**DWP figures provide fresh evidence to explain PIP claim rejections**

New figures show that Department for Work and Pensions (DWP) civil servants are questioning only a tiny proportion of the benefit assessment reports written by discredited government contractors Atos and Capita.

Campaigners have been trying for months to secure evidence that would explain why such a high proportion of personal independence payment (PIP) claims that are taken to appeal are successful.

[Figures from social security tribunals](https://www.gov.uk/government/statistics/tribunals-and-gender-recognitions-certificates-statistics-quarterly-january-to-march-2018) show the proportion of claimants who won their PIP appeals rose by seven percentage points in a year, from 64 per cent in the fourth quarter of 2016-17 to 71 per cent in the same period of 2017-18.

The new figures, secured by Disability News Service (DNS) through a freedom of information request, may help to explain why so many appeals are successful.

Some researchers have suggested that DWP decision-makers are accepting too many PIP assessment reports prepared by Atos and Capita without subjecting them to proper scrutiny, despite increasing evidence of incompetence and dishonesty by the Atos and Capita healthcare professionals who write them.

DNS has previously spoken to a DWP civil servant working on the PIP “frontline”, who has said that DWP case managers have strict targets for the number of PIP claims they need to process every day and are quizzed by their superiors if they miss their weekly targets.

He has said they are “instructed to act on the assessor’s report, given that they are the medical experts”.

The new figures, provided by DWP following the DNS freedom of information request, appear to confirm concerns that DWP decision-makers are letting many substandard and misleading reports slip through the net.

DNS had asked DWP how many of its decisions on PIP eligibility were made without any attempt to seek further advice or clarification from Atos and Capita, discuss or resolve problems with them, or even return the report to be completely rewritten.

DWP initially said it would be too expensive to produce such figures, but DNS then asked it to test a random sample of 100 assessment reports from Capita and 100 from Atos.

This week, DWP produced those figures, which show that of a random sample of 100 Capita reports, 94 PIP decisions were made without any further contact at all with the company.

And of 100 Atos reports, 97 decisions were made without any further contact with the company once DWP had received the assessment report.

Campaigner John Slater, whose freedom of information work [has previously produced crucial data](https://www.disabilitynewsservice.com/the-pip-files-nearly-one-in-three-capita-assessments-were-flawed-reports-reveal/) about the DWP’s disability benefit assessment contracts, said the latest figures raised serious concerns about the actions of DWP decision-makers.

[Figures he secured from DWP earlier this year](https://www.disabilitynewsservice.com/the-pip-files-nearly-one-in-three-capita-assessments-were-flawed-reports-reveal/) showed that an audit of more than 4,000 Capita assessment reports – between April and December 2016 – found about 7.5 per cent were so poor as to be deemed “unacceptable”.

In all, 33 per cent of the audited Capita reports were found to be of an unacceptable standard, to need changes, or demonstrated that the assessor had failed to carry out their role properly.

But this week’s DWP response suggests that its decision-makers are making further checks on just six per cent of Capita assessment reports.

Slater said: “The DWP figures do not reflect the audit management information data it disclosed for 2016.

“Even when you take into account the age of the 2016 data, I would have thought that the number for Capita PIP reports might have been closer to 80 out of the 100 reports sampled.

“This suggests that decision-makers are not looking at the reports critically and are assuming they are accurate.

“I can’t offer anything specific on the Atos data as the DWP still hasn’t disclosed the audit data and the information commissioner is still pursuing the case.

“However, 97 out of 100 still seems unrealistically high.”

[Disabled People Against Cuts](https://dpac.uk.net/) researcher Anita Bellows, who has also carried out crucial work examining the assessment contracts, also raised serious concerns about DWP decision-makers apparently rubber-stamping more than 95 per cent of all Atos and Capita assessment reports.

She said: “Considering the number of successful appeals against a PIP decision, it is obvious the DWP has not addressed the issue of assessors’ reports and dishonesty.”

She said the figures on successful appeals showed that “very simple errors or untruths” are not picked up by DWP’s decision-makers when making the initial decisions, and then again at the “mandatory reconsideration” internal review stage.

Bellows said: “The figure of 71 per cent of successful PIP appeals is just incredible.

“It means that the DWP made a wrong decision in 71 per cent of cases, not only once but twice.

“There is no better illustration that the system is not working for claimants.”

