answer from Victoria Atkins, the minister for women, that the “functions of Parliament are currently exempt” from the PSED, as laid out in [schedule 18 of the Equality Act](https://www.legislation.gov.uk/ukpga/2010/15/schedule/18), although ministers and government departments are subject to the duty.

She said in her answer that making the functions of parliament and individual members subject to the PSED would make them subject to “compliance requirements” by the Equality and Human Rights Commission and the control of the courts, which she said would raise “constitutional questions”.

Atkins said: “The government has no plans to change this position.”

But O’Mara is determined to push for a change in the law as he believes that would force parliament and MPs to create a more positive environment for disabled people and other groups protected by the Equality Act.

He believes there are many small adjustments that could be made to the way parliament is run that would make it more accessible, including the provision of accessible information and the use of signage.

O’Mara also wants to see the parliamentary authorities given a legal duty of care for the welfare of MPs, so, for example, they would have to act if MPs were being subjected to bullying.

A spokeswoman for the Speaker’s Office said: “It is not the role of the Speaker to make proposals for legislative change, or to express a view on their desirability or otherwise, as that would compromise his impartiality.”

But she added: “In the chamber the Speaker keeps order and calls MPs to speak during Commons debates.

“The Speaker has full authority to make sure MPs follow the rules of the House during debates.

“This can include: directing an MP to withdraw remarks if, for example, they use abusive language; suspending the sitting of the House due to serious disorder; suspending MPs who are deliberately disobedient – known as naming; asking MPs to be quiet so members can be heard.

“But as all MPs know, Mr Speaker’s door is open to any members with concerns.”

A Commons spokesman said: “The Equality Act 2010 has no application to members of parliament in the course of parliamentary proceedings, and it would be for government or MPs to bring forward any proposals to change this.”

He added: “It is vital that all democratically elected MPs are able to carry out their duties in and around parliament.

“We understand that certain areas within the parliamentary estate, including the Palace of Westminster, are still extremely challenging for people with disabilities to access and there is more to be done to ensure that people with disabilities do not face unnecessary difficulties when working in or visiting parliament.

“We are committed to making further essential adjustments to working practices and the physical building as quickly as possible.

“Members with disabilities are provided with holistic support to ensure their particular needs are met, including ensuring they have an office in an appropriate location, and for new members of parliament access to a designated ‘buddy’ who in most cases is a house official, technological support, and support through the diversity and inclusion team.

“The House of Commons and Parliamentary Digital Service have signed up and are committed to becoming more disability confident as part of the [Disability Confident scheme](https://www.disabilitynewsservice.com/disability-confident-employers-promise-less-than-one-job-each-on-average/).

“The House of Commons also works with the Business Disability Forum and has appointed a workplace adjustment advisor to be a designated point of contact for members and their staff throughout their time in parliament.”

The House of Commons also said that disability equality training was available to all staff, and that all Commons and Parliamentary Digital Service staff had received equality and diversity training, while parliament received an Autism Friendly award in July 2017 and the Commons was reaccredited by the charity Action on Hearing Loss this year.

O’Mara [revealed earlier this summer](https://www.disabilitynewsservice.com/omara-asks-for-forgiveness-and-understanding-as-an-autistic-mp/) how being diagnosed as autistic in January had helped him to understand his behaviour as a younger man that led to his suspension from the Labour party.

He now sits as an independent and has accepted that he will only be a one-term MP.

But he is determined to push for changes in the way parliament operates to ensure it is a friendlier, safer and more comfortable place for future MPs to work.

He said: “I am not planning on being an MP after this term ends. I don’t want to be the last MP with autism and I am certainly not the first MP and I will not be the last to have mental health problems.

“Two MPs have insinuated that I am incompetent and lazy. These are common ableist tropes.

“I really want it to be a safe space for disabled people in the future, and the relevant acts and laws not applying has huge implications for other marginalised groups as well.

“If I can be the vanguard and so get the ball rolling so future MPs have got their rights and freedoms protected and future disabled MPs get adjustments, and it becomes a less hostile, less scary, less nasty, less bully-ridden environment in the future we are going to get so much talent from other marginalised groups.

“It’s like getting blood out of a stone at times, but it is not going to stop me from trying.”

**13 September 2018**

**Disability Labour set for fresh start after angry scenes at agm**

Disabled Labour activists have succeeded in a takeover of the organisation set up to build links between the party and the disability movement.

