

Witness Name: Kamran Mallick

Statement No: 2

Exhibits: 76

Dated: 21 September 2023

UK COVID-19 INQUIRY – MODULE 2

WITNESS STATEMENT OF KAMRAN MALLICK ON BEHALF OF DISABILITY RIGHTS UK

Introduction

1. I am the Chief Executive Officer of Disability Rights UK ('DR UK'). I make this statement for the purposes of Module 2 of the Covid-19 Public Inquiry. What follows is provided on the basis of my own knowledge or belief. Where something is outside my own knowledge I will refer to the source. I am happy to give oral evidence to the Inquiry in Module 2 to expand upon the matters set out in this statement or address any other issues arising.
2. Paragraph six of the Inquiry's July 2023 Update Note for Module 2 refers to considering how evidence of the impact of government decision-making on different groups and on the related questions of if/how these groups engaged with government and sought to inform its decision-making during the pandemic should be adduced, noting the importance of this evidence. In this statement I will detail: (1) the contact and communications DR UK had with central government in connection with the Covid-19 response from February 2020 to April 2022; and (2) the impact of central government decision-making on Disabled people in the UK. In doing so I will build on the matters set out in DR UK's Rule 9 response dated 15 December 2022 (INQ000099696). Since preparing DR UK's Rule 9 response I have identified further documents relevant to the Inquiry's Terms of Reference and the scope of Module 2 which I now refer to and exhibit to this statement. I will also, in

this statement, set out various reports on the impact of the pandemic and government decision-making on Disabled people as well as my own view based on my own experiences and those gathered from my contact with Disabled people, Disabled People's Organisations and my review of relevant reports.

3. I am a Disabled person and have worked in the Disabled people-led sector for over 25 years. I am a wheelchair user and have additional hidden impairments, mainly due to catching the polio virus when I was three years old.

Information about Disability Rights UK

4. DR UK was founded in 2012 and is a leading national Disabled People's Organisation ('DPO'). It meets the United Nations definition of a DPO as set out at General Comment No.7 (2018) paragraph 11 on the basis that it is majority led, directed, governed, and staffed by Disabled people. As set out at paragraph 13 of General Comment No. 7, DR UK is distinct from disability charities which are not majority led, directed, governed and staffed by Disabled people and who speak "for" Disabled people and which, "provide services and/or advocate on behalf of persons with disabilities, which, in practice, may result in a conflict of interests in which such organisations prioritise their purpose as private entities over the rights of persons with disabilities" [Exhibit KM/1: **INQ000279951**]. Those charities are part of a group known as the "Disability Charity Consortium" ('DCC'). DR UK was a part of the DCC until we took a decision to leave the group in June 2021.
5. DR UK has a substantial reach on social media, with over 65,000 Twitter followers. During the pandemic we also had just over 1 million visitors to our website and our weekly 'ENews' went out to over 20,000 subscribers. I refer to one of those ENews articles later in this statement. DR UK's work is rooted in the experiences of Disabled people and it gives a voice to the concerns of Disabled people, through campaigning for central and local government improvements in policies and services, providing information and advice to Disabled people and influencing organisational change. DR UK has 105 organisational members, 46 of which are led by Disabled people, that serve Disabled people in their local areas.

6. According to the DWP family resource survey for the financial year 2020-2021 there are around 14 million Disabled people in the UK; we make up 22% of the population. Around 42% of older people are Disabled people, 21% of working-age adults and 9% of children. Disabled people have a wide range of impairments and/or long-term health conditions. We include autistic people, people with learning disabilities, those with sensory, cognitive, mobility and energy-limiting impairments and people with mental distress. Some of us face multiple discrimination on the basis of disability, race, age, being LGBTQIA or with other personal characteristics.
7. DR UK is part of the DPO Forum for England, which seeks to represent the views of all Disabled People's Organisations in England. This is separate to the 'DPO Forum' I mention later in this statement, which was a short-lived government initiative during the pandemic. The DPO Forum that DR UK is currently a part of was set up by DPOs after the government initiative did not continue after November 2020.
8. DR UK works with DPOs and government across the UK to influence regional and national change for better rights, benefits, quality of life and economic opportunities for Disabled people. It has organisational members in England, Scotland and Wales but not in Northern Ireland.

An overview of how DR UK engaged with government and sought to inform its decision-making between January 2020 and Spring 2022

9. DR UK raised awareness of the issues faced by Disabled people in the context of the pandemic and attempted to influence the government response to the same by corresponding with central and local government, retailers, engaging with the press, conducting surveys and publishing reports, attending meetings with the Minister for Disabled People and making submissions to parliamentary committees.
10. Throughout the pandemic, DR UK maintained a dedicated section on its website detailing information, advice and the latest official guidance and rules that directly

impacted on Disabled people. A sample of what we did on our website, taken from a page which was live on 14 May 2020, is available here: <http://web.archive.org/web/20200514183016/https://www.disabilityrightsuk.org/coronavirus>.

11. The organisation has encouraged those in its network to raise concerns about Disabled people's rights in the context of the pandemic to their local MPs, Local Authorities and other official bodies and provided template letters for that purpose, one example of which is exhibited as [Exhibit KM/2 – INQ000238489].