A DWP spokeswoman refused to answer questions about the new figures, including whether they suggested that one of the reasons for the high rate of successful PIP appeals was that the department’s decision-makers do not have enough time to check assessment reports with Atos and Capita and are not encouraged to do so.

But she said in a statement: “We’re committed to ensuring that people get accurate high-quality assessments and the right decision, first time round.

“A relatively small number of all PIP decisions are overturned at appeal – four per cent.

“Our assessment providers have developed an audit programme with us which we also monitor.

“In addition, the department itself audits a robust random sample of all cases, applying a rigorous set of quality measures to assure that the standards expected by the department are being delivered across the full network.

“Where healthcare professionals fall below the required high standards and do not improve, processes are in place to revoke their approval to carry out assessments.”

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

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

**9 August 2018**

**DWP refuses to pay £125 to discover number of disabled people in full-time jobs**

Ministers are refusing to commission work that would cost just £125 and would show how many disabled people are in full-time paid employment, and how that number has changed under successive Tory-led governments.

Ministers, [including the current work and pensions secretary Esther McVey](https://www.disabilitynewsservice.com/video-catches-mcveys-misleading-claims-about-disability-job-stats/), have repeatedly boasted of how their policies have led to an increase of hundreds of thousands of disabled people in work, including a rise of nearly 600,000 between April 2013 and June 2017.

But those claims are based on figures provided by the Office for National Statistics (ONS), which includes in its measure of “employment” people who are in part-time work, are self-employed, and those in government-supported training and employment programmes.

This means there are no published government figures that show how many disabled people are in full-time paid employment, and how that number has risen or fallen under successive governments since 2010.

To try to find those statistics, Disability News Service (DNS) submitted a freedom of information request to the Department for Work and Pensions (DWP), asking for figures for each of the last 10 years for how many disabled people were in full-time, paid jobs.

DWP replied that “this information is not held by the department” and suggested that DNS approach ONS instead.

ONS also said that it did not have that information but explained that it would probably take its experts less than half a day to produce them from existing sets of data, and that it would charge £125 (plus VAT) to do so.

When passed this response and asked why Sarah Newton, the minister for disabled people, had so far shown no interest in producing these figures – and whether she would now commission the necessary work from ONS – a DWP spokeswoman declined to answer.

Instead, she sent a lengthy statement which explained the role of ONS and praised its independence.

In the statement, she said the ONS definition of employment was “in line with internationally agreed principles of what constitutes employment, and which allow comparisons of the UK with other countries”.

She added: “This definition of employment includes not just people employed in full-time employee jobs; but reflects other forms of work that exist in our economy, including part-time employment; self-employment; and people on government training schemes and employment programmes.”

Asked again if Newton could explain why she appeared to have no interest in asking for these figures to be produced, when they would show how many disabled people were in full-time paid employment, the DWP spokeswoman refused to add to her statement, and said: “That’s our response to your query.”

**9 August 2018**

**Legal action threat over wheelchair service’s ‘bullying, delays and poor service’**

Wheelchair-users in Kent are threatening to take legal action over growing concerns about delays, poor service and even bullying and harassment by the company running the NHS wheelchair services contract in the county.

Four disability groups – [Kent’s Physical Disability Forum (PDF)](http://www.healthwatchkent.co.uk/pdforum), the Kent charity [Freedom for Wheels](http://www.freedomforwheels.co.uk), Kent’s [Wheelchair Users Group (WUG)](http://www.wheelchairusers.org.uk/about.htm) and the [Centre for Independent Living Kent (CILK)](http://www.cilk.org.uk/) – have written an open letter to the area’s eight clinical commissioning groups (CCGs) raising “grave concerns” about the performance of Millbrook Healthcare.

The letter, which is also supported by some members of the Medway Physical Disability Partnership Board, has been copied to every one of Kent’s MPs.

The groups say in their letter that they “no longer have any confidence in Millbrook to provide the wheelchair service across Kent” and do not believe that Thanet CCG – which negotiated the wheelchair services contract on behalf of the eight CCGs in Kent and Medway – is “a fit and proper organisation to oversee that contract”.

Thanet CCG was one of four east Kent CCGs [placed into special measures](http://www.thanetccg.nhs.uk/news/blog/?blogpost=10817) this week by NHS England, partly because of “issues with the quality of services they commission”.

