**DWP hid vital evidence from starvation death inquiry, board confirms**

The Department for Work and Pensions (DWP) has been accused of “absolutely disgraceful” behaviour after confirmation that it hid vital evidence from a statutory safeguarding inquiry into why a disabled man starved to death after his benefits were wrongly stopped.

DNS [raised questions last week](https://www.disabilitynewsservice.com/errol-graham-dwp-hid-key-evidence-from-inquiry-into-starvation-death/) about why crucial DWP documents were not mentioned in the long-awaited safeguarding adults review into the death of Errol Graham.

Now Nottingham City Safeguarding Adults Board has confirmed that DWP failed to share those documents with Sylvia Manson, the independent consultant who carried out the review.

The documents would have shown that DWP knew Errol had been experiencing significant mental distress just three years before his employment and support allowance (ESA) was suddenly withdrawn by the department in the autumn of 2017.

Alison Burton, Errol’s daughter-in-law, who has fought for years for justice in the wake of his death, said DWP’s behaviour was “absolutely disgraceful” and “a cover-up”.

She is demanding to know who it was within DWP who decided the documents would not be shared with the review, and whether any ministers approved this decision.

With the help of a welfare rights adviser, Errol had filled in a limited capability for work questionnaire early in 2014, in which he stated that he could not cope with “unexpected changes” because they left him feeling “under threat and upset”, could not cope with social situations, and felt “anxiety and panic in new situations”.

He took part in a face-to-face work capability assessment later that year, with the doctor who assessed him describing his “active suicidal thoughts”, “very low mood” and how he was “hearing voices all the time”.

As a result of that assessment, he was again placed in the ESA support group.

But there was no mention in [Manson’s safeguarding review](https://www.nottinghamcity.gov.uk/media/3377147/billy-final-sar-for-publication-11th-may-2023.pdf) (PDF) of any of these documents or of the 2014 work capability assessment.

Instead, her review concluded that DWP “had no detail regarding the nature of [Errol’s] mental health, specifically the risks when in an acute phase of illness”, that the nurse carrying out the follow-up assessment in 2017 only had reports up to 2013, and that the DWP decision-maker “was not aware of how [Errol’s] depression could affect him”.

Lesley Hutchinson, chair of Nottingham City Safeguarding Adults Board, told DNS yesterday (Wednesday): “We can confirm that the 2014 documents were not provided for consideration by the review author.

“While they fell outside the scope of the review, the terms of reference asked agencies to provide information of relevance before June 2017.

“We are reviewing the documents and actions taken at the time of the review to establish whether their inclusion would have altered the recommendations.

“The board will provide an update to the family following further consideration when this has been concluded.”

By the time DWP reassessed Errol in 2017 for his eligibility for ESA, his mental health had deteriorated further, and he failed to engage with the process and did not turn up to a face-to-face assessment.

DWP made several unsuccessful attempts to contact him by phone and text and through safeguarding visits.

When these visits failed, no further efforts were made by DWP to contact him or secure information about the state of his mental health from other agencies, or his friends and family.

Instead, DWP abruptly stopped his ESA in October 2017, which led to his housing benefit being stopped and his rent no longer being paid.

By now, Errol had completely cut himself off from contact with his family and friends, and he refused to answer the door or even speak to them when they tried to visit.

The following June, his body was found by bailiffs sent to evict him for non-payment of rent.

He was 57 years old and weighed just four-and-a-half stone. A coroner found he had starved to death.

Burton told DNS yesterday: “As far as I am concerned, [DWP] killed him.”

She said DWP’s actions with the safeguarding review confirmed that the department could not be trusted and that it was “still pulling dirty little tricks”.

She said: “I am absolutely livid. I will never be able to trust them.

“Nothing the department could do now would ever come close to apologising to my family for what it has done. It has had too many opportunities.

“It has denied Errol the justice he is entitled to. It makes a difference to my family, it makes a difference to the country, it makes a difference to people like Errol, it’s absolutely disgraceful and they ought to be ashamed of themselves, that they could still deny a deceased person the truth.

“You don’t get any lower than that.”

DWP has previously prevented the 2014 reports being made available to his inquest, and only provided the most damning of the documents to the high court a few days before a judicial review hearing in January 2021.

It is just the latest example of DWP misleading and hiding evidence from public bodies and those investigating its activities – including [coroners](https://www.disabilitynewsservice.com/errol-graham-dwp-misled-coroner-over-safeguarding-review/), [judges](https://www.disabilitynewsservice.com/jodey-whiting-dwp-tells-high-court-her-death-was-isolated-case-and-not-sign-of-systemic-failure-despite-years-of-evidence2/), the [National Audit Office](https://www.disabilitynewsservice.com/letter-shows-appalling-dwp-misled-two-watchdogs-over-benefit-deaths/) and [its own independent reviewers](https://www.disabilitynewsservice.com/caxton-house-cover-up-dwp-hid-benefit-deaths-papers-from-wca-review-team/) – about links between its actions and the deaths of disabled people claiming benefits.

It adds further fuel to calls for an independent inquiry into the links between DWP and countless deaths of claimants.

Disabled people’s grassroots groups, bereaved relatives and charities, as well as Labour MPs such as [Debbie Abrahams](https://www.disabilitynewsservice.com/senior-mp-calls-on-rudd-to-act-over-dwps-wca-deaths-cover-up/), [Marsha de Cordova](https://www.disabilitynewsservice.com/minister-for-disabled-people-ignores-calls-for-inquiry-into-dwp-deaths/) and [John McDonnell](https://www.disabilitynewsservice.com/election-2019-mcdonnell-says-labour-government-will-hold-inquiry-into-dwp-deaths/), have been calling for an inquiry since 2019, following countless avoidable deaths linked to the department’s actions.

Labour’s shadow work and pensions secretary, Jonathan Ashworth, has yet to promise an inquiry if his party wins power at the next general election.

