**Activist’s terrifying ordeal sparks new e-scooter safety campaign**

A prominent disabled activist is calling for stricter controls on electric scooters after she was subjected to a terrifying ordeal that resulted in a violent physical assault which left her needing hospital treatment.

Paula Peters was left with a fractured eye socket, nerve damage, and widespread bruising and bleeding, after the assault in south-east London on Saturday 29 August.

Peters, a member of the national steering group of [Disabled People Against Cuts (DPAC)](https://dpac.uk.net/) and a prominent member of the [Mental Health Resistance Network](https://www.facebook.com/MHResist), was walking her friend’s dog when she was passed at high speed by five children riding e-scooters, with one of them catching her arm as they passed.

Her calls for them to slow down resulted in a barrage of abuse and harassment.

Despite pleading with them to leave her alone, and her obvious distress, one of the children rode his e-scooter repeatedly up and down the road beside her, and then falsely claimed that she had pushed him when she reached out her arm to try to stop him.

Increasingly scared by the threats and abuse, she left the scene.

A few minutes later, a car mounted the pavement, missing her and the dog by inches.

A woman jumped out and accused her of punching her son, before grabbing her hair.

Peters said: “She dragged me out into the middle of the street, and she started punching me repeatedly in the face and anywhere she could reach. There was blood everywhere.

“I had a dog lead in my hand, the dog was whimpering and cowering on the floor, and she just rained punches on me.

“I lifted my head up and the little boy who said I had pushed him was grinning on the pavement, and then he gave me the middle finger.

“Then she forced me to apologise to him. I thought it was the only way I could get her to stop.”

She took refuge in one of the houses, and was taken by an ambulance to hospital, where she received treatment for a fractured right eye socket and multiple cuts and bruises.

She said: “The doctor was really angry. He said my injuries were like I had been in a severe car crash.

“They got one of the nurses to sit with me because I was really scared. All of them were absolutely brilliant.”

Peters, who was recovering from the loss of a relative just weeks before the attack, is not currently planning to press charges because she says she is too traumatised and fears retribution.

She said: “It has put me back emotionally. I am having panic attacks just going out the front door.”

More than a week-and-a-half later, she is still experiencing nerve damage to her face, concussion, blurred vision and difficulty eating and drinking.

But she said she had been “absolutely overwhelmed” by the support she had received from friends and fellow activists, particularly on social media.

She said: “It was absolutely humbling. It was overwhelming. I felt really touched by the love and support.

“It has helped me get through some really, really rough days. I have been in a really dark place since this happened.”

Now, following her ordeal, she is planning to spearhead a campaign for legal restrictions on the sale of e-scooters, with support from DPAC.

She said: “Why was an eight-year-old child on a privately-bought scooter that can go up to 30 miles an hour, with no helmet, no lights?

“That’s how I ended up like this.

“Why are Argos and places like that selling them for between £100 and £1,000?

“There are no lights on these things, people are not wearing helmets, they are not wearing reflective clothing and they are coming down at great speeds on pavements, where people with visual impairments, hearing impairments, mobility impairments, can’t get out of the way of them, and it’s putting our safety at risk.”

She said she was also concerned about people in mental distress, like herself, who can be triggered by someone on a scooter coming up behind them at speed.

Peters said: “I want people to support the campaign to get these privately-bought e-scooters regulated so people under the age of 16 can’t get their hands on them, but most importantly they are not ridden on the pavement.”

She also wants users to be forced to have a licence, insurance and appropriate head-gear.

Although privately-owned e-scooters cannot legally be driven on public roads, cycle lanes or pavements, they can be legally used on roads and cycle lanes in trial areas if they are part of a rental scheme, [through a Department for Transport pilot project](https://www.gov.uk/government/publications/e-scooter-trials-guidance-for-local-areas-and-rental-operators/e-scooter-trials-guidance-for-local-areas-and-rental-operators).

Their use – both legal and illegal – is becoming increasingly common.

Peters said: “The government rushed through these laws and they have not regulated this properly.

“I want people to support this campaign because it puts disabled people, all sections of the community, at risk when they are out on the pavements just going about their daily lives.

“Someone is going to get killed or seriously hurt unless something is done.”

DPAC is now [collecting evidence about e-scooters to give to MPs](https://dpac.uk.net/2020/09/e-scooters-survey/) so that it can push for stricter regulation.

In the wake of the attack, a fellow disabled activist, “[Ben Claimant](https://twitter.com/imajsaclaimant)”, set up [a fundraising page](https://www.justgiving.com/crowdfunding/paulapeters) for Peters, which has already reached more than £1,800.

She plans to use the proceeds to pay for the mental health therapy she needs after her long-term support from an NHS community mental health team was withdrawn unexpectedly in July.

A Metropolitan police spokesperson said officers had been called to an address in south-east London at 5.45pm on Saturday 29 August by London Ambulance Service following a report of a woman injured after an assault.

The spokesperson said: “A 49-year-old woman was found with a serious facial injury. She was treated at the scene by paramedics before being taken to hospital.

“It was reported that she had been assaulted by a woman, who had driven up in a car. The suspect had left the scene before police arrived. There have been no arrests.”

*\*Any witnesses or anyone with information about the incident is asked to call police on 101, quoting CAD 5514/29Aug, or Crimestoppers anonymously on 0800 555 111*

**10 September 2020**

**COVID crisis ‘left disabled people feeling abandoned, ignored and devalued’**

The coronavirus crisis has left disabled people feeling “abandoned, ignored and devalued”, according to a new report by user-led organisations and their allies in the north-east of England.