Millbrook has this week strongly denied allegations of bullying, harassment and unsafe behaviour by its staff, while Thanet CCG has denied seeing any evidence of harassment and bullying.

Professor Mike Oliver, the disabled academic who first defined the “social model of disability” and a long-standing WUG member, is playing a key role in the campaign to expose the failings in the wheelchair services contract.

He has been a user of wheelchair services in the county for more than 50 years, and he believes the service – which currently provides manual and powered wheelchairs to almost 20,000 adults and children – is worse now than it has ever been throughout that time.

The four groups have been unable to secure detailed figures on delays, waiting-lists and other aspects of Millbrook’s performance, but Oliver said the anecdotal reports they had received from disabled people were deeply concerning.

In one case, a man who repeatedly asked for proper foot-plates to be fitted to his wheelchair now faces the possibility of having his foot amputated because of a pressure sore he believes was caused by the unsuitable wheelchair.

A disabled child was reportedly told by a member of Millbrook staff that if he did not sit still he would have his wheelchair taken away, while another wheelchair-user had their arms and legs forced into position in a wheelchair.

Another case saw a woman take delivery of a wheelchair from Millbrook, only to find it was filthy, with the cushion smelling of urine.

[Oliver gave evidence](https://kent.public-i.tv/core/portal/webcast_interactive/358327/start_time/5370000) to [Kent County Council’s health overview and scrutiny committee last month](https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7919&Ver=4) about the concerns and told them: “The service now is the worst it has ever been.”

And he said the four groups were unanimous in believing the contract had to be removed from Millbrook.

He said there had been “harassment, bullying” and examples of “possible assaults, of threatening behaviour of children, and we know there is at least one serious incident being investigated by the police”.

He added: “The situation in our view has reached a critical stage.”

In a report to the committee, Thanet CCG admitted that the number of children on the waiting-list had risen from 210 to 443, and the number of adults from 1,046 to 1,971, since Millbrook took on the contract.

Of these, 251 children and 999 adults had been waiting for more than the 18-week target, while 62 children and 272 adults had been on the waiting-list inherited from the previous provider and so had been waiting longer than a year.

The report said the CCGs were treating the situation “very seriously” and that the delays in resolving the issues were “very regrettable”.

Thanet CCG also said it was in discussions about providing further funding for Millbrook because the caseload it inherited when it took over “included both a backlog of long waiters and a much higher complexity case-mix” than had been expected, and that Millbrook was drawing up an improvement plan.

But Oliver told the meeting that he and his fellow campaigners did not accept the CCG report and had told Thanet CCG that providing Millbrook with more funding would be a mistake.

Despite his comments, Thanet CCG is currently seeking approval from the other CCGs to provide extra funding to Millbrook to clear the backlog.

The Millbrook contract is already worth £5.1 million a year, which includes the costs of staff, wheelchairs and spare parts.

The committee was also shown a report listing concerns raised by PDF, which included a string of complaints about delays, poor service and Millbrook incompetence.

Oliver and fellow campaigners have been raising concerns about the service since a meeting last November, more than six months after Millbrook took on the contract in April 2017.

But Oliver told Disability News Service (DNS) that Millbrook “pooh-poohed our concerns”, blamed backlogs inherited from the previous contractor and promised “immediate improvements” by the beginning of 2018, which it failed to deliver.

He himself has been waiting for a replacement arm-rest for his wheelchair since January.

The four groups are now considering seeking legal advice for a possible court action against Thanet CCG.

Oliver said he believed that the state of wheelchair services was worsening across the country and was in a “very bleak” state.

Millbrook Healthcare told DNS this week that it had “not been presented with any evidence that suggest service users and their families are being harassed, bullied or threatened by our staff” and that there had been “no incidents or safeguarding concerns involving our staff reported to us, or our partners in the CCGs”.

A Millbrook spokeswoman said: “In a response to Professor Oliver, we and the CCGs have requested that if there is specific evidence to support these claims, then these need to be provided so that we can conduct a full investigation and take the necessary actions.”

She said Millbrook staff had drawn up their own “impact statement”, in which they claimed that the “blanket slur has caused anxiety and offence” and that they had themselves “suffered verbal abuse whilst carrying out their roles”, which often left them “feeling distressed and vulnerable”.