But Abrahams, MP for Oldham East and Saddleworth and a member of the work and pensions select committee, said this morning: “Once again, we are faced with more evidence that information the DWP had was not made available to investigations into how their policies and working practices are impacting on the lives of social security claimants.

“This is yet another example over the last 10 years or so when the government’s DWP has been caught out.

“The DWP have said that they had ‘lost’ data on the deaths of claimants, they didn’t provide information on the deaths of claimants following health assessments to the independent reviewers and they have only provided partial information to coroners at the inquests into claimant deaths.

“As for parliamentary committees, there has been an ongoing battle with the government to publish different reports and data in order that the operation of their DWP and its impacts can be properly scrutinised.

“A year on from the Equality and Human Rights Commission [issuing the government with a section 23 agreement notice](https://www.disabilitynewsservice.com/dwps-failure-to-sign-discrimination-agreement-is-totally-unacceptable/) based on evidence of discrimination against disabled claimants, it is truly shocking that the government tries to evade being held to account, seemingly acting with impunity.

“That the DWP appears to have such a blatant disregard for the safety and wellbeing of the vulnerable citizens it is meant to serve says all you need to know about the leadership and culture of this government.

“Once again I send my sincere condolences to Errol’s family and friends. This should never have happened.”

DWP refused to comment on the board’s confirmation that the department had failed to pass on the documents to the review team.

Instead, a spokesperson repeated the statement it made last week: “This was an incredibly tragic case and our condolences remain with this family.”

**18 May 2023**

**Document shows NHS England apologised for backing harmful SIM scheme**

NHS England has apologised – in a co-produced document it has refused to publish – for its serious failures over the widespread use of a mental health scheme that it admits was discriminatory, coercive and punitive.

Senior NHS executives had secured widespread backing for a document in which the organisation admitted its failings had harmed service-users who were subjected to the Serenity Integrated Mentoring (SIM) scheme.

NHS England (NHSE) had worked closely for more than a year with disabled activists from the StopSIM Coalition on a national response and policy position on how SIM and SIM-type schemes were being used across NHS mental health trusts, but it then went back on its word to publish it.

The coalition believes that NHSE halted publication because of a legal challenge by Wessex Academic Health Science Network (Wessex AHSN) “and in doing so failed in their duty to put patients at the heart of the NHS and to be accountable to the public, communities and patients they serve”.

Wessex AHSN was one of the networks set up by NHSE in 2013 to “spread innovation at pace and scale”, and it played a significant role in supporting SIM in its early development.

Now, as activists from the coalition announce their decision to disband their two-year campaign (*see separate story*), they have decided to publish the most up-to-date version of the draft policy they co-produced with NHSE, which was sent to them and other stakeholders in late December.

The policy had been “fully agreed” with “a number of other teams within NHSE” and was described in an email from NHSE’s head of adult mental health as the “final version of the position statement”, before the intervention of Wessex AHSN.

The [StopSIM Coalition](https://stopsim.co.uk/) has now decided to share the report with Disability News Service before releasing it publicly later today (Thursday).

In the report, NHSE expresses its regret for endorsing the SIM model without applying “sufficient scrutiny” to that decision or involving people with lived experience of mental distress.

It says: “This compromised the safety and quality of care for service users and has caused hurt to patients. For this, NHS England is sorry.”

It also concludes that some of the SIM schemes could have amounted to torture, inhuman or degrading treatment or punishment, or discrimination under the Human Rights Act because of the way that some service-users were treated.

NHSE and the coalition conclude in the draft policy that three key features of SIM and SIM-type schemes “must be eradicated” from mental health care.

They say police should never be involved in delivering therapeutic interventions in “planned, non-emergency, community mental health care”, while the use of coercion, sanctions, withholding care and other punitive approaches with mental health services “must end”.

They also call for an end to the discrimination faced by service-users who engage in self-harm and suicidality and those described as “high intensity users” of mental health services.

The document, which examines the results of a review of the use of SIM that was launched by NHSE in May 2021, says that examples of SIM-type “poor practice” appear to be “ingrained” across the country.

Of the 54 trusts that responded to the review, 26 of them said they had used a SIM or SIM-type model at some stage, and 20 of them appeared to be continuing with key features of the SIM model.

NHSE says in the draft policy that it is now in contact with all mental health trusts “to seek assurances” that they will “eradicate” these “features of concern” from their care provision.

In the document, NHSE says: “NHS England must hold itself to the highest level of scrutiny in carrying out these duties so that local health teams, patients, carers and the public can have confidence in how decisions are made to support people.

“In endorsing and facilitating the rollout of SIM without sufficient scrutiny and critical evaluation to identify concerns with the model, as outlined in this document, NHS England did not meet this responsibility.

“The lack of scrutiny compromised the safety and quality of care for service users who were put under SIM and similar models.”

In a statement announcing its decision to disband and publish the draft policy, the StopSIM Coalition said NHSE had breached all three principles they had agreed when deciding to work together: confidentiality, equal partnership, and that neither party would publish without the consent of the other.

An NHSE employee had leaked part of the document to the Health Service Journal [in February](https://www.hsj.co.uk/mental-health/draft-nhse-plans-seek-to-eradicate-police-role-in-care/7034177.article), and excluded the coalition from key conversations with executives.

NHSE also “went back on its word” not to publish an altered version of the policy without the coalition’s consent when Professor Tim Kendall, NHSE’s national clinical director for mental health, [published a short letter](https://www.england.nhs.uk/publication/nhs-england-position-on-serenity-integrated-mentoring-and-similar-models/) in March that had not been approved by the coalition, stripped the policy “down to the bare minimum”, and used the coalition’s words without its members’ consent.

The coalition said: “NHS England has dissolved the agreement they entered into with us through these series of choices.”

It said that, despite campaign successes, the “criminalisation of distress remains endemic across mental health services”.