12. Our work is to listen to Disabled people and DPOs. In conducting our advocacy, we draw on information from a variety of sources. Firstly, we often receive calls from Disabled people on our main telephone number and receive emails to our main email address. We also have a specific Independent Living helpline which targets Disabled people who have personal budgets or care packages from local authorities. We also have a student helpline which Disabled students have access to. In response to the pandemic, in April 2020, DR UK set up the 'Our Voices' group, which is a group made up of CEOs and policy staff from DPOs across England. The group met weekly during the pandemic, to discuss the impact on Disabled people locally and regionally, to share experiences and ideas, as well as to present a collective voice to government. We would hear what was going on, on the ground, in local and regional areas across the country. These were our main methods of gathering information about the impact of Covid-19 and the government's response upon Disabled people. We are also members of different networks, for example, the Disability Benefits Consortium ('DBC'), a national coalition of over 100 different charities and other organisations committed to working towards a fair benefits system, seeking to ensure Government policy reflects and meets the needs of all Disabled people. Another such network is 'Equally Ours', whose mission is to advance people's equality and human rights in the UK. There is more information about the work they do on their website: <https://www.equallyours.org.uk/>.

13. I deal with correspondence and meetings with government from 16 March 2020 onwards later in this statement. Before that, in 2020, I attended a short thirty-minute

call with the then Minister for Disabled People, Health and Work, Justin Tomlinson MP on 29 January 2020, where I do not recall Covid-19 being discussed.

Advocacy on behalf of Disabled people in the pandemic

Extent of search

14. I have searched through DR UK's server, and on our current website and also on old website pages which are no longer live using the 'Wayback machine' to locate relevant documents. I set out below in chronological order the advocacy conducted by DR UK during the pandemic in relation to the impact on Disabled people of both Covid-19 and the government response. I am able to expand further on these documents in oral evidence if the Inquiry would find this helpful.

15. In addition to these documents, there are likely to be others which I have been unable to find, for example if they were not published on our website or saved in an easily accessible place. There were periods during the pandemic when I had no, or very limited support, from an Executive Assistant, and DR UK did not have a Case Management System to log documents such as these during the pandemic. Also, it should be recognised that at the same time as trying to address the impact of the pandemic on Disabled people, as an organisation led by Disabled people we were all affected by it and it impacted our ordinary working practices. For my part, I was absent from work from November 2020 to around February 2021 for medical reasons after breaking my leg.

16. Sadly, my experience of breaking my leg and treatment I received mirrored many of the common difficulties faced by Disabled people in accessing appropriate medical care. I fell and broke my leg during lockdown on 17 November 2020. I spent about three hours on the floor awaiting an ambulance. Paramedics said my leg was not broken, despite my insistence, and told me to call 999 if it did not improve. I was eventually taken to A&E two days later and spent a number of weeks in hospital because it was impossible to arrange social care at home. The equipment I would need was unavailable, including no access to a suitable

wheelchair for over six months. The wheelchair service refused to visit in the hospital or at home to assess me due to Covid-19 restrictions, and the hospital refused to let me take their ill-fitting wheelchair because that was not their 'practice'. However, the hospital eventually did discharge me with an inadequate wheelchair on the basis that they needed the hospital bed due to pressures on their services. My wife and I had to adapt their wheelchair ourselves; as well as using pillows and rolled-up towels to support my back and leg, we had to use cardboard and gaffer tape to help make it fit, placing chopping boards under the seat. This is because I have a spinal fusion which means I need to sit on a straight base, not one that sags. It was an awful, horrible experience filled with pain and discomfort.

17. In terms of my search for documents, we sometimes emailed the Cabinet Office, other Ministers, Government departments and MPs, and I have not yet been able to search our servers to identify if all relevant communications have been exhibited to this statement. Similarly, where I can find a response to one of our letters or emails I exhibit it. Where I have not exhibited a response, this is either because we received no response or I have been unable to locate one. I would ask the Inquiry to please invite disclosure from those to whom we wrote asking them to search for any response to letters we sent. I would also invite the Inquiry to request from central government any communications with DR UK either in the form of emails, letters, notes of telephone calls or meeting minutes.

18. If any other relevant documents come to my attention I will provide them to the Inquiry.

Chronology of early pandemic written advocacy and meetings

19. On 16 March 2020 we sent a letter to the Minister for Disabled People Justin Tomlinson MP, and Minister for Care Helen Whately MP. We set out nine recommended changes to the Coronavirus Guidance issued on 13 February 2020. These recommendations included more stringent protections for care home residents including funding for isolation units in care homes and better advice for carers on how to protect residents. We also recommended the use of PPE for

carers even if asymptomatic, on the basis that we were aware of the risks of asymptomatic transmission of the virus and knew that carers moved from care setting to care setting. We raised a concern that the government appeared to be modelling the virus on influenza. We asked that parents who took children out of school to protect themselves from the virus should not be penalised. We asked for emergency financial support when caring arrangements broke down, reducing financial anxiety. Finally, we asked for DPO funding to increase so we could better work with hard to reach groups [Exhibit KM/3 - INQ000238504]. We received a response to this letter on 9 April 2020 which failed to respond to the vast majority of the points we had raised and focused instead on a limited number of matters which were the responsibility of the DWP [Exhibit KM/4 - INQ000238515]. In our letter we had raised issues affecting the Treasury, the Department for Health and Social Care, the Department for Education, and the Department for Levelling Up, Housing and Communities but none of these were addressed and we did not receive any response from any of these departments. Unfortunately, we often find that, possibly as a result of the Minister for Disabled People sitting within the DWP, there is a focus on DWP issues as opposed to the Minister being an advocate for Disabled people's rights across departments.