The report, [Manifesto for a Better Normal](https://differencenortheast.org.uk/campaigns/#contenthttps://differencenortheast.org.uk/campaigns/), focuses on four key areas that have been a concern for disabled people in the north-east during the pandemic: access and inclusion, health and social care, employment, and benefits.

The report calls for action from local organisations, including councils, as well as other service-providers and employers, but also the UK government.

Its recommendations include the need for extra investment and support “to ensure disabled people’s rights are protected both during and after the current crisis”; personalised support “that is flexible enough to meet individual needs”; and the involvement of disabled people in planning and decision-making.

But it also calls for organisations to comply with their existing legal obligations “to make reasonable adjustments, reduce discrimination and protect human rights”.

The project was led by a new disabled people’s organisation, [Difference North East](https://differencenortheast.org.uk/), with the involvement of user-led organisations including [Disability North](http://www.disabilitynorth.org.uk/) and [Recoco](https://www.recoverycoco.com/).

Other disability and rights organisations involved include Inclusion North, Newcastle Vision Support, Just Fair, Skills for People, Project Choice and United Response.

One disabled person who contributed to the report said they had been relieved when they heard in the early days of the pandemic that supermarkets would “prioritise vulnerable people, giving them priority for delivery slots”.

But they added: “Imagine my horror and increasing frustration when I found out that a totally blind person wasn’t classed as vulnerable according to the [UK] government’s guidelines issued to supermarkets.

“At that point, I felt completely let down and abandoned.”

The report says that this approach of prioritising those with health needs put at risk many disabled people who were not “vulnerable enough” to qualify for support, while information from the UK government had often been inaccessible.

It also says that the move during the crisis to online services and support had highlighted the digital exclusion faced by many disabled people in the north-east, which had left too many unable to access essential information, goods, services and support.

Measures that had been “rushed in”, [such as changes to high streets](https://www.disabilitynewsservice.com/coronavirus-disabled-people-face-discrimination-from-covid-traffic-schemes/) to meet the need for social distancing, had been introduced without proper consideration of disabled people’s needs, says the report.

It adds: “Putting in place emergency measures does not negate the need for reasonable adjustments, it makes them all the more important.”

On health and social care, the report highlights the government’s [delayed and confusing guidance for users of direct payments](https://www.disabilitynewsservice.com/coronavirus-pa-guidance-is-finally-published-five-weeks-late/).

One disabled employer who uses direct payments said the government had treated this guidance as an “afterthought”, and added: “The stress to find clear, understandable information was anxiety provoking, disheartening and extremely taxing, as well as frustrating.”

On employment, the report says that, “for some, work has proved impossible because of the need to shield or not being able to access support”, while for others, “the adoption of homeworking has been liberating, enabling them to have greater control of their working environment and reducing travel problems”.

And on access to benefits, the report points to the “significant reduction” in new claims for disability benefits since lockdown measures were introduced, and significant increases in waiting times for benefit enquiries, with waits of up to one-and-a-half hours to get through on the personal independence payment and universal credit helplines.

As well as highlighting some of the many disabling barriers faced by disabled people in the north-east during the crisis, the report also points to some of the “enabling factors” that have emerged.

These have included charities being able – because they have been providing online support – to reach some service-users they would not normally be able to access.

Another enabling factor for some disabled people has been the increase in the use of “virtual” services, for example with the provision of online healthcare appointments, which for some had helped “reduce costs, time and stress associated with travelling to appointments”.

The report also points to the introduction of new electronic versions of some benefit claim forms, which it says have made claiming benefits easier for some disabled people.

Richard Boggie, Difference North East’s development manager, said disabled people were “entitled to be protected from the effects of this crisis under equality and human rights law” but that “too often they’ve been let down and have suffered terribly as a consequence”.

He said: “We know it’s been a difficult time for authorities and businesses, but too often disabled people have felt like an after-thought.

“This report will help organisations get it right, and all the charities involved are willing to help.

“If lots of organisations make small improvements in how they include disabled people, then we could make a massive difference across our region.”

Difference North East’s own [launch event](https://www.facebook.com/events/820333881833029) will take place online on Saturday 19 September, with speakers including its patron, Baroness [Tanni] Grey-Thompson.

**10 September 2020**

**DWP’s PIP letter blunder ‘shows its careless cruelty’**

The Department for Work and Pensions (DWP) has been accused of “careless cruelty” after it mistakenly sent out letters to disabled claimants, telling them their disability benefits had been stopped for failing to fill in review forms.

It is not clear how many claimants have been wrongly sent the letters, as the department refused to answer questions about the blunder this week, although it did not dispute that the error had been made.

It is the latest foul-up by a department blighted by years of serious mistakes that have [led to the deaths of countless disabled claimants](https://www.disabilitynewsservice.com/election-2019-labour-pledges-inquiry-into-seven-years-of-dwp-benefit-deaths/), and also include a [failure to fix serious flaws](https://www.disabilitynewsservice.com/campaigners-six-year-battle-to-secure-the-truth-about-universal-credit/) at the heart of the universal credit system, and major errors that have led [to repeated and costly trawls](https://www.disabilitynewsservice.com/two-more-pip-reviews-could-mean-dwp-has-had-to-fix-10-benefit-blunders-in-two-years/)\* through the DWP records of disabled people unfairly deprived of benefits.

The latest error saw letters sent out to existing PIP recipients who had been told in March that they did not need to fill in the review forms because of the coronavirus crisis, and that their claims would be automatically renewed.