It added: “While we welcome important steps in challenging the violent, discriminatory and harmful practices SIM promoted, such as the new [NICE guidelines on self harm](https://www.nice.org.uk/guidance/ng225), this falls short of the fundamental ‘culture shift’ urgently needed.

“Numerous trusts across England continue to exploit the lack of an authoritative national policy position by continuing elements of SIM and SIM-like practices, while providing assurances they have never used such approaches.

“Much more work is needed to ensure that protections for patients are embedded both at national and local levels, within policy and practice.”

SIM-type schemes focus on users of mental health services – often those at high risk of suicide and self-harm – who have not committed a crime but are seen as “high intensity users” of emergency services.

SIM was first trialled in 2013 on the Isle of Wight, but it was eventually rolled out to nearly half the mental health trusts in England, and it was backed by NHSE and recognised with national awards.

But an increasing number of disabled activists began to warn that it was based on coercion and denial of potentially life-saving support and was causing some service-users to live in fear of arrest or even prosecution when they were in mental health crisis.

[The coalition’s campaigning](https://www.disabilitynewsservice.com/stopsim-members-speak-of-huge-toll-of-campaign-and-lack-of-support-from-charities/) revealed the flaws in the “sinister” and “disturbing” scheme and persuaded NHSE [to order local reviews](https://www.disabilitynewsservice.com/nhs-england-must-do-more-despite-ordering-reviews-of-unsafe-mental-distress-scheme/) of how it had been implemented by trusts across the country, eight years after it was first piloted on the Isle of Wight.

Wessex AHSN did not deny this week that it had taken legal steps to stop the publication of the policy.

But in a statement, it said: “The reason for the non-publication of NHS England’s report and the contents of it are matters for NHS England and it would be inappropriate for us to comment further.”

An NHSE spokesperson declined to say if legal action taken by Wessex AHSN had prevented the policy being published.

But the spokesperson said in a statement: “We are extremely grateful for the work of the StopSIM coalition, which has highlighted significant policy concerns and helped us mobilise to address them.

“We are clear that the SIM model should not have been extended and are committed to ensuring the practices of concern related to SIM and other similar models are no longer used.

“Although we have not been able to agree a joint position statement with the coalition, our review of SIM was based on the voice of lived experience, and we are strengthening our processes to ensure the voices of patients remain central to our future policy-making.”

A StopSIM Coalition spokesperson said in response: “It is absolutely misleading to suggest NHSE and the coalition were ‘unable to agree’ on a position.

“The public can read the details of our joint position in the draft policy we’ve published.”

**18 May 2023**

**Disabled activists end campaign after unveiling NHS England’s SIM scheme confession**

A group of disabled activists has announced it is disbanding after more than two years of campaigning that has forced significant change to the way mental distress has been criminalised within the NHS.

The StopSIM Coalition is announcing today (Thursday) that its intensive campaign work has taken a “huge emotional toll” on its members and “significantly damaged” their health, making it “untenable” for them to continue with their work.

Its campaigning revealed the flaws in the Serenity Integrated Mentoring (SIM) scheme, which it helped expose as discriminatory, coercive and punitive, and persuaded NHS England (NHSE) [to order local reviews](https://www.disabilitynewsservice.com/nhs-england-must-do-more-despite-ordering-reviews-of-unsafe-mental-distress-scheme/) by mental health trusts of how it had been implemented.

SIM-type schemes have focused on users of mental health services – often those at high risk of suicide and self-harm – who are seen as “high intensity users” of emergency services.

StopSIM’s work led to the closure of the network that was set up by a former police officer to promote the SIM programme, and the end of several SIM schemes.

It has also persuaded NHSE to admit it was wrong to endorse the SIM model without applying “sufficient scrutiny” to that decision, and that this “compromised the safety and quality of care” and had harmed service-users.

Its campaigning work has secured widespread support from other activists and disabled people’s grassroots groups, professional organisations, charities, and led to a petition signed by more than 64,000 supporters.

The coalition says “important steps” have been made in challenging the “violent, discriminatory and harmful practices” SIM promoted, including new [NICE guidelines on self harm](https://www.nice.org.uk/guidance/ng225).

But it says this “falls short of the fundamental ‘culture shift’ urgently needed”.

And it warns that many mental health trusts are continuing to use elements of the SIM scheme in their programmes.

The coalition worked closely with NHSE for more than a year on a national response and policy position on how SIM and SIM-type schemes were being used across NHS mental health trusts, but NHSE went back on its word to publish it in full.

The coalition says NHSE had agreed to work on the principles of confidentiality and equal partnership, and that neither party would publish without the consent of the other.

But it says NHS breached all three principles.

Someone from NHSE leaked part of the draft policy to the Health Service Journal [in February](https://www.hsj.co.uk/mental-health/draft-nhse-plans-seek-to-eradicate-police-role-in-care/7034177.article), and excluded StopSIM from key conversations with executives.

NHSE also “went back on its word” not to publish an altered version of the policy without the coalition’s consent when Professor Tim Kendall, its national clinical director for mental health, [published a short letter](https://www.england.nhs.uk/publication/nhs-england-position-on-serenity-integrated-mentoring-and-similar-models/) in March that had not been approved by the coalition, stripped the policy “down to the bare minimum”, and used the coalition’s words without its members’ consent.

The coalition believes that the publication of the full document was prevented by legal action taken by Wessex Academic Health Science Network (AHSN), one of several networks set up by NHSE in 2013 to “spread innovation at pace and scale” and to link the NHS with academic organisations, local authorities, the third sector and industry.

SIM was first trialled in 2013 on the Isle of Wight, but it was eventually rolled out to nearly half the mental health trusts in England.

Wessex AHSN continued to support the SIM scheme, [despite being warned](https://www.disabilitynewsservice.com/nhs-bodies-continued-unsafe-mental-distress-scheme-after-being-told-of-dodgy-data/) by Hampshire police in 2018 that dodgy data had been used to persuade other forces and health trusts to adopt the programme.