20. On the same day, 16 March 2020, DR UK had a short telephone call with Justin Tomlinson MP, but I cannot recall what was discussed. I note from the Minister's register of meetings that it is described as a meeting where he informed us about the suspension of face-to-face benefits assessments. The register is publicly available here. <https://www.gov.uk/government/publications/dwp-ministerial-gifts-hospitality-travel-and-meetings-jan-to-mar-2020>.

21. On 23 March 2020 a letter was sent to central government signed by DR UK and a number of disability charities raising concerns about the diminishing of Disabled people's rights relating to education, social care and mental health protections under the Coronavirus Act. The letter was sent by SCOPE on behalf of the signatories [Exhibit KM/5 - INQ000238526]. On the same day I received an email from Baroness Campbell of Surbiton expressing her deep concern at a range of risks facing Disabled people who require support to survive in the community [KM/6

INQ000279960. She cited her own situation as someone with 24-hour support who relies on a Personal Assistant where she could not obtain basic protective equipment saying: “Because we are not seen as part of the professional care infrastructure (nursing homes, agencies, NHS staff) we have been effectively ignored.” She explained that she had written to the Minister for Social Care Helen Whately nine days earlier and was awaiting a reply. Her email to me also raises another important issue: that she was prohibited from participating in the second reading debate of the Coronavirus Bill due to self-isolation and no mechanism had been put in place to enable her, and other Disabled members of the House of Lords, to participate. I exhibit a copy of Baroness Campbell’s letter to Helen Whately and Matt Hancock, dated 15 March 2020 [KM/7 **INQ000279964**] and would ask the Inquiry to obtain any reply she received [KM/8 **INQ000273825**] and any associated documents showing what Government action was taken in response to her letter.

22. On 26 March 2020 we received a response to our correspondence from Justin Tomlinson MP (Minister of State for Disabled People, Health and Work), Helen Whately MP (Minister of State for Care) and Vicky Ford MP (Parliamentary Under-Secretary of State for Children and Families) [Exhibit KM/9 - INQ000238537].

23. The same day, 26 March 2020, we provided feedback as part of the ‘National Voices’ group on the Moral and Ethical Advisory Group’s (MEAG) framework for prioritizing critical care [Exhibit KM/10 - INQ000238538].

24. On 27 March 2020 DR UK wrote to Matt Hancock, Justin Tomlinson and Helen Whately seeking changes to strategies for the delivery of essential groceries and supplies to Disabled and vulnerable people. We noted at that early stage that it would be insufficient to only offer support to those who were medically more vulnerable to Covid and that the Government should adhere to the social model of disability and make arrangements for those who were Disabled and not shielding, but who still required this support. We asked for urgent steps to be taken to protect Disabled people’s data, and for consultation with Disabled people [Exhibit KM/11 - INQ000238539]. I am confident that if DR UK had been consulted about the government’s plans for social distancing and food and essential deliveries being

provided only for those who were shielding, we would at that stage have made the following points:

- a. Firstly, Government provision needed to extend to those who were not just shielding but also those Disabled people who would be unable to, or would struggle to, access food and essentials without support.
- b. Secondly, we could have pointed the government to which local DPOs across the country were supporting those people so they could identify where such support should be targeted.

25. Unfortunately, we were not consulted on this and so had to resort to raising these issues after-the-event, by which stage a significant number of Disabled people had already begun to suffer hardship that was, in my view, entirely predictable and preventable.

26. On 27 March 2020, as part of the Disability Benefits Consortium, we wrote to Therese Coffey MP (Secretary of State for Work and Pensions) proposals for additional short-term measures to protect Disabled people's incomes [Exhibit KM/12 - INQ000238540].

27. On 3 April 2020 we sent a precedent letter to Local Authority Directors of Social Care and placed the template on our website so that other DPOs could send it to Directors in their local areas [Exhibit KM/13 - INQ000238541]. The letters sought consultation with local Disabled people during the Coronavirus crisis. We received a response from the ADASS president on 8 April 2020 [Exhibit KM/14 - INQ000238490]. In turn, we replied to her on 15 April 2020 offering support and asking to be involved in any national discussions about what assessment and support packages might consist of under 'easements' to the Care Act [Exhibit KM/15 - INQ000238491].