She said: “Our teams pride themselves on their continuing professionalism, consideration and standard of care to service users.”

She said that all loaned wheelchairs were “subject to our full infection control and decontamination process” and were thoroughly refurbished – according to the manufacturers’ guidelines – and inspected before being handed over to service-users.

She said that poor quality data handed over by the previous provider of wheelchair services meant the level of backlogs was unclear at the start of the contract, and it had “taken time to build an accurate picture of the service”.

The Millbrook spokeswoman said: “We appreciate that some service users have had to wait longer than anticipated for their wheelchairs, for which we again apologise, but now we know the extent of the issue, we can assure service users that the CCGs and ourselves are putting all our efforts into improving the situation and moving service users through the service as quickly as possible.”

She claimed that Millbrook was meeting the 18-week target for all children referred to the service to receive their wheelchairs, even though current average waiting-times for children referred to the service were still 17.1 weeks for urgent referrals for a powerchair, and 15.7 weeks for a manual wheelchair.

For adults, the average waiting-times for urgent referrals were 17.3 weeks for powerchairs and 11.7 weeks for manual wheelchairs.

Millbrook had not clarified by noon today (Thursday) how it could be meeting those targets if average waiting-times were so close to 18 weeks, or confirmed that it accepted the waiting-list figures provided to the council by Thanet CCG.

A spokeswoman for Thanet CCG said the CCGs had written to Professor Oliver, urging the forum to share evidence for its claims “so we can investigate them urgently and thoroughly”.

She said: “Checks that we have carried out to date have not uncovered evidence of harassment, bullying or threats by Millbrook Healthcare staff.

“There have not been any serious incidents or safeguarding alerts raised against Millbrook Healthcare.”

But she added: “We are very sorry that the service people have been receiving has fallen short of what we would hope to provide.

“The recent quality visit conducted by NHS Thanet CCG found that Millbrook Healthcare had a process in place to triage and prioritise patients with the highest need on the waiting list, minimising the risk of patients coming to harm.

“Whilst this provides the CCG with assurance that patient safety is being managed, it is clear that pressure on the service due to a growing caseload is severely affecting patient experience and we repeat our apology for this.”

She said Thanet CCG did not accept that it was not an appropriate organisation to lead on the contract.

She said the CCG had concluded that terminating the contract would “lead to an increased risk around retention of the existing provider’s skilled and competent staff”, with Millbrook already losing nearly a quarter (23 per cent) of its employees between June 2017 and June 2018.

She said this was partly “due to pressures on the service associated with the inherited backlog and patient complaints” and that “clinical staff with specialist expertise in wheelchair assessment are not easy to replace”.

She said Thanet CCG had therefore concluded it was “in the best interest of patients to work with the current provider to resolve contract challenges rather than to re-procure which may increase risk to patients”.

She said that providing Millbrook with extra funding to address the “issues associated with the inherited caseload” would enable the company to “deliver an ongoing and sustainable service for patients”.

But Cllr Sue Chandler, chair of the county council’s health overview and scrutiny committee, said in a statement: “The committee expressed grave concerns about the wheelchair services contract and its management by NHS Thanet CCG and I have written to all Kent CCGs to express these concerns.

“The committee has also requested a written response from Thanet CCG, within two weeks, as to whether it is considering terminating Millbrook Healthcare’s contract and the reasons for that choice; and to provide an action plan detailing how the issues will be resolved in the interim.

“The committee will be considering this issue in September, either at an additional or existing meeting of the committee.”

**9 August 2018**

**Train company faces calls to rip up scooter policy after latest ‘shameful’ episode**

A rail company is facing calls to change its “reprehensible and unsupportable” attitude to disabled passengers, after one of its guards threatened to throw a woman off a train because she was using a mobility scooter.

Sara Harvey was on the way to a wedding with her husband Liam and had boarded a Northern Rail service to Bolton in her scooter – with the assistance of station staff – when a guard told her she would have to leave the train because the company did not allow any scooters on its services.

[The company’s policy](https://www.northernrailway.co.uk/faq/accessibility/99-can-i-take-my-mobility-scooter-on-the-train) is that it does not allow mobility scooters on its trains – in contrast with many other companies, which do allow some scooters – unless they are “folded down before you board, and carried on like luggage”.