Activists, including members of the coalition, later began to warn that SIM was based on coercion and denial of potentially life-saving support and was causing some service-users to live in fear of arrest or even prosecution when they were in mental health crisis.

As a result of NHSE’s refusal to publish the document in full, the coalition is today publishing the version it was sent by NHSE in late December, which was described in an email from NHSE’s head of adult mental health as the “final version of the position statement”.

The [StopSIM Coalition](https://stopsim.co.uk/) has decided to share the document with Disability News Service before releasing it publicly later today (Thursday).

In today’s statement, the coalition says: “We believe it is a matter of national importance that findings from the local reviews, which were brought about through service user activism and wider public campaigning, and NHS England’s response are not covered up.

“Although it has not been formally endorsed by NHS England, we urge individual Trusts to recognise the strength of support for this policy, among service users, stakeholders and [professionals](https://www.dcc-i.co.uk/stopsim-allies.html), and adopt this policy locally.

“The detail in this policy provides a level of clarity that is currently absent from the brief statement issued by Tim Kendall, as well as including recommendations about the care Trusts should now provide patients who have been under SIM or a similar model, and findings of the local reviews conducted in mid 2021.”

The coalition says it hopes campaigning against SIM and the criminalisation of distress will continue.

It says: “No one policy, nor one campaign, will be enough to weed out these harmful and abusive practices, which have been embedded within NHS mental health services for decades.

“We encourage all those who have capacity to continue resisting SIM and the criminalisation of distress by taking action locally and nationally, in whatever way you can.”

Wessex AHSN did not deny that it had taken legal steps to stop the publication of the policy.

But in a statement, it said: “The reason for the non-publication of NHS England’s report and the contents of it are matters for NHS England and it would be inappropriate for us to comment further.”

An NHSE spokesperson declined to say if the legal action taken by Wessex AHSN had prevented the policy being published.

But the spokesperson said in a statement: “We are extremely grateful for the work of the StopSIM coalition, which has highlighted significant policy concerns and helped us mobilise to address them.

“We are clear that the SIM model should not have been extended and are committed to ensuring the practices of concern related to SIM and other similar models are no longer used.

“Although we have not been able to agree a joint position statement with the coalition, our review of SIM was based on the voice of lived experience, and we are strengthening our processes to ensure the voices of patients remain central to our future policy-making.”

In response, a StopSIM Coalition spokesperson said: “It is absolutely misleading to suggest NHSE and the coalition were ‘unable to agree’ on a position.

“The public can read the details of our joint position in the draft policy we’ve published.”

**18 May 2023**

**Assisted suicide legalisation ‘would risk lives’ after decade of cuts, MPs are told**

Anti-cuts activists have warned a Commons inquiry that more than a decade of cuts to social care has stripped disabled people of their independence and would leave them at “significant risk” if parliament decides to legalise assisted suicide.

The warning came in a statement submitted to the Commons health and social care committee by [Disabled People Against Cuts (DPAC)](https://dpac.uk.net/).

It is one of [nearly 300 written statements](https://committees.parliament.uk/work/6906/assisted-dyingassisted-suicide/publications/written-evidence/) received so far by the committee – which is conducting an inquiry into assisted suicide – and published last Thursday (11 May).

DPAC’s Ellen Clifford told the committee in the statement: “Good quality social care provision is necessary to ensure dignity in living for disabled people, including individuals receiving palliative care.

“Over a decade of cuts to social care has stripped disabled people of their independence and autonomy.

“This, alongside society’s narrative of disabled people being a burden, results in individuals feeling that the only option available to them is to end their life.”

Clifford said the current inequalities in the health and social care system left some groups “disproportionately disadvantaged” and created a “significant risk that individuals with life limiting conditions will make the choice to end their lives, not to end pain/suffering, but because it is the only way out of an impossible and undignified way of living”.

She said this was already happening in Canada with its Medical Assistance In Dying (MAID) scheme.

She pointed to the case of [Amir Farsoud](https://www.independent.co.uk/news/world/americas/canada-euthansia-maid-gofundme-homeless-b2228890.html), who was approved for MAID after seeking assistance to die because of the poverty and fear of homelessness he was experiencing.

She also highlighted the death of [Alan Nichols](https://apnews.com/article/covid-science-health-toronto-7c631558a457188d2bd2b5cfd360a867), who was killed through MAID despite concerns raised by his family and a healthcare professional that he did not qualify and did not have capacity to consent.

In Canada, Clifford said, “disabled people are choosing to end their lives because they do not get enough support to live”.

She warned of the difficulty of setting “limits and safeguards” and how the scope of an assisted suicide system could be gradually expanded through legal challenges by pro-euthanasia campaigners and case law.

Clifford pointed to the “extent to which disabled people’s lives are devalued and how legalisation encourages the view that disabled people are a burden on society and have a social obligation to terminate their lives”.

She said that Britain’s social security system was less generous than those in most other high-income countries, while the cost-of-living crisis had “significantly eroded the quality and dignity of living for disabled people, who are struggling to afford additional disability-related expenses”.

She said: “If disabled people are unable to meet their basic needs due to poverty, there is a danger that legalisation of assisted suicide would lead to the most disadvantaged people in society choosing death in response to the inadequacies of the social safety net.”

Professor Theo Boer, professor of health care ethics at Groningen Theological University in the Netherlands, said he had supported the Dutch legislation when euthanasia was legalised in 2002, and had reviewed euthanasia cases for the government between 2005 and 2014.

He said he had initially been convinced that the Dutch had found “the proper balance between compassion, respect for human life, and respect for individual liberties”, but he said he has grown increasingly concerned about the law.

He said the number of deaths had risen from 2,000 in 2002 to 7,666 in 2021, while hundreds more every year are believed to go unreported.

In some urban districts of the Netherlands, as many as 14 per cent of all deaths are the result of assisted suicide, he wrote.

The majority of written statements submitted to the health and social care committee’s inquiry so far have been made by healthcare professionals, particularly doctors, and by academics.