28. In April 2020 we placed an open letter on our website written by an alliance of organisations, directed at the Government and NHS England and asking for equal treatment for Disabled people, that equal value be placed on our lives, and that

Disabled people be consulted on treatment decisions [Exhibit KM/16 - INQ000238492]. The letter was signed by a very large number of individuals and organisations. We received a response to this letter from Professor Stephen Powis and Ruth May at NHS England on 5 April 2020 [Exhibit KM/17 - INQ000238493]. A response to Professor Powis' and Ruth May's letter followed from Baroness Jane Campbell on 6 April 2020, which was published on the DR UK website [Exhibit KM/18 - INQ000238494]. We received a response to our original letter from the British Medical Association on 15 April 2020 [Exhibit KM/19 - INQ000238495].

29. On 7 April 2020 DR UK wrote a letter to representatives at major supermarkets (Sainsbury's, Waitrose, Asda, Tesco, Aldi, Lidl, Marks & Spencer's, the Co-Operative and Morrisons) asking what support they were now offering to those designated as shielders in April 2020 [Exhibit KM/20 - INQ000238496]. I exhibit replies from the supermarkets [Exhibit KM/21 - INQ000238497]. Later in the pandemic, during the second wave, we wrote again to the major supermarkets in October/November 2020 requesting replies by 5 November 2020 [Exhibit KM/22 - INQ000238502].

30. On 8 April 2020 we wrote to the Minister for Environment, Food and Rural Affairs asking that he ensure access to food for Disabled people who were not at that stage identified as requiring such support [Exhibit KM/23 - INQ000238503]. We followed this up by signing a letter authored by the MS Society dated 15 April 2020 which also called on the Government to intervene to ensure adequate access to food [Exhibit KM/24 - INQ000238505]. We received a response to our 8 April letter from Victoria Prentis MP (Parliamentary Under Secretary of State for Environment, Food and Rural Affairs) on 11 May 2020 [Exhibit KM/25 - INQ000238506]. We had a half hour phone call with Victoria Prentis MP on 12 May 2020 where we raised the issues we had set out in the letter.

31. As my colleague Fazilet Hadi, Head of Policy at DR UK told the Environment, Food and Rural Affairs Committee in her oral evidence (referred to later in this statement) it was mid-April that DR UK, together with numerous other organisations, began to receive Zoom briefings from the Department for Environment, Food & Rural Affairs

(DEFRA) about access to food. These were attended by a colleague at DR UK, who has described them as 'briefings' rather than two-way conversations.

32. On 22 April 2020 there was a meeting between the Disability Benefits Consortium steering group and Justin Tomlinson. DR UK did not have a representative at this meeting. Mr Tomlinson does not deal with it in his statement to the Inquiry. I would invite the Inquiry to secure minutes of the meeting. [KM/26:INQ00000000].

33. On 24 April 2024 the Office for National Statistics published its report entitled "Coronavirus and the social impacts on disabled people in Great Britain". DR UK responded with a quote on our website to say as follows: "We welcome the Office for National Statistics' work to identify the impact of the COVID-19 pandemic on disabled people, and this analysis is a good first step. We encourage the ONS to explore ways to survey more disabled people, making it possible to analyse how different impairment groups are being impacted by the pandemic, and variations by region, age and ethnicity. Prior to the COVID-19 pandemic the ONS was working to correct the lack of data on disabled people in national statistics and other data sources, and we are glad Coronavirus has not stopped this much needed work."

34. On 27 April 2020 we wrote to Warwickshire County Council, having understood that they had applied to reduce Care Act support and services for Disabled people, taking advantage of easements to the Care Act introduced by the Coronavirus Act [Exhibit KM/27 - INQ000238507]. We wrote similar letters to other Local Authorities who decided to take advantage of easements to the Care Act. We received a number of responses from them which I exhibit as [Exhibit KM/28 - INQ000238508]. Letters of this nature were generally copied to the Local Authority's Director of Social Care, Local MPs, Association of Directors of Adult Social Services, local DPOs and Community and Voluntary Service organisations. Whilst Local Authorities were telling us that they had only expressed an intention to reduce care services, we were hearing on our independent living helpline of people calling us to say their care had been reduced or that a review was being carried out and they were very worried that care would be reduced.

35. Also on 27 April 2020 DR UK attended a meeting with Justin Tomlinson alongside members of the DCC. This is referred to in Mr Tomlinson's statement at paragraph 24 {INQ000233735}. The Minister's register of meetings states that the discussion was around reasonable adjustments for people working from home. I attended the meeting on behalf of DR UK and invite the Inquiry to secure the minutes [KM/29 – **INQ000187628**]

36. On 18 May 2020 we received a letter from the Information Commissioner's Office in response to our concerns around Data Protection in relation to the scheme granting supermarket access to vulnerable people during the pandemic.

Evidence to Select Committees

37. In May 2020, we gave evidence to the Environment, Rural Affairs and Food Committee's consultation about the access to food for Disabled people during the Covid-19 Pandemic. Our written evidence is available here: <https://committees.parliament.uk/writtenevidence/3401/html/>.

38. My colleague Ms Hadi also provided oral evidence to the same committee on 15 May 2020 which is available here from question 73 onwards: <https://committees.parliament.uk/oralevidence/399/html/>.