Harvey, who is autistic and has a physical impairment, and campaigns as [Agony Autie](https://twitter.com/AgonyAutie), filmed the altercation with the guard and live-streamed it on Facebook.

She told the guard that she had booked assistance, and had already travelled by train from Chester to Manchester Oxford Road, and had been clear when buying her ticket that she uses a scooter.

She has previously travelled problem-free with her scooter with Arriva Trains Wales and Virgin.

She was eventually allowed to continue with her journey, after support from fellow passengers, some of whom threatened to leave the train with her if she was thrown off.

Harvey told Disability News Service today (Thursday) that the Northern executives responsible for drawing up the company’s scooter policy had “done nothing but cause harm and pain” and that it “emboldens their staff to be hostile”.

She said: “I was told by the guard to ‘get off, get off, get off, you’ve broken the rules. This train goes nowhere with you on it.’ I was treated like a criminal.”

She is now set to meet Northern to discuss what happened but says she has not been told yet how to make a formal complaint and fears that she is “being manipulated” by the company.

She said Northern was only paying attention to the issue now because of the media coverage of the incident.

She said: “It happens all the time on their trains. The difference is that this went viral and hit the mainstream media.

“They put people in distress every day. With this, the difference is the public could see my distress. If my distress wasn’t filmed, they wouldn’t care.

“I told them: you have treated me like the scum of the earth because I am differently abled to you.

“I want to make sure it never happens again. These people don’t care about the customers.”

Harvey said Northern needed to “inject a good deal of common sense” into their policies and practices as well as “empathy and compassion training”.

She said: “At the moment they see us as slow, we take up too much of their time.

“They see it as we make their jobs difficult, but these are our lives and every time they see us as slow and every time they think we make their jobs difficult, they need to be taught that those feelings are ableist.

“People need to be self-aware that you can’t hate on someone who is differently abled from you because they are slower or you see them as a burden.

“I want staff attitudes completely changing and all the way to the top. If platform staff are getting this training, the CEO is getting this training because the CEO and the policy-makers don’t have a clue either.”

Harvey said she had a “full-blown meltdown” the day after the incident, once she had returned home.

She said: “I beat myself in the head about 20 times. It was all because of Northern Rail. They have made me ill.”

The incident, which caused widespread anger and frustration among disabled campaigners, came only weeks after [comedian Tanyalee Davis was reduced to tears](https://www.disabilitynewsservice.com/disabled-comedian-reduced-to-tears-after-public-humiliation-by-train-guard/) after being publicly “shamed” by a train guard with another company who forced her to move her mobility scooter to make way for a mother with a baby buggy.

Accessible transport campaigner Doug Paulley has been calling on the regulator, the Office of Road and Rail (ORR), to act on Northern’s blanket ban on mobility scooters for more than seven months.

Northern launched a pilot scheme last September, allowing some scooters to use services on a limited part of its network.

Paulley said ORR had raised the issue of the Northern ban on scooters [in a June 2017 letter](http://orr.gov.uk/__data/assets/pdf_file/0005/24953/arriva-rail-north-dppp-approval.pdf) approving the company’s Disabled People’s Protection Policy (DPPP).

The letter noted the pilot scheme but warned that ORR remained “concerned that your policy for travel on the rest of your network remains more restrictive than that of other operators”.

Paulley – a member of the Northern/TransPennine/Hull Trains combined inclusivity forum of disabled lobbyists, although not speaking on their behalf – said there had been no sign of Northern extending this pilot scheme.

He said: “I think Northern’s attitude is reprehensible and unsupportable.”

He said the company used the same trains as other companies which had “less restrictive scooter policies” and added: “They are out of step with the industry and the regulator.

“It’s shameful and yet another example of how Northern are failing passengers – and in respect of this policy, disabled people in particular.”

Northern had failed to answer questions about its scooter policy by noon today but issued the following statement: “We are truly sorry to the customer for her unacceptable experience travelling with Northern and the distress it caused.

“We are currently investigating the incident and have spoken directly with the customer and organising to meet in person to discuss her experience and see how we can learn and improve and help staff to be more autistic and disabled aware.”

An ORR spokesman said it was encouraging Northern to extend its pilot scheme across its network.

He said: “ORR is committed to improving accessibility of the rail network and to promoting the rights of passengers requiring assistance and the services available to them, and we were sorry to hear about the experience of Ms Harvey on her train journey last week.”

