

## **Government presides over Access to Work slump**

The coalition government has presided over a dramatic slump in the number of disabled people granted new funds to make their workplaces more accessible.

Government statistics show the number of “new customers” granted funding for adaptations and equipment under the Access to Work (ATW) scheme fell sharply in the first three quarters of 2010-11.

It is the first evidence that new coalition rules on ATW are making it harder for disabled people to secure support.

The rules mean employers or disabled people themselves now have to fund equipment such as basic versions of voice-activated software, most adapted chairs, and satellite navigation devices, rather than having them funded through ATW.

Just 10,640 “new customers” were given funding in the first three quarters of the year, compared with 16,510 in the whole of 2009-10.

If figures for the fourth quarter remain at that level, the new government will have been responsible for a drop of more than 2,000 new customers in its first year.

But the fall could be even more dramatic. Three months ago, the Department for Work and Pensions (DWP) told Disability News Service that 7,700 new customers had been helped in the first half of 2010-11 (an average of 1,283 a month) and suggested the number of new claims was likely to rise sharply in the second half of the year.

But the new figures suggest the opposite has happened, and the number of “new customers helped” has fallen to just 2,940 in the third quarter (an average of 980 a month, compared with an average of 1,374 a month in 2009-10).

Neil Coyle, director of policy for Disability Alliance, said: “The statistics reveal what Disability Alliance suspected: that essential support for disabled people to get and keep work is being withdrawn while pressure to find work is ramped up alongside the negative portrayal of disabled people who remain needing help out of work. This is unacceptable and undermines the government agenda.”

The coalition has already broken one ATW pledge, made in its “programme for government”, after backtracking on a promise to allow disabled people to secure ATW funding before they apply for a job.

When asked whether the government was concerned by the drop in “new customers”, a DWP spokeswoman said: “The government is committed to ensuring disabled people get

and keep jobs and the ATW programme can help where the assistance needed is above and beyond what the employer could reasonably provide.

“It is right that we concentrate funding for equipment that employers are not legally obliged to provide. By doing this, we can help as many people as possible get into work by making sure the money goes where needed.”

**5 May 2011**

### **Police chiefs dismiss calls for Taser review**

Police chiefs have dismissed a call by an independent watchdog to review policies on using “Taser” stun-guns on people experiencing “serious medical episodes”.

The call by the Independent Police Complaints Commission (IPCC) came as it published a report on how a 50,000-volt Taser was used on a man, Howard Swarray, who had just had an epileptic seizure.

The IPCC concluded that an officer who twice fired the Taser at the man had not breached his force’s policies or been guilty of misconduct, although it questioned some of the tactics used by officers who attended the scene.

The IPCC said the Association of Chief Police Officers (ACPO) should – in the wake of the case – review police tactics for dealing with people experiencing “serious medical episodes”.

IPCC commissioner Naseem Malik said she was concerned that the only option open to officers in such situations “appears to be to deliver controlled violence” through a Taser.

She said the IPCC would write to ACPO to ask it to review “whether other, potentially less violent, tactics” could be used.

But ACPO has refused to carry out a review. An ACPO spokesman told Disability News Service it would examine this case to see if there were lessons to be learned – as is standard procedure – but would not conduct a wider review, and added: “I am not sure what purpose a review would serve.”

The charity Epilepsy Action is to write to ACPO to “urge them to carry out a review and to offer our guidance”.

The IPCC said Swarray experienced the seizure while working out at the Powerleague gym in Whalley Range, Manchester, in November 2009.

Swarray became confused and aggressive – as a result of the seizure – and while not in control of his actions he bit, punched and kicked paramedics and staff and users of the gym as they tried to restrain him.

When officers from Greater Manchester Police (GMP) were also unable to restrain him, one of the police officers twice used his Taser.

Swarray was admitted to hospital with kidney failure, as a result of muscle damage, probably caused by the seizure or resisting restraint, although a consultant said the damage could have been caused by the Taser.

Malik said that, although there were no police guidelines that prevented the use of a Taser against someone who has had a seizure, actions such as “giving commands and attempting compliance through pain to a person who was already known to be unresponsive” were “questionable”.