During a heated annual general meeting (agm) of Disability Labour at a Leeds hotel on Saturday, the entire 15-strong slate of candidates from the Disability Equality Act Labour (DEAL) campaign group secured election to the organisation’s executive.

Only two members of the previous executive – both DEAL members – retained their seats in the election.

The new executive has already issued a 12-point plan, which includes pledges to: set up a working group to develop party disability policy; ensure monthly, fully accessible meetings of the executive; and provide free membership to disabled party members.

It will also develop disability equality training for constituency Labour parties; and ensure remote access to conferences and agms, and campaign for this access measure to be introduced across the party.

The attempt at a fresh start for Disability Labour has also secured support from three key members of [the grassroots Spartacus Network](https://spartacusnetwork.wordpress.com/about/), which researches issues on disability and social security.

Caroline Richardson, Stef Benstead and Catherine Hale said in a statement: “We are thrilled that Disability Labour now has an executive that understands the vision of [Labour’s] [disability manifesto](https://labour.org.uk/press/labour-launches-manifesto-with-and-for-disabled/) and that as activists involved with progressive policies we believe that the new executive will be an essential part of that future and we look forward to mutually supporting and working with Disability Labour.”

[Disability Labour](http://www.disabilitylabour.org.uk/) is an independent society, affiliated to Labour, and many frustrated DEAL members [had previously told](https://www.disabilitynewsservice.com/members-raise-concerns-over-disability-labours-consistent-failure/) Disability News Service (DNS) how it repeatedly failed in its objectives.

Saturday’s agm saw at least three members of the former executive walk out of the meeting in response to heated criticism of their performance.

Two former members, including one of those who walked out, have told DNS of their concern at what took place and what they say was a hostile atmosphere and “bullying” that was aimed at those associated with the previous leadership.

They say they are now considering submitting a complaint to the national party.

But there have been contrasting descriptions of the atmosphere at Saturday’s meeting, with DEAL members on the new executive accusing them of exaggerating what took place.

Fran Springfield, Disability Labour’s new co-chair, said afterwards that she was “exhilarated” by the opportunity the election of her team gave for a fresh start.

She said: “We have already begun to put things in place to ensure Disability Labour is more member-focused, that it is more democratic, that it is open in the way that we do things and that members will get a far greater say in how things will be done and be much more informed about how the executive is working.”

She accepted that it was “traumatic” at the beginning of the meeting, before chair Dave Allan and acting secretary Brian Aylward walked out.

Springfield said that DL would now “absolutely” be more closely aligned with the leadership of Jeremy Corbyn and the left wing of the party.

She said: “We are going to be a critical friend to Jeremy. We absolutely support what he is doing.

“The economic plans he and John McDonnell are working on are the only way disabled people will actually get to have a life and a reasonable income.”

She said it had been a “massive frustration” that Disability Labour had failed to be a campaigning organisation in recent years.

And she said the majority of the executive were now also members of [Disabled People Against Cuts (DPAC)](https://dpac.uk.net), and that Disability Labour would now be working more closely with DPAC on its campaigning.

She said later in a statement: “Until now disabled members have had very little voice. That must and will change.

“The new executive will be leading by example, we will be campaigning on policy issues that affect disabled people, and on disability inclusion within the Labour party.”

But Emily Brothers, a member of the previous executive, told DNS that the meeting had been rife with bullying and heckling.

She said: “I have been part of the disability movement since leaving school in 1981 for 37 years, and also a member of the Labour party for the same period, and I have never witnessed a meeting like Saturday, where there was extensive bullying and displays of hatred.

“I am shocked, appalled and ashamed at being part of it. It was a disgrace.”

She said some of her friends had been left in tears by the behaviour they were subjected to at the meeting.

She said: “They may have weaknesses and faults, but they also have wellbeing concerns and they should not be treated like this.

“I feel very dejected. We are all meant to be comrades. I don’t feel I was treated in a comradely way.”

Brian Aylward, who had been acting secretary of Disability Labour for six months, said he had been forced to leave the meeting after about an hour because he felt “threatened”.

He said: “I felt for my safety but also for my mental health and my mental wellbeing I needed to do so.”

He said that “a lot of the crowd were behaving like a baying mob”.