But last month a DWP official apparently ordered letters to be sent to a number of PIP recipients, telling them their benefits had in fact been stopped, and that they might even need to repay some of the benefits they had been overpaid.

Many appear to have been told that they would also have to return their Motability vehicles.

One of those who received a letter was Vicki, a constituent of the minister for disabled people, Justin Tomlinson.

She was told: “As you cannot now get the enhanced rate of the mobility part of PIP, we will stop paying for your Motability agreement.

“Your Motability scheme provider will contact you about the return of your vehicle and options that are available to you.”

Vicki told Disability News Service: “I felt sick, I felt absolutely sick.

“Losing that extra money – I wouldn’t have coped. It would have sent me into a major depressive episode and potentially my self-harming and self-injuring behaviour would have peaked.

“I would lose my car, I would lose my independence.

“I would not be able to afford things like the [incontinence] pads I have to wear.”

She had been told in March, following a spell in hospital, that – because of the pandemic – she did not need to fill in the PIP review form she had been sent.

Vicki said: “They said they would auto-renew it until September and in September it would automatically be renewed until March.

“They said, ‘You can take your time filling the form in, and get the form to us as and when. We don’t need anything until [next] March.

“So to receive that letter was like, ‘what the hell?’”

She receives the enhanced mobility rate of PIP – which she uses to pay for a Motability vehicle – and the standard rate of the daily living component.

She said: “Without it, I would not be mobile. It pays for my car. I can only drive on hand controls. I had a grant from Motability to pay for the adaptations.

“I can’t afford to buy a car, I can’t afford to pay for the adaptations for a car.”

She received the letter on 1 September, and because she was not immediately able to contact DWP she called Motability.

A Motability staff member managed to speak to a manager in DWP’s PIP team and was told that she had been “caught in the wrong net”, she said.

Vicki said: “He was told that someone had done a search for those people who had not completed their forms in the designated time span and had then put a stop on their benefits.”

She was told that DWP had realised its mistake and was trying to reinstate the benefits of those affected.

She was also told that her benefits had not been stopped after all, despite the letter.

But she said: “It doesn’t change that letter and all the stress that they put me through.

“Other people who received the letter may not have been able to cope as well as I did.”

Although she has now been told by DWP that her PIP has not been stopped, she has also been told to complete a new review form by 2 October.

[DWP announced in July](https://www.gov.uk/government/news/face-to-face-assessment-suspension-continues-for-health-and-disability-benefits) that it would shortly be writing to some claimants to restart reviews, renewals and reassessments for PIP and disability living allowance (DLA) that had been put on hold because of the pandemic, although they would not involve face-to-face assessments.

Vicki said the DWP blunder showed – again – that the department was “definitely, absolutely” not fit for purpose.

She said: “They cannot be trusted with anything. They really and truly cannot.”

Fran Springfield, co-chair of [Disability Labour](https://disabilitylabour.org.uk/), which was alerted to the DWP error by Vicki, said it had since heard of other disabled people receiving similar letters.

She said: “Vicki’s story clearly shows the careless cruelty of the DWP.

“She has already wrongly lost her Motability car once and to threaten this again is inexcusable.

“Once again the actions of the DWP have had a negative impact on Vicki’s mental health.

“At a time of increased stress for disabled people, this is not an acceptable way for the DWP to behave.

“If this is down to ‘human error’ surely there should be failsafe measures in place to stop such errors happening?”

Springfield added: “The DWP continues to treat disabled people is a disgraceful and persecutory way. This must end.”

A Motability spokesperson said that “when the customer contacted us about the letter they received, we contacted the DWP and were made aware of their situation”.

But she said Motability had “not been made officially aware of any additional mailings at DWP or of the people they have been sent to”.

She said Motability was unable to discuss further details of Vicki’s case for data protection reasons.

A DWP spokesperson refused to comment, or to say how many PIP claimants had had a similar experience to Vicki; how the error had occurred; whether DWP would apologise; what steps had been taken to put it right; and whether DWP was concerned about the impact the blunder will have had on claimants, particularly those with learning difficulties or experience of mental distress.

*\*It is still not clear how many such trawls there have been, but the figure appears to be between five and 10 in the last three years*

**10 September 2020**

**Tomlinson faces fresh pressure over ‘pathetic’ engagement with DPOs**

The minister for disabled people is facing fresh criticism for failing to carry out “meaningful” engagement with disabled people’s organisations (DPOs) during the coronavirus pandemic.

Three DPOs have this week criticised the failure of Justin Tomlinson and his new Disability Unit to draw up an engagement strategy with organisations led and controlled by disabled people.

They say this failure means the government is breaching clear duties under the UN Convention on the Rights of Persons with Disabilities.

There was confusion this week over exactly how many times Tomlinson had met with DPOs in the first months of the pandemic.

A DWP response to a freedom of information request from Disability News Service (DNS) suggested that he had not had any online meetings or phone calls with a DPO until 20 May.

But it later emerged that he had met one DPO, [Disability Rights UK](https://www.disabilityrightsuk.org/), on 16 March, as well as taking part in a meeting with the Disability Charities Consortium on 27 April. DR UK is the consortium’s only DPO.

The freedom of information response says that Tomlinson did not meet any DPOs until 20 May, when he took part in a meeting – likely to have taken place online – with six English and Scottish DPOs, including [Cheshire Centre for Independent Living](https://disabilitypositive.org/), DR UK and [Lothian Centre for Inclusive Living](https://www.lothiancil.org.uk/).