He said that some train companies face “challenges” with carrying scooters, such as the size of carriages and the width of platforms, and “foremost consideration must be the safety of both the passenger and staff assisting them”.

But he added: “We have been in regular contact with Northern about its scooter pilot and scooter card scheme since we approved its DPPP last year.

“Although the geographical area of the pilot is limited, we understand that it has enabled some passengers to now travel on their network who previously were unable to do so.

“Northern is continuing to work to enable passengers with mobility scooters to travel as much as possible on their network, within the constraints mentioned above.

“We are encouraging Northern to continue to expand this approach as far as it is safely and operationally possible.”

He said ORR was also reviewing its guidance on writing DPPPs and would consult on proposals to update it later this year, including whether there should be any changes to requirements on carrying mobility scooters and other mobility aids.

He added: “We are also focused on improving staff training, including staff awareness and understanding of differing disabilities as customer service and staff attitude can play a significant part in how comfortable and confident passengers with disabilities feel when making their train journey.”

The Department for Transport (DfT) declined to say what action it was taking to address the uncertainty and distress caused to scooter-users by the range of policies operated by different rail companies.

But a DfT spokeswoman said in a statement: “It is vital that all passengers, including disabled passengers, can feel confident when using public transport.

“This is why the department has published an [Inclusive Transport Strategy](https://www.gov.uk/government/publications/inclusive-transport-strategy) that will make the entire network more accessible by 2030.

“It is right that the operator has apologised for the way this passenger was treated.

“We expect all train companies to do everything possible to provide the same access and make travel easy for disabled people.”

**9 August 2018**

**UN’s ‘human catastrophe’ rights expert to deliver high-profile UK lecture**

The UN expert who told the government that its cuts to disabled people’s support had caused a “human catastrophe” is to visit the UK this autumn to deliver a high-profile lecture on disability rights.

Theresia Degener, the professor of law and disability studies who chairs the UN committee on the rights of persons with disabilities, will deliver [the first Caroline Gooding Memorial Lecture](https://essl.leeds.ac.uk/law-research-expertise/events/event/394/caroline-gooding-memorial-lecture-inclusive-equality) at the University of Leeds in October.

Last August, [Degener told the UK government’s delegation](https://www.disabilitynewsservice.com/uk-faces-un-examination-government-cuts-caused-human-catastrophe/) – during a public examination of its progress on implementing the UN Convention on the Rights of Persons with Disabilities (CRPD) – that its cuts to social security and other support for disabled people had caused “a human catastrophe” which was “totally neglecting the vulnerable situation people with disabilities find themselves in”.

[She later gave an interview](https://www.disabilitynewsservice.com/portraying-disabled-people-as-parasites-could-lead-to-violence-and-killings-says-un-chair/) with the BBC – which was not broadcast – in which she warned that the portrayal of disabled people by the UK government and media as “parasites” who live on benefits could put them at risk of violence, and even “killings and euthanasia”.

The annual lecture was set up as a memorial to the equality consultant and author Caroline Gooding, who played a leading role in securing improvements to disability rights legislation as a member of the Disability Rights Taskforce.

Gooding was later director of legislative change at the Disability Rights Commission throughout its eight years. She [died in July 2014](https://www.disabilitynewsservice.com/fellow-rights-campaigners-mourn-loss-of-caroline-gooding/).

The lecture will be hosted by the university’s renowned Centre for Disability Studies (CDS) and its Centre for Law and Social Justice, and will take place on 3 October.

Professor Anna Lawson, director of CDS and co-ordinator of the university’s Disability Law Hub, said she and fellow organisers were “delighted” that Degener was able to accept the invitation to deliver the lecture.

She said: “She is a disabled woman who, like Caroline, has made it her life’s work to push for disability equality and inclusion using the law.

“As chair of the CRPD committee, she occupies what is one of the most influential positions in disability rights globally.

“The fact that her committee has recently reviewed and made recommendations to the UK on its implementation of the CRPD makes the timing particularly good.

“Theresia also knew and admired Caroline and her work.”

She said the lecture would not be focused specifically on the UK but would be “relevant to all countries that have ratified the CRPD, including the UK”.

Lawson said there would be questions and discussion after the lecture, while there are hopes that the event will be live-streamed.