Only two disabled people’s organisations, DPAC and [Not Dead Yet UK (NDY UK)](http://notdeadyetuk.org/), appear to have submitted evidence so far.

Baroness [Jane] Campbell, a leading disabled opponent of legalisation, said in NDY UK’s written statement that assisted suicide legislation “conveys the message that living with a disability is a fate worse than death”.

She said: “The UK government has set out its commitment to the social model of disability, focusing on removing the barriers in society to enable the full participation of disabled people.

“This means building accessible environments, challenging negative attitudes towards disabled people, and ensuring that legislation and policy measures prioritise inclusion and participation.

“We believe assisted suicide legislation will undermine attempts to realise these commitments.

“It will divert attention from addressing the barriers in society to resolving the individual’s situation through death.”

Baroness Campbell said the most “significant and concerning lessons from countries which have existing legislation are the attempts to broaden the eligibility criteria once the legislation is in place”.

Some individual disabled people have submitted statements supporting legalisation to the committee.

The crossbench peer Lord [Colin] Low said he believed that “a safeguarded assisted dying law – which allowed terminally ill, mentally competent adults access to a prescription for medication which will enable them to end their life at a time of their choosing” would be “far safer and fairer than the current blanket ban on assisted dying”.

He said: “I strongly believe that a transparent assisted dying law with upfront safeguards and effective regulation would only enhance the rights and choices of disabled people at the end of life.”

Another disabled campaigner, Martin Stevens, a former chair of [Disability Rights UK](https://www.disabilityrightsuk.org/), also supported legalisation in his written statement.

He said he had witnessed the death of his mother, who he said had died a “slow and unpleasant death” from motor neurone disease despite the “brilliant and exemplary palliative care” she had received in a hospice.

He said: “We can and must work to improve the support systems available to Disabled People, enabling them to live well.

“We can and must also have the courage to draft legislation which will give dying people meaningful choice at the end of their lives.”

He said the argument for legalisation was “fundamentally about giving people choice and control at the end of life”.

In its written statement, the Equality and Human Rights Commission (EHRC) did not express a view on assisted suicide, but it set out the equality and human rights considerations that would need to be taken into account if parliament considered legislation.

The watchdog said it agreed with the views of other national human rights institutions that legalisation could be compatible with human rights principles “as long as the legislation takes a rights-based approach and the appropriate conditions and safeguards are in place, particularly to protect the rights of disabled people”.

But it made it clear that these conditions and safeguards would include the need for disabled people to live in a society free from discrimination.

The EHRC statement said: “One of the most important protections against people feeling coerced into seeking an end to their life is to ensure social conditions, support, care and services are in place so that people with disabilities or serious or terminal illnesses do not feel that they are a burden to their loved ones or to society.

“This goes beyond adequate funding and access to health and social services, and must include active efforts to create a society where people are able to live life on equal terms, free from discrimination.”

It added: “The Government also has an important role in creating the social conditions in which legislation to enable assisted dying would not impinge on individuals’ rights.

“This includes universal access to high-quality palliative care, mental health services, and services that enable independent living.

“It also includes working actively to eliminate discrimination and to foster a society where everyone is able to enjoy their rights fully and on equal terms.”

**18 May 2023**

**‘Miniscule’ benefit fraud stats ‘show minister’s hostile video was shameful and disablist’**

New official figures have confirmed that only a “miniscule” proportion of spending on disability benefits is paid out to fraudulent claims, just weeks after the disability minister posted a “hostile” video on social media suggesting it was a serious problem.

There were calls for Tom Pursglove to resign last month when [he posted a clumsy parody](https://www.disabilitynewsservice.com/disability-minister-faces-resignation-calls-after-posting-dangerous-and-hostile-video/) of a speech in the violent thriller Taken in which Liam Neeson’s character promises: “I will look for you, I will find you, and I will kill you.”

Wearing a stab-proof vest in the video, which starts with blue flashing lights and police sirens, Pursglove says to the camera: “We will track you down. We will find you. And we will bring you to justice.”

The post linked to a news story about allegations of disability benefit fraud.

[Dr Jay Watts](https://twitter.com/Shrink_at_Large), a disabled activist and consultant clinical psychologist, said at the time that she could not “emphasize enough how dangerous this messaging is, nor how damaging it can be to claimants’ mental health”.

But just weeks later, the Department for Work and Pensions (DWP) has now published [annual statistics on benefit fraud and error](https://www.gov.uk/government/statistics/fraud-and-error-in-the-benefit-system-financial-year-2022-to-2023-estimates) which show that estimated personal independence payment (PIP) fraud was just 0.2 per cent of PIP spending in 2022-23.

This was a fall of a third on the last time it was measured, in 2019-20, when it was still only 0.3 per cent of spending.

The £40 million lost to PIP fraud compares with an estimated £60 million in underpayments of PIP caused by DWP error in 2022-23.

Overpayments of employment and support allowance (ESA) due to fraud were higher, at an estimated £180 million in 2022-23, but this was still only an estimated 1.5 per cent of spending on ESA.

Rick Burgess, campaigns lead at [Greater Manchester Coalition of Disabled People](https://gmcdp.com/), said: “The focus on fraud in disability benefits is simply disablist prejudice, fraud is not a systemic problem or significant feature of disability benefits.

“Anyone choosing to foreground fraud instead of the actual problems – poverty level payments [*see separate story*], invasive surveillance, an inaccessible, abusive, and unjust assessment and appeal system – is maliciously engaging in disinformation.

“Be it media, charity, political parties, or government, disabled people are sick of being used as hate figures for failed anti-welfare policy based upon prejudice.”

Disabled researcher Stef Benstead, author of [Second Class Citizens](https://citizen-network.org/store/second-class-citizens), a “definitive” account of the harm caused to disabled people by a decade of cuts and reforms, said DWP was likely to have been aiming the video at two groups of people.