39. On 15 June 2020 DR UK wrote to Justin Tomlinson following a 20 May 2020 roundtable meeting with him and the CEOs of other organisations focused on disability. Mr Tomlinson does not deal with that meeting in his statement to the Inquiry. I have not been able to locate minutes for that meeting and would ask the Inquiry to obtain them from the Minister [Exhibit KM/30 **INQ000000000**]. In our letter we raised issues around the shift from the social model to the medical model of disability during the pandemic, engagement with Disabled people, and improving benefit entitlements and access [Exhibit KM/31 - INQ000238509]. The Minister's register of meetings describes this as a meeting to discuss "Pandemic Recovery Plan with the main focus on job retention or keeping people close to work. Impact

on labour market and employers. Understanding External Partners and provision and how they have been affected by Covid19."

40. On 24 June 2020 my colleague Ms Hadi gave oral evidence to the Women & Equalities Select Committee, publicly available here: <https://committees.parliament.uk/oralevidence/579/pdf/> [Exhibit KM/32 - **INQ000279952**] This followed written evidence being provided by us in April 2020 which is available here: <https://committees.parliament.uk/writtenevidence/3076/pdf/> [Exhibit KM/33 - **INQ000279953**]

41. Ms Hadi gave evidence on, amongst other things, inadequate pandemic pre-planning, lack of accessible communications, lack of access to food, lack of consultation with Disabled people, unequal access to non-covid healthcare for Disabled people, inadequate social care, the impact of easements on Local Authority obligations, Disabled children's reduced access to education and finally, inappropriate use of do not resuscitate notices (DNACPR).

42. With regard to consultation and engagement, Ms Hadi explained that in April 2020 the Disability Unit was on the verge of launching stakeholder meetings across England – Regional Stakeholder Network (RSN) meetings – to engage with Disabled people on Government policy, but they did not go ahead as planned. I was not involved in those meetings but have liaised with two of the regional chairs, Lynne Turnbull (the former Chair of the North West Region (RSN)), and Liz Leach Murphy (the former Chair of the Yorkshire & Humber Region) about them. I understand that the process was supposed to be that Disabled people and DPOs in nine regions across the UK would meet with their local Chair. The Chairs would then meet with the Disability Unit to feedback members' concerns. I understand from Lynne Turnbull, that the first meeting between the RSN Chairs and the Disability Unit after the onset of the pandemic took place as late as 23 July 2020. This led members to have to self-organise in the meantime to keep in touch with each other after their launch meeting in London in February 2020 (c.f. INQ000089813 referred to at paragraph 37 of Justin Tomlinson's statement).

43. A link on the Government website about the RSN is here: <https://www.gov.uk/government/news/regional-stakeholder-network-to-give-disabled-people-a-stronger-voice>. Liz Leach Murphy has also provided to me an Application Form (Exhibit KM/34 **INQ000279954**), Flyer (Exhibit KM/35 **INQ000279955**) and RSN Member Outline (Exhibit KM/36 **INQ000279956**) for the RSN dating back to its launch in February 2020. The Member Outline states that one purported purpose of the RSNs was to “support the work of policy makers and Government’s commitment to meet the requirements of the United Nations Convention on the Rights Disabled People (UNCRPD) to mainstream disability issues across policy-making”.

44. I understand from Lynne Turnbull that the RSN Chairs met with the Disability Unit on the following dates, with Justin Tomlinson only attending the meetings in September 2020 and September 2021: 23 July 2020, 30 September 2020, 25 October 2020, 16 December 2020, 27 January 2021, 24 February 2021, 31 March 2021, 30 June 2021, 16 September 2021, 24 November 21, 26 Jan 22, 23 Feb 22, 23 March 22. I understand that after these meetings an email would be sent to the Regional Chairs summarising the issues raised. I would be grateful if the Inquiry could obtain copies of those emails and any other minutes of the meetings [KM/37 **INQ000187667**]. With any engagement initiative such as this I believe there should be much more transparency in terms of dates of meetings, issues raised and who attends. There should also be an audit trail setting out what issues were raised, whether they are acted upon and if not, why not. The documents I request should show whether issues raised by the Regional Chairs on behalf of Disabled People were acted upon by the Government. I understand that one of the problems faced by RSN Chairs and members was a lack of funding to facilitate participation.

45. DR UK submitted written evidence to the Work and Pensions Committee in December 2020 which is publicly available here: <https://committees.parliament.uk/writtenevidence/19118/pdf/> [Exhibit KM/38 - **INQ000279957**] Ms Hadi then gave oral evidence to the Committee based on our written submission in February 2021. DR UK set out the impact of the Covid-19

pandemic on Disabled people's employment rates. In that evidence we said, amongst other things, that for many Disabled people the pandemic had a catastrophic impact on jobs. Research by Citizens Advice showed that Disabled people were hit disproportionately hard by reductions in hours and redundancies. The Citizens Advice report on this subject is publicly available here: [https://www.citizensadvice.org.uk/Global/CitizensAdvice/Work%20Publications/An%20unequal%20crisis%20-%20final%20\(1\).pdf](https://www.citizensadvice.org.uk/Global/CitizensAdvice/Work%20Publications/An%20unequal%20crisis%20-%20final%20(1).pdf) [Exhibit KM/39-**INQ000279958**]. DR UK also referred to research by Leonard Cheshire which found that 71% of Disabled people interviewed had experienced a negative job impact. We also argued that the government should create opportunities to hear the views of Disabled people by consulting with disability organisations and through in-depth interviews with people with complex disabilities, with the support of advocates. To this day, I do not consider this has been done properly by Government.