Degener will lecture on “inclusive equality”, a concept [introduced by the UN committee through a “general comment” in March](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/6&Lang=en) and which it hopes can be used to help implement CRPD.

Inclusive equality, the general comment says, argues for redistribution to address socioeconomic disadvantage, and attempts to combat “stigma, stereotyping, prejudice and violence” and recognize the “dignity of human beings and their intersectionality”.

It also recognises the importance of including different social groups in society, but also the need to “make space for difference as a matter of human dignity”.

In the general comment on article five of the convention – on equality and non-discrimination – the committee warns that countries are still approaching disability through charity and medical models, which fail to fully acknowledge disabled people’s rights.

It also warns that the laws and policies of many countries “perpetuate the exclusion and isolation of and discrimination and violence” against disabled people, and that they are often “imperfect and incomplete or ineffective” or “reflect an inadequate understanding of the human rights model of disability”.

In the BBC interview, Degener explained that, compared to other countries with “less economic power” and less advanced equality and discrimination legislation, the UK’s austerity policy was “less human rights oriented”, so that “UK appears to be a strong country when it comes to equal rights but a very, very weak country with relation to economic, social and culture rights”.

She also said the UK’s record on disability rights was “going backwards in a pace and to an amount that it worries us a lot” and that the evidence in front of the committee was “overwhelming”.

The general comment also says that disabled people’s organisations (DPOs) must “play a central role in the development of legal and policy reforms”, including the response to the prejudice faced by disabled people seen as being “a burden on society”.

The committee’s [concluding observations](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fGBR%2fCO%2f1&Lang=en), which followed its public examination of the UK’s progress in implementing the convention last August, called on the government to do more to include DPOs in planning and implementing polices affecting disabled people.

Degener was not available this week to comment on her plans for the lecture.

**9 August 2018**

**MPs win praise for online abuse proposals**

MPs have won praise after calling on the government to ensure disabled people finally secure equality in the protection they are offered by hate crime laws.

Members of the Commons petitions committee said in a new report that it was not right that it was a crime to incite hatred on the grounds of religion or race, but not disability.

The petitions committee was [publishing draft recommendations](https://www.parliament.uk/business/committees/committees-a-z/commons-select/petitions-committee/news-parliament-2017/online-abuse-recommendation-report-published-17-19/) following an inquiry into the online abuse of disabled people, and said it hoped its work would be “a wakeup call” to the government.

It has now launched a consultation on its recommendations before it publishes its final report – the first time a Commons committee has taken such a step – so that disabled people and their allies can respond to its draft proposals.

Among those recommendations is for the government to introduce a new law that would make it a crime to incite hatred against disabled people, a long-standing demand of disability hate crime campaigners.

Anne Novis, a leading disability hate crime campaigner and chair of [Inclusion London](https://www.inclusionlondon.org.uk/), said: “I am thrilled to see the recommendation from this inquiry, which include most of the recommendations we submitted [in writing](https://www.inclusionlondon.org.uk/campaigns-and-policy/facts-and-information/hate-crime/inclusion-london-hate-crime-inquiry-evidence/) and [I gave verbally](https://www.inclusionlondon.org.uk/campaigns-and-policy/facts-and-information/hate-crime/inclusion-londons-evidence-online-abuse-enquiry/) at the inquiry meeting, and other Deaf and disabled people gave via a testimonies session which Inclusion London helped to organise.”

She said the government had repeatedly failed to listen or respond to “repeated evidence and requests for equity in law on hate crime”.

Novis welcomed the recommendation that disability should be included within hate crime incitement laws, and that there would be “a full and inclusive consultation” on the committee’s draft proposals.

She added: “I hope we will see an appropriate and timely response from this government that does not ignore us, or defer responding, as it has done re disability hate crime for many years.”

In its report, the committee attacked the government’s “shocking” failure to consult disabled people in drawing up its online safety strategy, and warned social media companies that they had been “neglecting the needs of their disabled users for far too long”.

Helen Jones, the Labour MP who chairs the committee, said: “It is deeply disappointing that social companies don’t engage fully with their disabled users.

“With their vast financial resources, there’s no excuse for their failure to make their platforms as safe for disabled people as they are for other users.”

She said the inquiry showed that social media was “rife with vile, degrading and dehumanising comments” about disabled people.

The committee called for mandatory teaching in schools on disability hate crime, and for the government to develop an action plan to address the exploitation of people with learning difficulties, both online and offline.