The first group is general members of the public, “who are to be made to think that fraud is rife in the social security system; to be made suspicious of anyone they think isn’t trying hard enough; and to be discouraged from voting Labour and encouraged to vote Conservative”.

The second group is sick and disabled people themselves, “who are to be frightened away from making a claim for fear of being investigated and hounded for potential fraud”.

She said: “From the other side, if the government did want to send a message that it was good at addressing fraud, what should it say?

“It should be clear that all forms of fraud are being addressed, such as identity theft and tax
evasion.

“It should send a minister from the Ministry of Justice – not the minister for disabled people.

“It should also explain what it is doing to clear the court backlogs.

“But none of that would send a pejorative subliminal message about social security recipients.

“And it would risk showing up the failure of the past 13 years of mis-government in
the criminal courts; in crime prevention; and in ensuring that sick, disabled and impoverished people get the money that they need when they need it.”

Ken Butler, welfare and benefits policy adviser at [Disability Rights UK](https://www.disabilityrightsuk.org/), said: “Knowing as he must the miniscule level of PIP benefit fraud, it is shameful for the minister for disabled people to issue a video to bully and intimidate us.

“He would be better served by issuing a video to publicly apologise for the decade-long poor quality of PIP decision-making and assessment and committing to their reform and transformation.

“Highlighting the [£19 billion of benefits support that goes unclaimed each year](https://www.disabilityrightsuk.org/news/missing-out-%C2%A319-billion-benefits-support-goes-unclaimed-each-year) and promoting take-up would also not be amiss.”

Asked why the minister released the video when he knew PIP fraud was so low, a DWP spokesperson declined to comment, and instead sent the same statement the department issued in response to concerns about the Pursglove video last month.

That statement said: “The suspects in the video are alleged to have created a number of identities to defraud £800,000 from the government – a very serious alleged attack on money meant for vulnerable people.

“We make no apology for using our channels to both deter fraudsters and reassure the public that we are using every tool in our armoury to protect taxpayers’ money.

“As is usual, the minister’s portfolio also covers other areas, one of which is fraud against the welfare system.

“This cost the taxpayer £8.6 billion last year and it is right that we do all we can to reduce that and ensure money goes to those who need it.

“This government is committed to supporting disabled people and those with health conditions live independent lives with the full support of the welfare payments available.”

**18 May 2023**

**Anger as Starmer focuses again on ‘working people’ in major speech**

Labour’s leader has sparked anger and frustration among disabled activists after mentioning his party’s focus on “working people” 23 times in a high-profile speech.

Sir Keir Starmer repeatedly stressed that a Labour government would be “once again on the side of working people” and would “govern for working people” as “the party of working people”, while “stability” would be central to the party’s approach.

He said: “Restoring hope for working people – it’s a simple aim. But it’s what we’ve got to be about.”

There was no mention of disabled people in the 2,300-word speech sent out in advance of his appearance at the conference organised by Progressive Britain, a political organisation closely associated with the right of the Labour party and founded under its previous name Progress to support New Labour and Tony Blair.

It is just the latest attempt by Starmer to use a high-profile speech to side-line the needs of those who are not able to work.

[Last September](https://www.disabilitynewsservice.com/labour-conference-anger-at-starmers-divisive-pledge-to-back-working-people/), at the party’s annual conference in Liverpool, he made similar comments and said he wanted to “make this country work for working people” and that he would “never be shy to use the power of government to help working people succeed”.

[Six months earlier](https://www.disabilitynewsservice.com/anger-as-starmer-says-labour-is-the-party-of-working-people/), he had angered disabled activists by declaring that Labour was “the party of working people” and “the party of work”.

Those comments reminded activists how the party’s shadow chancellor, Rachel Reeves, said [eight years ago](https://www.disabilitynewsservice.com/anger-after-reeves-tells-benefit-claimants-labour-is-not-for-you/) that Labour did not want to be seen as “the party to represent those who are out of work”.

[Ellen Morrison](https://twitter.com/ellenlmorrison), Labour’s disabled members’ representative on its national executive committee, told Disability News Service (DNS) this week: “It’s disappointing that Keir Starmer has yet again chosen to lecture us on his limited ideas without once addressing the struggle of millions of disabled people in the UK who are unable to work.

“There are lots of reasons for not being in paid employment – and disabled people find themselves more likely to fall into this group – and ultimately I would hope any democratic socialist party wants a decent life for everyone, no matter their circumstance.

“Keir’s offer to provide mere stability will do nothing for those made desperate by the cost-of-living crisis, who see nothing to ‘conserve’ in a broken, cruel and vindictive social security system.

“We need concrete solutions and we need to be acknowledged rather than ignored.”

Bob Ellard, a member of the national steering group of [Disabled People Against Cuts](https://dpac.uk.net/), said: “By its obsession with ‘working people’, Starmer and his party are excluding whole swathes of the population, disabled people who can’t work, stay at home parents, family carers, unemployed and homeless people, to name just a few.

“Labour clearly doesn’t want our votes, cos they ain’t gonna get them.

“If Labour in government continue to design policy only for ‘working people’, to the detriment of disabled people and others, we’ll fight them just as hard as we have done Tory governments over the last 13 years.”

Kathy Bole, chair of [Disability Labour](https://disabilitylabour.org.uk/), welcomed the party’s success at this month’s local elections, but she said Starmer had again left out disabled people in his speech, a “whole group of people who don’t seem to matter to him”.

She said: “The message the party is sending to me is if you are not working, you don’t matter.”

She added: “I have been utterly dismayed by the fact Sir Keir has refused to speak with us after he was elected as leader.

“He was keen to make time for us when he wanted our vote, now we never feature in any of his speeches. As a disabled person, I am angry.

“I have been chair of Disability Labour for several years now. I have had a fantastic working relationship with Anneliese Dodds [chair of the Labour party].

“I would have liked Sir Keir to meet with us at least once to discuss the lack of progress in disability concerns.