In June, there was just a single meeting with a DPO, the London-based organisation [Action Disability Kensington and Chelsea](https://www.adkc.org.uk/).

And on 7 July, there was a meeting with the mayor of Manchester and [Breakthrough UK](https://www.breakthrough-uk.co.uk/), and representatives of the mayor’s [Greater Manchester Disabled People’s Panel](https://gmcdp.com/gm-mayor-panel).

It was not until later in July that representatives of the [Reclaiming Our Futures Alliance (RoFA)](https://www.rofa.org.uk/) of DPOs – and at least three of its members – were finally able to speak to the minister about the impact of the pandemic, at the first (online) meeting of the Disability Unit’s [new Disabled People’s Organisations Forum](https://www.gov.uk/government/news/disabled-peoples-organisations-dpos-forum-launches-this-month).

A DWP spokesperson did not dispute the accuracy of the department’s freedom of information response this week, despite the reports of earlier meetings with DR UK.

The DNS freedom of information request was submitted following mounting concern about the government’s repeated breaches of disabled people’s rights during the pandemic, and its apparent failure to engage during the crisis with organisations run and controlled by disabled people.

The Disability Unit – for which Tomlinson is responsible – [failed to make a single announcement in more than three months](https://www.disabilitynewsservice.com/coronavirus-scandalous-silence-of-governments-disability-unit-as-thousands-die/) after 2 April, while more than 20,000 disabled people were dying from COVID-19.

RoFA – whose membership includes some of the country’s most influential DPOs – first [raised concerns in July](https://www.disabilitynewsservice.com/coronavirus-scandalous-silence-of-governments-disability-unit-as-thousands-die/) that the government was failing to work with DPOs on COVID issues.

Despite its inaccuracy, the DWP freedom of information response appears to show that RoFA was right to be concerned about Tomlinson’s continuing failure to engage with DPOs.

Tomlinson tried to paint a different picture about his efforts to engage while [giving evidence](https://www.parliamentlive.tv/Event/Index/f1af734d-131c-4e13-baaf-0f1927cf8638) to the Commons women and equalities committee last week, as part of its inquiry into access to services for disabled people during the pandemic.

He was told that DR UK had described the government’s efforts to consult with disabled people and their organisations on the pandemic as “inadequate”.

He said this was “a bit of an unfair comment” because he had met with DR UK “personally on a number of occasions during the COVID19 [crisis]”.

And he said the new forum had met monthly, as a way to “empower their voices”, but he failed to point out that the first of these meetings had not taken place until 22 July, and that he himself had not attended last month’s second meeting.

RoFA has repeatedly raised concerns that successive Conservative governments have failed to meet their obligations under the UN disability convention\* to “closely consult with and actively involve” DPOs when developing laws and policies relating to disabled people.

Tracey Lazard, chief executive of [Inclusion London](https://www.inclusionlondon.org.uk/), a RoFA member, said: “Though we welcome the news that the government has set up a DPO forum, after five long years of no engagement between government and DPOs, the forum, which has only met twice, still has a very long way to go before it meets the requirements of the UNCRPD for meaningful engagement with DPOs.”

She added: “The DPO forum must be strategic – working on the policy issues that matter most to disabled people, it must have real influence and it must resource DPOs to be engaged in it.

“As it stands, it is none of these things.

“We will work with the government over the short term to try and make the forum what it needs to be, but we have no interest in taking part in a window-dressing exercise and will withdraw from it if the forum does not start meeting the requirements set out by the UNCRPD.”

A DR UK spokesperson said that, although it had “very good access” to Tomlinson and the Disability Unit itself, it was concerned that the government does not have a wider engagement strategy with DPOs, [as highlighted by the UN’s committee on the rights of persons with disabilities in 2017](https://www.disabilitynewsservice.com/uk-faces-un-examination-government-agrees-to-think-again-on-engagement/).

She said: “The [regional stakeholder network](https://www.disabilitynewsservice.com/criticism-over-shocking-appointments-to-odis-new-disability-networks/) is under-resourced, with some areas not having met.

“The DPO Forum has been set up for a specific task, to inform the government’s Disability Strategy.

“We need government to bring forward a comprehensive engagement plan, which is based on genuine dialogue and co-production with disabled people.”

Linda Burnip, co-founder of [Disabled People Against Cuts](https://dpac.uk.net/), another RoFA member, said Tomlinson’s record on consulting with DPOs was “as one might expect, absolutely pathetic”.

She added: “Do we ever hear anything useful from him? Or even anything not useful?

“From his inability to meet anyone representing disabled people before May 20th, it would appear that, option A: Justin Tomlinson was following in his leader’s footsteps [and hiding in a fridge](https://www.theguardian.com/politics/2019/dec/11/boris-johnson-hides-in-fridge-to-avoid-piers-morgan-interview), or option B: Justin Tomlinson, as was the case when he was minister before, doesn’t have any interest in disabled people or in safeguarding their lives or rights.”

A DWP spokesperson declined to comment when asked how Tomlinson explained his lack of engagement with DPOs.

She said DWP did “not have anything further to add” to the freedom of information response.

*\*The UN Convention on the Rights of Persons with Disabilities*[*makes it clear that*](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-4-general-obligations.html)*, when developing laws and policies relating to disabled people, governments “must closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations”. It defines “representative organizations” as those that are “led, directed and governed by persons with disabilities”, a definition which the UN committee on the rights of persons with disabilities included in*[*general comment number seven*](https://www.ohchr.org/EN/HRBodies/CRPD/Pages/GC.aspx)

**10 September 2020**

**Government chooses architect of universal credit to chair its benefits advice body**

The government is facing criticism over its decision to nominate the “architect” of universal credit to be the next chair of its independent committee of advisers on social security.