The DPO Forum

46. In July 2020 there were two meetings with Justin Tomlinson, attended by DR UK and others in the lead-up to the inaugural 'DPO Forum' meeting. The first of these meetings took place on 20 July 2020 and was with the Disability Charity Consortium (DCC). I exhibit the Agenda, which included an item on funding for disability charities during the pandemic [Exhibit KM/40 - INQ000238510]. The minutes of this meeting are exhibited to Justin Tomlinson's statement at JT/6 [INQ000187666]. It is astonishing that as late as July 2020, matters as important as accessible communications and access to food and essentials were still being identified as problems for Disabled people. The second meeting was on 21 July 2020 comprising "Operational Stakeholder Engagement" and was attended by a DR UK representative along with numerous charities, some of whom focused on disability but many of whom did not, and agencies including HMRC and the Association of Directors of Adult Social Services, the Questions and Answers from that call are exhibited [Exhibit KM/41 - INQ000238511]. DR UK also had a telephone call with Tomlinson on 21 July 2020 to discuss Personal Independence Payments, Employment Support Allowance and Mandatory Reconsiderations. The events of 21 July are not recorded in Justin Tomlinson's statement.

47. On 22 July 2020 the 'DPO Forum' had its first meeting attended by Justin Tomlinson, civil servants from the Disability Unit, DWP and No.10 Policy Unit. The event is dealt with in Mr Tomlinson's statement at paragraph 28 although it records the meeting as occurring on 23 July, which based on the minutes would appear to be an error. The attendees were DPOs from across the UK as opposed to the big disability charities (known as the DCC) with whom the Government had traditionally chosen to meet with on a more regular basis and which are not led by a majority of Disabled people. There were a couple of organisations who attended who were not DPOs. I attach agenda and minutes of the meeting prepared by the Disability Unit [Exhibit KM/42 - INQ000238512], but note the minutes exhibited to Mr Tomlinson's statement [JT/10 – INQ000187650]. I cannot now recall whether the minutes are accurate or if any other additional matters were raised. It would be helpful for the Inquiry to obtain from the Disability Unit any additional documents relating to these DPO Forum meetings. It would be useful to know what level of access to ministers and their civil servants there was for other disability charities from the DCC who are not DPOs. The Minister's register of interests describes the purpose of this meeting (there referred to for 22 July) as: "First meeting of the newly created Disabled People's Organisations (DPO) forum - which brings together user-led DPOs without those that aren't run by disabled people. It builds on our other engagement with disabled people such as the Disability Charities Consortium and Regional Stakeholder Network." The register of interest is publicly available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/959741/dwp-ministers-meetings-jul-sep-2020.csv/preview.

48. There was another DPO Forum meeting on 27 August 2020, I have the minutes of this meeting which were again prepared by the Disability Unit [Exhibit KM/43 - INQ000238513]. The minutes show that Justin Tomlinson did not attend. Further meetings should have taken place on 17 September 2020, 13 October 2020, 12 November 2020 (that Mr Tomlinson did attend but he suggests occurred on 20 November), 8 December 2020, 15 January 2021 and 17 February 2021. All of them were cancelled by the government often at short notice except, I believe, the meetings on 17 September and 12 November 2020. At present Mr Tomlinson has

only exhibited minutes for the meeting on 12 November that he went to, suggesting erroneously at paragraph 30 of his statement that the meeting took place on 20 November (Cf. JT/11 - INQ000187651). I would invite the Inquiry to obtain the minutes of all these meetings, if they took place; not least because if Mr Tomlinson did not attend them, his evidence to the Inquiry suggests that he would have been concerned to consider them. I was unable to attend a number of these meetings due to ill-health. I exhibit the emails relating to the two cancellations in 2021 [Exhibit KM/44 - INQ000238514].

49. Ultimately, the 'DPO Forum' was a short-lived government initiative which was disbanded even before Terms of Reference could be agreed. I attach the draft Terms of Reference [Exhibit KM/45 - INQ000238516]. My recollection of the two meetings I attended in July and August 2020 is that they were informal and unstructured. They seemed to be vehicles for government updates as opposed to a forum for meaningful engagement. Because they were unstructured, they did not seem worth the resources required to prepare for and attend them. The government did not offer any resources to DPOs to facilitate their engagement even though the government should have been aware of all the demands on DPOs which increased considerably during the pandemic (see for example JT/4 at INQ000187627 page 6). As far as I am aware, no mention was ever made that one of the purported aims of the government in establishing these DPO Forum meetings was to comply with its obligations under the UN Convention on the Rights of Persons with Disabilities. [Exhibit KM/46 INQ000279959]. In any event, for reasons returned to at paragraph [87] below they failed to fulfil that purpose.