But she said the officers were acting according to their training and the officer who fired the Taser “believed he had no other option”.

Epilepsy Action said police officers should be trained to recognise the symptoms of epilepsy, both during and after seizures, and “to recognise that epileptic seizures can be mistaken for violent or inappropriate behaviour”.

ACPO said it would continue to “look at other developing technologies and alternatives to the less lethal options currently available” in situations where “an individual is exhibiting violent behaviour which threatens their safety or the safety of those around them”.

## **5 May 2011**

### **Government’s policies ‘are putting independent living at risk’**

Government policies risk “turning back the clock” on independent living by 40 or 50 years, according to a disabled peer.

Baroness [Jane] Campbell told fellow peers that three key policies meant the government was breaching its duties under the UN Convention on the Rights of Persons with Disabilities.

She said the coalition’s “treatment of essential independent living support for disabled people has become alarmingly unwise and potentially even dangerous”.

She was speaking during a Lords debate, secured by her fellow disabled peer Lord [Colin] Low, on the impact of the government’s policies on disabled people.

Baroness Campbell pointed to the government's refusal to ringfence the extra £2 billion a year it is giving local authorities to fund social care support, its decision to close the Independent Living Fund to new members, and plans to cut spending on disability living allowance by 20 per cent.

She said the three policies were "having a cumulative effect of putting independent living at risk" and "could really take us back to the 70s or even the 60s, when basic needs were not properly met".

Lord Low described the government's decision to impose a 12-month limit on disabled people receiving "contributory" employment and support allowance (ESA) – the replacement for incapacity benefit – as a "particularly savage" policy that went "far beyond anything that was contemplated in the Thatcher era".

He said the policy – which will affect those in the ESA work-related activity group – would "cause great hardship and have a devastating effect on the lives of hundreds of thousands of disabled people", while there "simply aren't the jobs to enable someone on ESA to get a job within 12 months."

An estimated 700,000 people will be affected by 2015-16, while 280,000 of them could lose £89 a week, he said.

He added: "To people forced to live on benefit, these figures are mind-boggling. Disabled people see this as a betrayal of the citizen by the state."

The disabled Labour peer, Baroness [Rosalie] Wilkins, said cuts to benefits were falling "unfairly and disproportionately" on disabled people, while many were reluctant to claim the support they needed in case they were seen as "scroungers".

She said Department for Work and Pensions (DWP) staff who were "rubber-stamping" obviously incorrect decisions – made by medical staff working for Atos Healthcare – that disabled people were "fit for work" were "acting illegally".

She said she believed DWP staff were working to government targets to reduce the number of people claiming incapacity benefits.

The Conservative peer Lord Taylor of Holbeach, responding for the government, claimed the coalition's policies would help "all disabled people to fulfil their potential and participate fully in society".

He denied there were targets for forcing people off incapacity benefits, and said ESA was only intended to provide short-term support for those in the work-related activity group.

Lord Taylor said the government's welfare reform policies were about "doing what is right" and "not about reducing the benefits bill".

**5 May 2011**

### **Campaigners pledge to 'ignore emotion and win the big argument' on euthanasia**

Leading disabled activists have pledged to defeat the campaign to legalise euthanasia by winning "the big argument" rather than copying the "emotional" tactics of their opponents.

Dr Kevin Fitzpatrick, of Not Dead Yet UK (NDY UK), told a House of Lords meeting that campaigners trying to weaken the law on euthanasia and assisted suicide were using "extreme cases" to play on the public's "emotional reactions". He said NDY UK did not want to "play the same game".

[NDY UK](#) argues that legalisation would pressure people with life-limiting conditions to end their lives prematurely because of diminishing levels of social care support and to avoid becoming a burden on their families.

It also believes legalisation would reinforce attitudes that disabled people's lives are not worth living.

Fitzpatrick, the Disability Rights Commission's commissioner with responsibility for Wales throughout its seven-year existence, told the meeting: "We want to be clear that extreme cases make bad law, but the play on the emotional reactions of people to extreme cases is really difficult to counteract."