Dr Stephen Brien wrote [Dynamic Benefits](https://www.centreforsocialjustice.org.uk/core/wp-content/uploads/2016/08/CSJ-dynamic-benefits.pdf) (PDF), the report that became the blueprint for universal credit, and he is still a board member at the Centre for Social Justice, the right-wing thinktank which published his report in 2009.

He worked closely on that report with Iain Duncan Smith, who introduced universal credit (UC) as work and pensions secretary in 2013.

Brien, currently [director of the Legatum Institute](https://li.com/bio/stephen-brien/), another think-tank, was yesterday (Wednesday) [questioned by MPs on the work and pensions select committee](https://www.parliamentlive.tv/Event/Index/b3d60990-abc0-463d-9a3b-72e6efd3325a) on his suitability for the role as the new chair of the social security advisory committee (SSAC).

SSAC is supposed to be an independent body that provides impartial advice to DWP on social security matters and scrutinises secondary legislation related to the benefits system.

But Stephen Timms, the Labour chair of the committee, asked Brien if he could be “impartial” now when he had been “obviously an insider in the development of universal credit”.

Brien, who was also an adviser at the Department for Work and Pensions (DWP) in the three years leading up to UC’s introduction, said: “I think it can be what it is perceived to be.”

He said UC had developed “a long way” in the seven years since he was involved with it, and he was “more than happy to identify issues that I think need to be improved within universal credit.

“My job would be to help the committee to evaluate its performance and help identify its strengths and weaknesses, rather than saying it should go in a particular direction.”

Asked if he would be comfortable with the committee making policy recommendations in the future, he said it should “call out gaps” or “oversights” in the system and highlight “rough edges” in policy, but that it should not be its role to make specific policy suggestions, which was the role of parliament and ministers.

When asked by Labour’s Steve McCabe if he still had an “emotional attachment” to UC, he said: “It’s hard for me to completely detach myself from it.”

But he added: “I am very happy to take an evidence-based stance on it.

“There are always going to have been mistakes, there are always going to be things that you learn along the way.

“My emotional attachment is to a social security system that works for the most vulnerable in society, that provides value for money for the tax-payer, and helps as part of an over-arching social structure.”

Labour’s Debbie Abrahams asked if Brien would make it a priority for the committee to produce a report on [the deaths of disabled people who have been found fit for work](https://www.disabilitynewsservice.com/dwp-the-case-for-the-prosecution/) by DWP, which she said was “an increasing scandal”.

She said: “It is an unintended consequence, I am sure, but it is still happening, so would this be something that you would want to explore within your committee?”

Brien said he would need to discuss with the committee “areas that were not being properly addressed”, whether there were other “more pressing issues”, and if the committee had “the skills and mandate to do that”.

But he said: “As you laid it out, you have made a very compelling argument that there is an issue there that would warrant an attempt at investigation.”

He added: “I would certainly not be averse to putting that on a list of issues to consider.

“As you have laid it out, it does feel like one that warrants consideration.”

Abrahams, [who has played a key role](https://www.disabilitynewsservice.com/watchdog-snubs-call-for-probe-into-dwp-deaths-after-delay-of-more-than-a-year/) in highlighting the need for an inquiry into benefit-relate deaths, replied: “I would suggest the deaths of claimants would need to be a priority.”

Commenting before the evidence session, Mark Harrison, from the [Scrap Universal Credit Alliance](http://www.suca.org.uk/) (SUCA), said appointing Brien would be “like giving Mr Wolf the keys to the hen house.

“Choosing the architect of UC to provide scrutiny is consistent with this government’s preferred methods for avoiding any serious scrutiny.

“They are operating a punitive system of sanctions in the benefits system which treats people worse than if they have been convicted in the courts of committing a crime.

“That’s why they need a tame cheerleader rather than someone who will hold them to account.”

Linda Burnip, co-founder of [Disabled People Against Cuts](https://dpac.uk.net/), said Brien “sounds the ideal appointment if you want a yes man on the SSAC, and I am guessing that will become yet another useless committee that in no way supports the rights of disabled people”.

**10 September 2020**

**DWP silent over whistle-blower’s disability job adviser claims**

The Department for Work and Pensions (DWP) is refusing to confirm that it is about to announce controversial plans to remove staff from their roles as specialist disability employment advisers (DEAs) and move them into mainstream positions.

The department has apparently angered staff with its plans to move DEAs to roles as mainstream work coaches, according to a DWP whistle-blower.

According to [a parliamentary briefing published last month](https://researchbriefings.files.parliament.uk/documents/CBP-7540/CBP-7540.pdf), DEAs are trained to “help disabled people to find suitable jobs, and work alongside work coaches to provide additional professional expertise”.

But the whistle-blower contacted Disability News Service (DNS) this week to raise concerns that “DEA roles are being withdrawn and staff returned to being work coaches”.

They told DNS that DEAs were “furious about the changes and consequences” of the plans and the failure of communication and consultation “about how this will impact some of the most vulnerable people seeking the assistance of the DWP”.

They added: “In effect this change drastically reduces the availability of the assistance and support available for people with disabilities and/or mental health challenges.”

Although DWP has this week refused to confirm or deny the plans for its DEAs, it did not dispute any of the details provided by DNS.