50. Following the Government DPO Forum meetings being discontinued after November 2020, DPO members of the forum decided to continue them ourselves so we could identify issues affecting Disabled people in the pandemic and how to respond. The next meeting I recall between DPOs and government did not take place until May 2022. As a result, there was no line of communication between the DPO forum and central government for around 18 months, which left a vacuum at a time of national crisis when ongoing consultation and engagement was vital.

Further Written Advocacy and meetings

51. In the week of 21 September 2020, DR UK wrote an open letter to all MPs, signed by a number of DPOs, asking for the rights of Disabled people which had been threatened with withdrawal under the Coronavirus Act to be restored. We noted that at the time of writing eight councils (5%) had applied to withdraw care provision and that it would therefore not take much for the government to provide emergency funding to those councils to maintain their level of support and services [Exhibit KM/47 - INQ000238517].

52. On 28 September 2020 DR UK wrote to the Prime Minister calling on the government to restore Care Act obligations on Local Authorities. The letter was signed by over 100 DPOs and representatives of Disabled people [Exhibit KM/48 - INQ000238518].

53. On 22 October 2020 we wrote to Matt Hancock about the need for more support for those clinically vulnerable to Covid who needed to shield, including: a variety of accessible channels of communication to let shielders know what support was available to them; more information on how people recently added to the list would be notified that they are to shield, access to financial support; access to essential supplies, and guidance on school attendance for the children of those shielding [Exhibit KM/49 - INQ000238519].

54. On 5 November 2020 we wrote to Matt Hancock asking for urgent action to support shielders [Exhibit KM/50 - INQ000238520].

55. On 17 November 2020 DR UK wrote to Matt Hancock expressing deep concern that Clinically Extremely Vulnerable ('CEV') people were so low down the vaccine priority list. We noted that people with learning disabilities were six times more likely to die from coronavirus, but were not being adequately prioritised. We asked that CEV people and those with learning disabilities be given equal priority with care home residents [Exhibit KM/51 - INQ000238521].

56. There was a meeting between Justin Tomlinson and the DCC on 18 November 2020. I have now seen the minutes of this meeting exhibited by Justin Tomlinson at JT/7 (INQ000187652) and I recall attending this meeting remotely but just listening in as I had broken my leg the day before.
57. On 21 January 2021 we sent our “We Belong” report to Justin Tomlinson [Exhibit KM/52 - INQ0000238522]. The report was based on an engagement campaign with Disabled people we had run in the Autumn of 2020. We sought the comments of Disabled people through our newsletters, social media, email, phone and virtual meetings. We also held discussions with groups of Disabled people experiencing intersectional discrimination. We also hosted a discussion for parents of Disabled children and young people. The report set out key recommendations for the National Strategy for Disabled People.
58. On 1 February 2021 we sent an open letter to the Prime Minister noting that the country had lost 100,000 people to Covid-19 and that the ONS had identified 59% of all deaths to be of Disabled people, a statistic “largely hidden from public view”. We called for a full inquiry [Exhibit KM/53 - INQ000238523].
59. On 1 February 2021 we wrote to Justin Tomlinson introducing the DR UK ‘Our Voices’ Group [Exhibit KM/54 - INQ000238524]. We noted our concern about the recent cancellation of Ministerial ‘DPO Forum’ meetings and the lost opportunity to effectively engage with DPOs on the development of the National Strategy for Disabled People. We noted that whilst the government had worked extensively with the Disability Charities Consortium (DCC), they were not run and controlled by and for Disabled people. We suggested a meeting with the Disability Unit every two months.
60. The Government did not take us up on the offer to meet every two months. On the contrary, as mentioned above, we were emailed on 17 February to say that the meeting due to take place the next day, 18 February, was being ‘replaced’ with a series of individual and/or small group conversations with Forum members. They said they would be in touch shortly to set up “structured conversations and bilateral

meetings with members to hear [our] advice” [Exhibit KM/55 -INQ000238514]. This did not happen.

61. In February 2021 DR UK published an open statement from DPOs and allies making key demands that: the letter to 1.7m new shielders and 2.2m existing shielders be sent in plain English and accessible formats; for amendments to ensure further Disabled people were placed in vaccine priority group six; and that everyone with a learning disability or who is autistic or has a cognitive impairment had their health records checked to ensure that any wrongful DNACPR notices were removed [Exhibit KM/56 - INQ000238525]. We did not receive any response to this letter until we heard back from Helen Whately, Minister for Care, on 24 March 2021 [Exhibit KM/57 - INQ000238527].

62. On 19 March 2021, together with a number of other DPOs, we wrote to Matt Hancock asking that he suspend the easement powers for Local Authorities contained within the Coronavirus Act [Exhibit KM/58 - INQ000238528].

63. On 23 March 2021 my colleague Ms Hadi attended a DCC meeting with Ministers the minutes of which are exhibited to Justin Tomlinson’s statement [JT/8 - INQ000187654].