He criticised the BBC's decision to produce a documentary on assisted suicide in which the novelist Sir Terry Pratchett is filmed watching the death of a man with motor neurone disease at the notorious Dignitas clinic in Switzerland.

Baroness [Jane] Campbell, convenor of NDY UK, said disabled campaigners opposed to a change in the law were fighting the financial resources of the main pro-assisted suicide charity, Dignity in Dying.

But she said disabled people were tired of having to expose their private lives to the media in order to persuade the public to oppose legalisation.

She said: "What disabled people are saying to me is: 'I am not willing to prostrate my life in front of the tabloids anymore.' We must win this on the argument."

The meeting also heard from Dr Xavier Mirabel, president of France's Alliance pour les Droits de la Vie (The Right to Life Alliance), which has spent 15 years campaigning to turn French public opinion away from the support for legalising euthanasia that had been fed by high-profile, "extreme", "emotional" cases.

The oncology specialist explained how the alliance had grown from just three campaigners to an organisation able to distribute one million cards explaining the arguments against legalizing euthanasia in 50 towns across France.

This January, the campaign staged a demonstration of 700 people dressed in shrouds, who lay in the street outside the French Senate building as senators prepared to vote on a bill that would have legalized euthanasia. The Senate voted against the bill.

Mirabel said the alliance had also organised “micro demonstrations” of four or five people in towns across France, which secured huge coverage in local newspapers.

After the meeting, the BBC said the documentary, Terry Pratchett: Choosing to Die, was due to be aired in June. After the programme, it will stage a Newsnight debate that discusses “all sides of the issue”.

A BBC spokeswoman added: “The BBC doesn’t have a stance on assisted suicide, but we do think that this is an important matter of debate.

“Terry Pratchett is a public figure, and his journey is of particular significance at a time when assisted death is in discussion.”

## **5 May 2011**

### **Fall in inspections raises fears over abuse**

A sharp drop in inspections by the social care regulator has raised concerns that the impact of public sector spending cuts could make it harder to detect abuse in disabled people’s homes and residential facilities.

The Care Quality Commission (CQC) carried out just 2,148 inspections of adult social care facilities in the six months to March 2011 – according to figures obtained by the magazine Community Care – compared with 6,840 from April to September 2009.

CQC said the drop was “largely” due to the need to register health and social care providers under its new regulatory system, which began to have an impact in the second half of 2009-10.

A fall in inspections of care homes, agencies providing care in disabled people’s own homes, and other social care providers could make it harder for CQC to detect problems such as neglect and physical, financial and sexual abuse.

Although the number of monthly inspections has now begun rising again, from just 41 last October to 518 in both February and March 2011, CQC said it was “too early to predict at what level inspections will settle”.

Andrew Lee, director of People First (Self-Advocacy), a disabled people’s organisation run by people with learning difficulties, said he was concerned by the fall in inspections, which he said would reduce the chances of stopping abuse.

He said: “If there is less inspection there is less opportunity to find out if there are problems and how they can solve it.”

The new figures raise further concerns about CQC’s new “risk-based” system of regulation, under which social care providers produce their own written self-assessments, while CQC gathers evidence from other sources and focuses on providers where there is evidence of concerns.

CQC has said there will be a “planned review” of every provider “at least every two years”, but this might not involve an actual inspection visit, while there have been claims that some care homes that appear good on paper could avoid an inspection for up to five years.

There are concerns that the new system has been driven largely by the need to cut costs.

A CQC spokesman said: “Like other public sector organisations, we accept that CQC has to do more with less; that we have to work with fewer resources than were available in the past.

“We believe we have the right level of resources to deliver this risk-based model, although it is still early days and we will learn more over time.”

A Department of Health spokeswoman said: “We are confident that CQC receives the funding it needs to fulfil its regulatory duties and provide an assurance of safe, quality care.”

**5 May 2011**

### **EHRC staff walk out over threats to jobs and budget cuts**

Staff at the Equality and Human Rights Commission (EHRC) took part in the first of two one-hour strikes this week, in protest over threatened redundancies and cuts to its budget.

They claim the commission’s failure to consult properly over its future plans could cause it to breach its own public sector duties under equality laws.