He said they had had “reasonable frustration” that the previous chair and secretary, Dave Allan and Louise Reecejones, “did not perform well in their roles”.

And he said that he and Brothers had tried to address the problems within Disability Labour by challenging Allan and Reecejones in February but had not secured support from other members of the executive.

But he added: “What I felt in that room was chilling and it is something I never want to experience again, ever.”

He said he sees himself as “a proud lefty” and has twice voted for Jeremy Corbyn in leadership elections.

But he said: “I have been a lefty all my life but the behaviour I saw on Saturday is not the behaviour of people on the left but the behaviour I would associate with people on the extreme right.”

Aylward said he believed the meeting showed that there was “a culture of tolerating bad behaviour” in the party.

But others at the meeting disputed the descriptions given by Brothers and Aylward.

Springfield, and Simon Lydiard, Disability Labour’s new secretary, said the atmosphere had changed once Allan left the meeting.

They said: “It was a heated meeting – anger had been building for a long time about the way Disability Labour was being led.

“There were remarks made by members in the meeting that were unfortunate – but we are a disability organisation and some people have conditions that can cause their behaviour to be challenging.

“We do need to move on, re-set the atmosphere – and make everyone who wants to work together in a sprit of comradeship welcome.”

Sophie Talbot, one of DEAL’s founders, and a co-opted member of the new executive, said the descriptions of the atmosphere at the agm by Aylward and Brothers were “so far over the top”.

She said: “There was no baying mob. There was a release of hope and frustration at the years of incompetence, secrecy and manipulation.

“The new executive is about openness, accountability and transparency. No wonder some of the old executive feel threatened.

“But that’s their problem to be honest; we weren’t threatening them.”

She said she disagreed with Springfield’s view that the new Disability Labour executive represented a significant shift to the left.

She said: “This has never been about right or left. It’s always been about competence, accountability, participation.

“We set up DEAL specifically because Disability Labour was doing nothing. Taking membership fees and not even responding to members’ emails.

“For me, this was totally about making Disability Labour accountable to its members.”

Springfield’s co-chair, Wayne Blackburn, said: “I’m sad to hear Emily and Brian’s comments as I believe they mischaracterise the agm.

“There was, certainly, an amount of anger and frustration from members. However, I believe these comments are exaggerations and discourteous to the vast majority of members.

“That being said, I offer my apologies to anyone who may have felt this way.

“Disability Labour’s members have been ignored or side-lined for far too long and members expressed their frustration on Saturday.

“Fran and I are keen to ensure transparency and inclusiveness, to give a real voice to our members and to ensure they can have trust in their executive.

“I am grateful for the work of previous administrations and wish them all well.

“Disability Labour must now look to the future and I hope all members, including former executive members, will work together to ensure disabled people have a united voice in the Labour party.”

Allan has not responded to a request to comment.

**13 September 2018**

**Train companies could face court over inaccessible rail replacement buses**

Train companies are facing possible legal action over their failure to ensure that replacement bus services are accessible to wheelchair-users and other rail passengers with mobility impairments.

A leading disabled campaigner believes that access and equality laws mean most rail replacement buses – used when companies scrap train services because of engineering works or other disruption – should be accessible to disabled passengers.

But he says that a significant proportion of rail replacement services are completely inaccessible.

He also says that the rail industry is failing to publish information about the accessibility of rail replacement services.

In a year in which the rail network [has repeatedly been hit by disruption to services](https://www.theguardian.com/business/2018/jun/09/uk-railways-great-timetable-fiasco-whats-gone-wrong), the need for accessible rail replacement buses has been overlooked by most campaigners, despite the substantial extra barriers faced by disabled passengers when their journeys are disrupted.

But accessible public transport campaigner and wheelchair-user Doug Paulley, from Yorkshire, is now considering launching a legal action against a rail company, after accusing the industry of repeated breaches of the Equality Act.

He argues that disabled people face even greater hardship and aggravation than other passengers during timetable disruption.

He said: “It always feels that accessible provision is treated by many rail industry managers as a ‘nice to do’ rather than a basic obligation, and as an extra logistical headache.

“So when disruption occurs, disabled people’s needs go out of the window.

“This means disabled people experience shocking, frightening and damaging treatment and journeys that simply are not acceptable.