“In all the speeches the leader has made, disabled people have had no mention.”

She added: “Disabled people have suffered at the hands of the government every year of the last 13.

“The government have refocused on the fraud aspect of benefits, and the Labour leader has yet again failed to pledge support for those too ill to work.

“Where is the pledge of support for those so often living in poverty?”

Morrison said there was no chance that Starmer’s choice of language in his speech was accidental.

She said: “Keir’s speeches are considered, there is no way that after raising this repeated omission publicly and privately, that this isn’t intentional.

“To win in the way Labour would need to, we need a boldness of ambition for the party.

“I believe that looks like a vision for everyone, even those groups it’s not politically expedient to demonstrate a commitment to.

“Whether people out of work are well-liked in focus groups is neither here nor there. We deserve decency, security and respect too.”

In response to these concerns, [Vicky Foxcroft](https://twitter.com/vickyfoxcroft), Labour’s shadow minister for disabled people, told DNS that Starmer delivers “different speeches at different times”.

She said: “We are not wanting disabled people to be scared of a Labour government coming in, hopefully, because we are not going to be the party that is attacking people, we want to support people into work who want to and can work, we want to get them good jobs, but of course we know there are people who can’t work.

“They shouldn’t be forced into work; we have no intention of doing that.”

Asked if she understood the anger and frustration felt by many disabled people at Starmer’s speech, she said: “I don’t think they need to worry about a future Labour government coming in, I really don’t.”

She added: “Of course we want to support those who can work into work, but our focus isn’t on attacking and making the lives of people who can’t work more miserable than this government has; we want to make sure that we support them properly.

“Before I was an MP, I was a trade unionist for years and very much argued that the Labour party had to remember who formed it and it was trade unions and working people who were part of that.

“Of course, those who can’t work shouldn’t. You’ve got to have a benefits system that supports people when they need that support, but you also have to have a system that supports people who can and want to work into work and into good jobs that they want to do.”

**18 May 2023**

**Electric charge point rollout is ripping away vital pavement space, says report**

The rollout of new charging points for electric vehicles is stripping vital pavement space away from pedestrians and wheelchair-users, two campaigning organisations have warned the government.

They also warn that almost none of the electric vehicle charging points (EVCPs) being installed are accessible to disabled drivers.

Their research across London has found that only four of London’s 32 boroughs have so far installed more EVCPs on roads than on pavements.

And only nine of the councils have clear planning policies that match best practice guidance, which says new chargers should be built on “kerb buildouts” in the road, and not take up vital space on pavements.

By October last year, London boroughs had installed at least 2,500 EVCPs on pavements – despite the government and Transport for London recommending this should not happen if avoidable – which was around four times as many as they had installed on kerb buildouts.

The Streetspace Invaders report has been written by [climate action charity Possible](https://www.wearepossible.org/latest-news/electric-vehicle-charging-rollout-threatens-walking-wheeling-and-disabled-acces), with support from disabled people’s organisation [Wheels for Wellbeing](https://wheelsforwellbeing.org.uk/).

They wrote this week to the government agency Active Travel England (ATE) and the Department for Transport’s Office for Zero Emission Vehicles (OZEV), asking them to take action.

They say the issues they found in London are likely to be repeated across England if action is not taken.

The government has said that about half a million public EVCPs will need to be installed by 2030 to meet demand from drivers under its net zero plans.

Possible and Wheels for Wellbeing say it is “much easier, cheaper and faster” for highways authorities to install EVCPs on pavements than on the road because planning consent is not needed for pavement installation whereas it is for those on roads.

Kerb buildouts can also cost more and take space that provides on-street parking revenue.

In their letter to ATE and OZEV, the two charities say: “The impacts of footway EVCPs are likely to be particularly severe for disabled pedestrians and wheelchair users, while almost none of the public EVCPs rolled out so far are accessible for disabled drivers.

“If the experience in London, which has led the UK in public EV charging provision, is emulated elsewhere, tens of thousands of new items of street furniture serving private motorists will be installed in scarce pedestrian space over the coming years – much of it with government funding.”

Among the recommendations in the report is for OZEV to make an “explicit presumption against” funding councils to put EVCPs on pavements, and for ATE to take similar measures.

They also want local councils to adopt “explicit policies” to site EVCPs on pavements only in exceptional circumstances.

Isabelle Clement, director of [Wheels for Wellbeing](https://wheelsforwellbeing.org.uk/), said: “Possible’s investigation has uncovered a new and totally avoidable access catastrophe.

“The rollout of EV chargepoints is welcome, but it’s fast eating away at footways across the capital, whilst simultaneously failing to provide accessible charging for disabled drivers.

“Disabled people already have to contend with poor-quality walking and wheeling environments including narrow pavements, cracked paving slabs, tree roots, street clutter, missing dropped kerbs and lack of tactile paving.

“Now councils are adding further access challenges by installing EV charging points on pavements.

“Once again, the Equality Act and the obligation not to disadvantage disabled people seems to have been ignored by the public bodies funding and delivering this infrastructure.

“We will support ATE and OZEV in ending this practice and ensuring that the roll out of EV chargepoints brings progress and greener mobility for all, rather than further limiting disabled people’s mobility.”

Leo Murray, co-director at [Possible](http://www.wearepossible.org), said: “It is right that drivers without off-street parking are supported to switch to electric vehicles.

“However, it is deeply ironic that we are paying councils to enable private cars to invade precious pavement space in the name of the environment.

“Ensuring active travel is a viable option for all is just as important for meeting climate targets as changing the way cars are fuelled, but to do that, we need to be removing clutter from footways, not adding to it.”

The Department for Transport (DfT) said OZEV and ATE would be responding to the letter “in due course”.

ATE had not commented on the report by noon today (Thursday).

But a DfT spokesperson, speaking on behalf of OZEV, said: “The government is committed to ensuring everyone benefits from the transition to zero emission vehicles.