The walkout by members of the Public and Commercial Services Union (PCSU) on 4 May saw “well-attended” picket lines at the EHRC’s headquarters in London and its offices in Birmingham, Cardiff, Glasgow and Manchester.

Other unions, anti-cuts campaigners and politicians joined the picket lines, including members of Disabled People Against Cuts in Birmingham.

A member of the PCSU’s branch executive at the EHRC said their biggest fear was that the cuts would cause the commission to “disappear from the public consciousness” and become “irrelevant”.

She said the EHRC had refused to reveal the detail of its plans for the future, despite “numerous meetings” with union representatives.

She added: “The grounds of our dispute are a failure to consult, a failure to discuss any alternative to what they have proposed.”

She said the union was receiving strong support from disabled people and other EHRC “stakeholders”, many of whom had previously “given up on the commission”.

The EHRC’s budget for 2010/11 appears to have been cut from about £62 million to £53 million, and is set to fall to £45 million in 2011/12, while reports suggest it will be slashed to just £22.5 million by 2015, although the EHRC has described this figure as “completely speculative”.

There could also be a reduction in staff from 416 posts to just 200, which would be about a third of the number of staff working for its three predecessor bodies – the Disability Rights Commission, the Commission for Racial Equality and the Equal Opportunities Commission – in 2007.

The PCSU said the cuts would mean employers and public authorities “would no longer be held to account if they carried out discriminatory policies”.

The government is consulting on plans to reduce the EHRC’s duties and responsibilities, including stopping the funding of its grants programme, and commissioning the private or voluntary sector to run its national helpline.

An EHRC spokeswoman said in a statement: “The commission has been in extensive consultation with the PCS for months on issues arising from our own reform programme, which is shaping the commission to be effective for the future, as well as a government-imposed budget cut back and consultation on our powers and duties.”

But she said the union had “decided to withdraw from this process after issuing a list of unrealistic demands”, and added: “The entire public sector is having to take difficult decisions and we cannot give untenable guarantees to staff here.”

No-one from the EHRC was available to discuss the union's concerns further, but the PCSU said its demands were simply to "ensure they can fulfil their statutory obligations, which we do not think is that outlandish or unrealistic".

A second PCSU walkout is due on Wednesday 11 May.

## **5 May 2011**

### **Canal mapping scheme aims to pinpoint barriers to access**

The public body that cares for Britain's waterways has launched a scheme to map the barriers that prevent disabled people accessing the country's 2,000-mile network of canal towpaths.

British Waterways (BW) wants to build an accurate picture of the condition of the towpaths and any obstructions to access, to encourage more disabled people to take advantage of the canal network.

The organisation is looking for volunteers to provide detailed "mapping" of towpath access. They will focus on the needs of wheelchair-users, although the scheme will also provide useful information for other disabled people, families with buggies and other users.

The towpaths are already used by many disabled people, with nine per cent of BW visits in 2009 made by people with a long-term health condition or impairment.

Robin Evans, BW's chief executive, said: "Although canals were built by Georgian engineers whose primary motivation was to build an industrial highway, their legacy is also an amazing 2,000 miles of flat, accessible towpaths available for everyone to enjoy."

Volunteers from BT are working on a trial of the mapping project in London, using smartphones to provide detailed information on access points, barriers, facilities and public transport, as well as the type of surface, average width and gradient of the towpath and GPS-linked photographs.

BW is now seeking volunteers to help map access on their local waterways this summer, with training provided, as well as a smartphone if needed.

David Thorne, BW's project manager, said they were keen to hear from disabled volunteers.

Once the map is [live](#) – which is expected towards the end of August – the public will be able to add updates on the condition of towpaths.

Thorne said BW was hoping disabled people would play an important role in keeping the website accurate and updated.

He added: "Where we make improvements to access or towpath conditions, we will be updating the website to keep that current.

"We will be looking for that data to be kept live by all kinds of user groups and specifically disabled people will be encouraged to get back in touch with us."

For more information about volunteering, email [volunteer@britishwaterways.co.uk](mailto:volunteer@britishwaterways.co.uk).

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