“I’m fed up with the lack of action to combat such, and the lazy acceptance of inaccessible rail replacement vehicles, and the assumption against all evidence that taxis are an acceptable (or even preferable) alternative, is profoundly offensive.”

Paulley has even been warned by rail staff not to raise the issue publicly because they say that – if it was found that running inaccessible replacement services was illegal – train operating companies would not be able to source enough accessible buses and coaches to meet the industry’s needs.

But he believes the issue must be raised to force improvements.

He has particularly focused on services provided by Northern Rail, but he believes other companies are also failing to address the issue.

Part of the reason is the use by companies like Northern of inaccessible buses, because of the shortage of accessible vehicles, but Paulley says there is also a scarcity of accessible taxis, particularly in many rural areas.

The industry also fails to ensure that information about the accessibility of rail replacement buses is published online, while booking assistance when services are being disrupted is even more hit-and-miss than usual, he says.

He has been told by one rail company that Network Rail’s IT system does not allow information about the accessibility of rail replacement buses to be published online.

Paulley also says that train operating companies frequently fail to alert disabled passengers who have pre-booked assistance when a service is re-routed unexpectedly, often leaving them stranded.

Despite travelling on scores of services that have been disrupted – and booking assistance in advance every time – he says he has never been contacted by staff in the assistance booking centre to amend his support and ensure he gets to his destination safely.

The Office of Road and Rail (ORR) said it was “aware of a number of issues” with Northern failing to warn disabled passengers in advance about the accessibility of replacement buses and was “talking to them about how they will address these concerns”.

A spokesman for the regulator said: “Train operators must provide up-to-date information about the accessibility of facilities and services at stations and on their trains.

“Where passengers have booked assistance on trains that cannot be provided due to disruption, train operators are obliged to contact the passenger to inform them and make alternative travel arrangements.”

He said there was no current requirement under companies’ [disabled people’s protection policies](http://orr.gov.uk/rail/licensing/licensing-the-railway/disabled-peoples-protection-policy) [DPPPs, which describe the assistance provided to disabled passengers by train companies] for rail replacement buses to be accessible.

But he said that train operators do have to provide – without extra charge – “an appropriate alternative accessible service to take disabled passengers to the nearest or most convenient accessible station from where they can continue their journey” in certain circumstances.

This duty applies if the station is inaccessible; if “substitute transport” to replace a rail service – such as a rail replacement bus – is inaccessible; or if there is disruption to services at short notice that makes those services inaccessible to disabled passengers.

He said: “We are considering what further steps train operators might need to take in this area as part of our review of the DPPP guidance.”

Paulley said he hoped the new version of ORR’s DPPP guidance would make it clear that offering a taxi was – in most cases – not an “appropriate alternative accessible service”, because of their shortage in most parts of the country.

Northern insisted that it “will always ensure that customer needs are at the forefront of any decisions we make around alternative accessible transport”.

A spokesman said: “Where we can, we will work with local bus, tram and taxi operators to deliver the best service possible to our customers travelling with a disability.”

One example where this worked well, he said, was with the Preston to Blackpool North electrification upgrade works, where nearly all its replacement bus services were operated by Blackpool Transport, “who have a relatively young fleet of busses that are fully accessible, helping us to deliver a consistent service to customers”.

But he also admitted that “accessible transport remains a concern for Northern where we continue to work with local bus operators to find the best solution for our customers”.

On the failure to provide information about the accessibility of replacement services, he said: “Northern uploads information to the National Rail website which all train operating companies draw from.

“When uploading information to the National Rail website, there is currently only one option to denote rail replacement services which places a bus symbol on the website and it is not possible to identify whether the service is accessible.”

And on concerns about information provided when services are re-routed, he said: “We do everything possible to alert passengers when a service is re-routed, but this can happen unexpectedly during a journey.

“We would never knowingly leave any passenger stranded – disabled or otherwise.”

He said that, “during times of disruption and planned engineering works”, Northern’s customer experience team “will pull off all passenger assistance requests, contact the customer, and arrange alternative travel”.

Paulley said his experience was that this rarely or never happens.

The Department for Transport had failed to comment by noon today (Thursday).

*\**[*Click here to contribute*](https://www.crowdjustice.com/case/fight-disability-discrimination/) *to the #TransportJustice fighting fund, which aims to raise £10,000 by 28 September to fund disabled people to bring court cases challenging the discrimination they face on public transport*

**13 September 2018**

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