“Last year, the government worked with national disability charity Motability on new standards for publicly accessible chargepoints and we are actively encouraging the sector and local authorities to ensure plans carefully consider accessibility before they apply for grant schemes.”

**18 May 2023**

**Benefit levels are too low to meet disabled people’s needs, MPs hear**

The government should commission an annual independent assessment of the level of benefits because they are “demonstrably” too low to meet people’s needs, a disabled people’s organisation (DPO) has told MPs.

The Commons work and pensions committee [was hearing evidence yesterday](https://parliamentlive.tv/Event/Index/91ab977c-039c-4eeb-8634-3d198268d9e6) (Wednesday) on the adequacy of benefit levels in the UK.

Ken Butler, welfare rights and policy adviser for [Disability Rights UK](https://www.disabilityrightsuk.org/), said he believed most DPOs and disability organisations would agree that such a test was “essential” and that benefits “are inadequate to pay for the essentials of life” for sick and disabled people.

He said that most people who do not claim benefits “assume that some thought has gone into them to make sure that people can afford the bare essentials of life”, when in fact it has not.

Butler said current levels of benefits are “demonstrably” not sufficient to support disabled people adequately during the current cost-of-living crisis.

James Taylor, director of strategy at the disability charity [Scope](https://www.scope.org.uk/), told the committee that the standard allowance of universal credit was “not sufficient” and was “at the lowest level it’s ever been as a proportion of earnings”.

He said: “The rates are not adequate and they need to be updated.”

Taylor added: “These levels [of benefits] have been set, some of them 50, 60 years ago, and have just been inflated every year but it’s not capturing people’s lives and their expenses in the correct way.

“There needs to be some greater transparency, involvement and engagement with claimants and people who experience these costs to set them at a level that is deemed adequate and decent.”

Tom Lee, a senior policy analyst at [Child Poverty Action Group](https://cpag.org.uk/), said: “I would agree that the standard allowance is too low but [there is also a problem with] adequacy across the whole system.”

He said child benefit had lost 25 per cent of its value, while Conservative governments had imposed a two-child limit on child benefit [in 2017] while also imposing [a benefit cap](https://www.disabilitynewsservice.com/lower-benefit-cap-sees-income-slashed-for-more-than-10000-disabled-people/).

He added: “Also we know from families that in-work poverty is a massive issue because earnings don’t go as far when you have to cover for a whole family.”

Debbie Abrahams, a Labour member of the committee, said the biggest cuts had fallen on sick and disabled people in recent years.

She pointed to the proposals laid out in the government’s [Transforming Support white paper](https://www.disabilitynewsservice.com/six-disability-campaigners-tell-mps-governments-benefit-reforms-are-not-fit-for-purpose/).

She said: “Given what we have seen over the last 12 years, it’s very understandable that sick and disabled people are concerned that yet again changes in how people are meant to be supported actually ends up with cuts… and what that will mean for them.”

Butler said: “Many meetings I went to about the green paper [which preceded the white paper] with the DWP, it was the first thing they said: ‘We know people don’t trust us.’

“It was like their mantra. I don’t think disabled people now trust the DWP through the white paper proposals.”

**18 May 2023**

**Other disability-related stories covered by mainstream media this week**

The wife of a disabled man and his care worker have been found guilty of slavery in a case believed to be the first of its kind in the UK. Tom Somerset-How, 40, was “treated like property” by Sarah Somerset-How, 49, and George Webb, 50, who were having an affair behind his back. A trial heard how the victim was held like a “prisoner in his own home” in Chichester, West Sussex, where he was cut off from his loved ones and was in effect treated like a slave: <https://www.mirror.co.uk/news/uk-news/disabled-mans-wife-carer-guilty-29967166>

The roll-out of the Scottish government’s new adult disability payment has seen “significant delays”, according to welfare rights groups. They said new applicants for the benefit were facing waits of between four and seven months for a decision. The new payment is replacing benefits such as personal independence payments and disability living allowance: <https://www.bbc.co.uk/news/uk-scotland-65611514>

A 95-year-old disabled woman receiving palliative care has been left unable to use her breathing equipment due to power cuts caused by persistent flooding at her council-run house. Asabu Laher, who lives in Clapham, south London, is bed-bound, blind and has organ failure. She is receiving end-of-life support at the home she shares with her three children, who have learning difficulties. Laher’s family say the house floods monthly, causing power outages – and that they first flagged the issue a year and a half ago: <https://www.theguardian.com/society/2023/may/15/95-year-old-london-woman-unable-to-use-breathing-machine-due-to-persistent-home-flooding>

An investigation into services for children with special educational needs and disabilities (SEND) in Nottinghamshire has found “widespread failings”. Ofsted and the Care Quality Commission published a report after an inspection from 30 January to 3 February. The local area inspection by the education and health watchdogs found SEND children and young people had to wait too long to have their needs accurately assessed: <https://www.bbc.co.uk/news/uk-england-nottinghamshire-65605442>

Reversing a ban on blue badge parking in York city centre is the new council leader’s “top priority”. The ban on parking for disabled people in pedestrianised areas was introduced in 2021 to make way for bollards designed to deter hostile vehicle attacks. Labour’s Claire Douglas said she was not prepared to continue with badge-holders “not having access to the city that is their home”. However, she said the anti-terror measures would still go ahead: <https://www.bbc.co.uk/news/uk-england-york-north-yorkshire-65607410>

The writer, teacher and disability rights campaigner Lois Keith, who has died aged 73, used her words and first-hand experience as a wheelchair-user to challenge the barriers faced by disabled women. Lois began to write about attitudes towards disability in the 1990s, part of a growing band of disabled women, including Jane (now Lady) Campbell, Jenny Morris, and Rosalie (now Lady) Wilkins, who were spearheading change in the years before the Disability Discrimination Act was passed: <https://www.theguardian.com/society/2023/may/11/lois-keith-obituary>

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