In March, the minister for disabled people, Justin Tomlinson, stressed the importance of the DEA role, [suggesting to MPs](https://bit.ly/2TM1XBW) that they would play a key part in achieving the government’s target of seeing one million more disabled people in work between 2017 and 2027.

The move has apparently been made because of [the need to move resources into the government’s new Kickstart scheme](https://www.gov.uk/government/news/kickstart-scheme-opens-for-employer-applications) – which aims to create new, subsidised jobs for young people, but [has already been criticised](https://www.disabilityrightsuk.org/news/2020/september/kickstart-scheme-discriminates-against-disabled-young-people) for discriminating against disabled young people – and the anticipated rise in unemployment as a result of the COVID-19 pandemic and the [gradual withdrawal of the furlough scheme](https://www.theguardian.com/politics/2020/may/29/rishi-sunak-confirms-coronavirus-furlough-scheme-to-be-gradually-withdrawn).

Therese Coffey, the work and pensions secretary, [announced in July](https://www.gov.uk/government/speeches/its-key-for-jobcentres-to-help-people-back-to-their-feet?utm_source=2f2ac1e3-9a09-4350-a5ca-a2b7ea4186ce&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate) that the number of work coaches would be doubled to 27,000 by next March, and it appears likely – if the whistle-blower’s claims are accurate – that part of that rise will be met by transferring civil servants from their existing roles as DEAs.

A spokesperson for the PCS union, which has many DWP members, said: “We are not aware of any announcement relating to DEAs that is scheduled for today or any other time.

“However, PCS would have grave concerns if DWP were intending to deal with the fallout from the pandemic by stopping the additional support that is currently available to disabled people.”

A DWP spokesperson refused to say how many DEAs the department currently has and how many of them would now be moved to work coach roles; why DWP had taken the decision; and what concerns ministers had about the impact of this move on disabled people in vulnerable situations who were seeking employment support.

She said DWP does “not have anything further to add”, despite not saying anything about the plans.

**10 September 2020**

**Long-awaited accessible housing consultation gives little away**

The government has finally published a long-promised consultation on whether it should introduce higher accessibility standards for new housing in England, although it fails to say what kind of reforms ministers want to see.

The consultation paper, [Raising Accessibility Standards for New Homes](https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes), came more than 14 months after [Theresa May promised](https://www.gov.uk/government/news/pm-launches-new-drive-to-tackle-barriers-faced-by-disabled-people) a consultation on introducing compulsory higher standards, in one of her last acts before resigning as prime minister.

But although the title mentions “raising accessibility standards”, the consultation paper does not suggest which of five possible options for reform ministers support.

Despite coming 14 months after it was announced, the consultation paper is just 21 pages long.

Successive Tory ministers have been repeatedly warned of the [dire shortage of suitable accessible housing](https://www.disabilitynewsservice.com/disabled-people-face-hidden-crisis-in-accessible-housing/).

Housing secretary Robert Jenrick says in the introduction to the paper that the consultation addresses the issue of inaccessible housing “head on”.

But rather than confirming that the government wants to raise minimum standards, he merely says that the paper “considers bold options” to ensure more homes are built to higher accessibility standards.

He says the consultation forms part of the government’s work on its delayed new national disability strategy, which is not expected to be published until next spring.

The paper’s first option – likely to appeal to the home-building industry – is to simply “wait to see” the impact of new “optional” national technical standards, introduced in 2015.

The paper later describes this as the “do nothing” option.

Three other options would see the minimum accessibility standard improved for nearly all new homes, so that they would have to be built to the basic M4(2)\* accessible housing standard.

One of these three options would also see the government setting a minimum proportion of new homes in all areas of England that would have to be built to be fully wheelchair-accessible, according to the M4(3) standard\*.

The fifth option suggests a new stricter level of accessibility for the existing M4(1) minimum standard, which “could be pitched between the existing requirements of M4(1) and M4(2)” and is again likely to appeal to the home-building industry.

The consultation paper suggests that introducing a minimum M4(2) standard of accessibility for all new housing in England would cost just £311 million a year, or about £1,400 per new home that would not already have met M4(2).

The consultation closes on 1 December.

[Only last month](https://www.disabilitynewsservice.com/governments-contempt-for-disabled-people-as-planning-white-paper-ignores-accessible-housing/), the government was accused of “showing contempt” for disabled people after publishing an “utterly shameful” 84-page white paper on the future of the planning system, without including a single mention of disabled people, disability or accessible housing.

[Last year](https://www.disabilitynewsservice.com/government-faces-legal-action-threat-over-accessible-housing-failure/), Jenrick was warned that he faced the threat of legal action over the government’s failure to take action to solve the crisis in accessible housing.

[And two years ago](https://www.disabilitynewsservice.com/concerns-over-industrys-repeated-objections-to-councils-accessible-homes-plans/), Disability News Service revealed that representatives of the home-building industry were engaged in a countrywide campaign to defeat attempts by councils to ensure more accessible homes were built in their areas.

*\*Homes built to the M4(2) standard have 16 accessible or adaptable features, similar to the*[*Lifetime Homes standard*](http://www.lifetimehomes.org.uk/pages/lifetime-homes.html)*developed in the early 1990s to make homes more easily adaptable for lifetime use, while M4(3) homes are those that are supposed to be fully wheelchair-accessible*

**10 September 2020**

**Legal firm’s insurance link-up could open access to Equality Act justice**

Disabled people who have been prevented from taking discrimination cases through the courts by the risk of potentially ruinous costs if they lose could now have a new way to secure access to justice.