The committee said: “In our inquiry, we have come across some examples of good practice in attempting to meet the needs of disabled people and their families.

“More often, though, we found that disabled people were not being consulted or even considered.

“This was particularly apparent in the very disappointing evidence we received from the Department for Digital, Culture, Media and Sport and heard from social media companies.

“We do not intend to make the mistake of ignoring disabled people here.”

The inquiry was launched in response to [a petition set up by former model Katie Price](https://petition.parliament.uk/archived/petitions/190627), which was signed by more than 220,000 people and followed years of disablist and racist abuse targeted at her teenage son, Harvey.

The committee rejected Price’s call for a register of offenders, similar to the sex offenders register, but said the government should look at other ways of making it easier for employers to find out if someone has been convicted of online abuse.

Jones said: “We’ve listened to disabled people to come up with our recommendations to tackle online abuse of disabled people and we will spend the summer listening to them again.

“By launching this consultation, we want to make it clear that the voices of disabled people must be heard.”

She added: “It should be normal practice for select committees to consult on their recommendations, so I’m pleased that the petitions committee is taking this step.”

**9 August 2018**

**MPs launch inquiry into care discrimination faced by LGBT service-users**

Disabled activists have given a guarded welcome to the launch of [a new inquiry by MPs](https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/inquiries/parliament-2017/inquiry11/) into the discrimination faced in accessing health and social care services by lesbian, gay, bisexual and transgender (LGBT) communities.

The Commons women and equalities committee, which has launched the inquiry, said that the results of a government survey, [published last month](https://www.gov.uk/government/publications/national-lgbt-survey-summary-report), showed the discrimination faced by many LGBT people in accessing healthcare.

It said the survey showed that almost a quarter (23 per cent) of respondents who had been in a care home said that being open about their LGBT status had had a negative effect on their care.

The committee said its inquiry would “consider whether provision is adequate, whether discrimination is still occurring, and what more needs to be done to improve access to health and social care”.

The LGBTQI+ disabled people’s organisation [Regard](http://regard.org.uk/) welcomed the decision to launch the inquiry but raised concerns that its focus appeared to be on access to healthcare rather than social care.

Dr Ju Gosling, co-chair of Regard, said the committee also appeared to be confused about the distinction between healthcare and social care.

She said: “While the evidence is clear that LGBTQI+ people face discrimination in health care, it also shows it is more extreme in social care.

“LGBTQI+ people are also much more dependent on social care than other disabled and older people, due to the reduced availability of support from family and friends.”

Gosling also raised concerns that the committee appeared to have excluded non-binary and intersex people from its new inquiry, “when we know they face specific barriers in accessing health care”.

She said Regard would submit evidence to the committee’s inquiry.

Last October, [ground-breaking research](https://www.disabilitynewsservice.com/ground-breaking-study-shows-care-barriers-faced-by-lgbtqi-disabled-people/) co-produced by Regard found that more than a third of LGBTQI+ disabled people have experienced discrimination or received poor treatment from their personal assistants because of their sexual or gender identity.

Almost a third said they felt they had been discriminated against by their local authority on the grounds of their sexual orientation or gender identity.

And more than 90 per cent said their needs as an LGBTQI+ disabled person were either not considered or were only given some consideration, when they were assessed or reviewed by their council.

Among the questions the committee is asking are: in which areas of healthcare do LGBT people experience worse outcomes than the general population? How effectively do health and social care providers take the needs of LGBT people into account? And what does the evidence show about levels of discrimination against LGBT people in accessing health and social care?

Maria Miller, the committee’s chair, said in a statement to launch the inquiry: “Evidence suggests that the healthcare needs of LGBT people are not currently being met effectively, some report that they still face discrimination in health and social care, and there are inequalities in outcomes between LGBT groups and the wider population.

“We welcome the government’s recently announced action plan and its commitment to ensuring that LGBT people’s needs are at the heart of the NHS.

“This is therefore a crucial time for us to look at how services can best be provided and improved for LGBT patients.

“We want to hear from organisations, individuals, researchers and service providers about what can be done to make health and social services more effective for LGBT people.”

The deadline [for written evidence to the inquiry](https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/inquiries/parliament-2017/inquiry11/commons-written-submission-form/) is 5 October 2018.

**9 August 2018**

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