A link-up between a leading discrimination law firm and a specialist insurance company has led to the launch of a new insurance policy that will offer protection to disabled people – and others with “protected characteristics” – who take cases under the Equality Act.

For years, disabled campaigners have called on the government to reduce the financial risks faced by those taking such cases through the county court system, [particularly by extending a system](https://www.disabilitynewsservice.com/disabled-campaigners-one-step-closer-to-justice-despite-court-setback/) called Qualified One Way Cost Shifting (QOCS) – which is used for personal injury claims – to Equality Act cases.

Many victims of discrimination at the hands of large, well-funded organisations have had to withdraw their claims because of the risk of being asked to meet the other side’s costs if they lose.

Now [Fry Law](https://www.frylaw.co.uk/) has linked up with specialist insurers [Financial and Legal Insurance](https://www.financialandlegal.co.uk/) to provide a policy that could put an end to the risks faced by many of those taking cases involving goods, services or facilities under the Equality Act.

The new policy would offer a client £25,000-worth of protection against legal costs for just £560, which would only be payable if the case was successful.

The announcement comes 10 years on from the creation of the Equality Act, and eight years since changes by the coalition government to the way costs are dealt with by the civil courts made it often all but impossible to enforce rights under the act without the risk of financial ruin.

Chris Fry, senior partner at Fry Law, said the new policy would “help level the playing field” and had the “potential to drive the kind of social change that the Equality Act promised”.

He said: “I hope people see this as liberating them from a system which has given rights on the one hand and introduced barriers to enforcement with the other.

“Now there’s a level playing-field and costs cannot be used by service-providers as a deterrent.”

He said such cases happened “fairly frequently”, including a Deaf client who was taking a case against a major retailer which included claims of unlawful detention, but had to abandon it because of the costs risk.

As Fry Law only operates on a “no-win no-fee” basis, there should be no financial risk to the clients, but it will still need to be satisfied that the client is likely to win – usually only taking cases with at least a 60 per cent chance of success.

For at least the first year of the new policy, it will only be available to clients of Fry Law.

Fry said: “Since 2012, there has been huge inequality between individuals enforcing their rights and well-funded service-providers defending them, mainly because until now there has been no means of insuring against the cost of losing claims.

“Our clients will no longer be intimidated into dropping perfectly good cases because of financial risk.”

He also stressed that he believed that taking out such insurance policies should not be necessary, and that he would continue to push for the government to extend QOCS to Equality Act cases, which would be his preferred option.

Natalya Dell, a trustee of the disabled-led organisation [Reasonable Access](https://www.reasonableaccess.org.uk/what-is-reasonable-access/), which aims to empower disabled people in the UK to assert and enforce their legal rights to access, said she and her colleagues had “mixed feelings” about the new insurance policy.

She said it was “innovative” and “provides increased support for some of the stronger disability discrimination cases relating to services right now, which is desperately needed”.

And she said it would be interesting to see if such policies became more widespread and could help encourage more legal firms into similar work “and enable more disabled people to enforce the Equality Act more often”.

And she also said it could persuade more organisations facing discrimination claims to “engage in constructive pre-court settlements at an earlier stage”.

But she said the new policy also created a “monopoly” situation for Fry Law, which highlighted that there was not currently widespread access to legal representation for such cases, “because not enough legal practitioners or firms can make a living from it”.

And, she said, the £560 payment for those who win their cases, while “in many ways reasonable”, “could represent a substantial portion of the total damages awarded”.

Dell said Reasonable Access was also concerned that the new insurance arrangement could be used by the government as an excuse to make a definitive decision not to extend QOCS to Equality Act cases.

And she said there was a concern that the £25,000 of protection would not cover the more complex cases.

She said: “I think £25,000 is a great start, but costs can go well over £25,000, even in a simple-ish case.

“We know someone who had a case with £30,000 of costs and that was a simple services case.”

She added: “On the whole I think we have to work creatively with what we have, which
is definitely what this is.

“We wish Chris Fry and his new customers all the best and look forward to seeing more effective enforcement possibilities.”

**10 September 2020**

**Round-up: ‘No DSS’ court case, DPO grants, Hancock on social care… and clear face masks**

**A court has found in favour of a disabled dad who argued that he was being discriminated against by an estate agent who prevented him viewing properties because he was claiming housing benefit.**

Stephen Tyler has been barred from viewing properties advertised by a Birmingham estate agent because he receives housing benefit.

Birmingham County Court ruled this week that the “No DSS” rule was unlawful indirect discrimination and in breach of the Equality Act.

Judge Mary Stacey said in her ruling: “There is no doubt that there was a blanket policy that no-one in receipt of housing benefit would be considered for the three properties.

“It put the claimant and other disabled people at a particular disadvantage when compared to others.”

Tyler, who is married with four children and was supported in the case by the housing charity Shelter, said: “It’s been a very stressful time.

“It is amazing to have won – not just for me but for the tens of thousands of people like me facing this discrimination.

“Hopefully now it’s clear that the law is on our side, things will change.”

The family lost their previous rented home after they asked for adaptations to be made to the property, and the landlord responded by serving them with a section 21 “no fault” eviction notice.

They were left homeless but have now – with Shelter’s help – secured social housing.

It is the second time a UK court has ruled that such “No DSS” restrictions are unlawful, [following a ruling by York County Court in July](https://england.shelter.org.uk/media/press_releases/articles/no_dss_landmarkcourtrulingconfirmshousing_benefitdiscriminationisunlawful) that involved a single mother-of-two, who was also supported by Shelter.

**Disabled people’s organisations (DPOs) working on the frontline of the coronavirus pandemic can now apply for a share of a new £1.5 million emergency fund set up to help them respond to the COVID-19-related needs of disabled people.**

[A new application portal](https://disabilityaction.flexigrant.com/areadetail.aspx) went live this week, so DPOs can now apply for grants of between £1,000 and £25,000 from the DPO Covid-19 Emergency Fund.

Funding is being distributed to grassroots DPOs across the UK to try to ensure disabled people are “less isolated, more independent and their voices are heard and reflected in recovery strategies”.

It is being administered and distributed [through a partnership of DPOs across the UK](https://www.disabilitynewsservice.com/dpos-secure-1-5-million-to-help-with-impact-of-pandemic-on-disabled-people/), with funding for work in the areas of independent living, isolation and income.

Funding is only available to UK organisations run and controlled by disabled people.

The £1.5 million funding has been awarded by the [National Emergencies Trust (NET)](https://nationalemergenciestrust.org.uk/), which works with charities and other bodies to raise and distribute money and support victims during domestic disasters or emergencies.

The closing date for applications is 5 October.

**Health and social care secretary Matt Hancock has been confronted with the testimony of a disabled campaigner on the true impact of the social care funding crisis.**

Hancock [was giving evidence](https://www.parliamentlive.tv/Event/Index/3d55acfa-2b27-40f2-a258-2ee99fab360a) to the health and social care select committee’s inquiry into the social care funding needed over the next five years, shortages in the social care workforce, and the long-term reforms needed to social care funding.

He was shown recorded evidence [given to the committee in June](https://www.disabilitynewsservice.com/disabled-people-forced-to-fight-for-right-to-live-ordinary-lives-mps-hear/) by Anna Severwright, a former doctor who lives with multiple long-term conditions, who had told MPs: “I really feel I’m not able to be living a normal life.

“I don’t have enough hours to be able to go out at the weekends, in the evenings, and just do a lot of the normal things that make life worth living for us.

“I found myself in the position quite regularly where I have to think, ‘Well, I’ve only got two hours left this week, do I want to do food shopping, do I want another shower or do I want to go and meet up with a friend?’ and that’s quite a hard place to have to live your life.”

He was also shown testimony from Deborah Gray, whose husband has dementia – and who is another former doctor – and found herself facing huge bills to pay for his care because it was not covered by the NHS Continuing Healthcare programme.

Hancock told the committee that they were “powerful videos” that “effectively capture the challenge that we face as a society with finding a long-term reform for social care”.

He said: “The current way that the social care system operates clearly has embedded in it a series of injustices that have grown up over time.”

But he did not offer any suggestion for how the government’s long-awaited social care reforms would deal with those injustices.

[**New government figures**](https://www.gov.uk/government/statistics/access-to-work-statistics-april-2007-to-march-2020) **show there has been a sharp increase in spending on the Access to Work disability employment programme over the last year.**

The scheme funds workplace adjustments for disabled people, such as providing support workers, travel costs and aids and equipment.

The figures, released by the Department for Work and Pensions, show a real terms rise of more than £10 million in spending on the programme over 12 months, from £132 million in 2018-19 to £142 million in 2019-20.

They also show that spending in each of the last two years was higher in real terms than it was in the first year of the coalition government in 2010-11, when it was £125 million, before falling as low as £105 million in 2015-16.

There were more than 29,000 people who received workplace support of some kind from Access to Work in 2019-20, compared with about 23,000 in 2010-11.

The four most significant areas in which disabled people received support approved through the scheme in 2019-20 were for aids and equipment (4,230 people receiving a payment), support workers (10,720 people), travel to work (10,510 people) and mental health support (5,740 people).

**Workers in social care and the NHS are to be given clear face masks to help disabled people who lip-read or rely on facial expressions to communicate during the coronavirus pandemic.**

The see-through masks have an anti-fogging barrier to ensure the face and mouth are always visible, and they will help staff communicate with service-users with impairments such as hearing loss, dementia and learning difficulties.

A deal with US-based company ClearMask will see 250,000 masks delivered to NHS trusts and social care providers across the UK over the next few weeks.

Care minister Helen Whately said: “The introduction of clear face masks will help overcome some of the difficulties carers wearing [personal protective equipment] are facing communicating with people who rely on lip-reading.

“If this proves a success I look forward to increasing the supply to make sure whenever a clear mask is needed, there is one available.”

The first batch of the clear face masks has already been distributed to NHS trusts, with further deliveries over the next couple of weeks.

The masks will be distributed across the whole of the UK.

**Grammar schools in England have been warned not to discriminate against disabled children in the way they run this year’s 11+ entry exams, following a successful legal challenge.**

A visually-impaired child was unable to sit the entry exam for Reading School in Berkshire because it refused to make the adjustments his family had requested for him, including an exam paper in larger print.

The case was referred by the disability charity RNIB to the Equality and Human Rights Commission (EHRC), which provided funding to take the case to the First-tier Tribunal (Special Educational Needs and Disability).

The tribunal concluded that Reading School was responsible for making sure the adjustments were in place.

EHRC said the success of the case meant grammar schools must improve their accessibility arrangements for entry exams, which have been delayed because of the COVID-19 pandemic.

EHRC has this week written to all grammar schools and other selective schools, to remind them of their duty under the Equality Act 2010 not to discriminate against any disabled child.

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