64. On 29 March 2021, DR UK provided a response to the Government’s consultation on COVID-Status certification. DR UK expressed concerns regarding the impact of certification on inequality, and issues relating to the accessibility of a certification system if it was to be introduced [Exhibit KM/59 - INQ000238529].

65. On 19 April 2021, we wrote to Justin Tomlinson highlighting the differences between DPOs and disability charities and requesting greater support for DPOs [Exhibit KM/60 - INQ000238530]. We eventually received a response from Justin Tomlinson on 30 June 2021 [Exhibit KM/61 - INQ000238531].

66. On 20 April 2021 we wrote to the Prime Minister asking him to reconsider the policy of excluding Disabled people from live events being hosted as part of the 'Early Re-Opening Programme' [Exhibit KM/62 - INQ000238532].

67. On 5 July 2021 we wrote to the government expressing concerns that only two thirds of CEV People and people with learning disabilities had been double jabbed, seven months into the vaccination programme [Exhibit KM/63 - INQ000238533].

68. On 7 July 2021 we wrote to the government again, this time expressing concern about the relaxation of social distancing rules in schools and how this would impact children with disabilities and special educational needs [Exhibit KM/64 - INQ000238534].

Long Covid

69. During the pandemic we published a number of articles relevant to Disabled people in the pandemic. In particular I would like to draw the Inquiry's attention to an article on 8 April 2021. This noted the huge rise in Disabled people during the pandemic, referring to statistics that showed 122,000 NHS staff, 114,000 teachers and 30,000 social workers were then suffering from Long Covid, with around 1.1 million people in the UK suffering from the condition. I was quoted at the end of the article as follows: "Not only is Covid causing mass Disability, but the profession which has been hardest hit by the virus, healthcare, is the one most often so critically needed by Disabled people. For too long Government has ignored Disabled people's voices. It has not been ignoring Covid. As part of that, Government needs to recognise what it means that Long Covid is part of the UK's mix of Disabilities, and use its understanding of how it is affecting lives and livelihoods to gain a deeper understanding of how Disabled people live across the board. Now is the time for deep listening, deep learning, deep research, and action." [Exhibit KM/65 - INQ000238535].

Impact of the pandemic and government decision making on Disabled people

Significant reports

70. During the pandemic there were two international initiatives that I did not see proper consideration of in UK government decision-making. I believe Disabled people across the country are entitled to an explanation for this.
71. The first was the WHO Guidance 'Disability Considerations during the Covid-19 Outbreak' of 26 March 2020 [Exhibit KM/66 **INQ000279961**]. This guidance highlighted that certain groups, such as Disabled people, might be impacted more significantly by Covid-19 due to pre-existing health conditions, barriers to accessing healthcare and public health information and difficulty in enacting social distancing due to care needs (p. 2). The recommendations included accessible healthcare information, targeted measures for people with disability and their support networks, and for disability service providers in the community, and ensuring that emergency measures include the needs of people with disability (pp. 6-8).
72. The second international initiative was the United Nations Secretary General's policy brief 'A Disability-Inclusive Response to COVID-19' (May 2020) [KM/67 – **INQ000279962**]. This advocated the mainstreaming of disability protection in all COVID-19 response and recovery; accessibility of information, facilities, services and programmes; meaningful consultation with and active participation of persons with disabilities; and accountability mechanisms to ensure disability inclusion in the COVID-19 response.
73. At a domestic level, in 2021 DR UK worked with a professor called Mark Priestley at the University of Leeds on a project that the Cabinet Office had asked the University of Leeds to carry out. We recommended various reports and studies relating to the impact of the pandemic on Disabled people. I exhibit the email received from the University with the full list of publications identified during the project [Exhibit KM/68 - INQ000238536].

74. Subsequent to the pandemic there have also been other reports written on the impact on Disabled people which I would invite the Inquiry to consider, some of which I list below.

75. The first report is entitled 'A spotlight on injustice – commission on Covid-19, ableism and racism'. I am chair of the commission. It is publicly available here: <https://www.vodg.org.uk/resource/a-spotlight-on-injustice-the-final-report-from-the-commission-on-covid-19-ableism-and-racism.html> [Exhibit KM/69 - **INQ000279963**]

76. The above report provides links to a number of further reports on the impact of the pandemic on Disabled people at page 31. One report cited is the Westminster Government Civil Society Shadow Report of March 2022 which is available here and in relation to which I was on the steering group: <https://www.inclusionlondon.org.uk/wp-content/uploads/2022/03/Westminster-Government-Civil-Society-Shadow-Report.pdf> [Exhibit KM/70 - **INQ000279965**]

77. Under Article 6 of the Optional Protocol to the UNCRPD [page 34 Exhibit KM/71 – **INQ000279966**] in 2017 the UN Committee on the Rights of Persons with Disabilities found of the UK: "There is reliable evidence that the threshold of grave or systemic violations of the rights of persons with disabilities has been met" [Exhibit KM/72 – **INQ000279967**] The above referred to Civil Society Shadow Report (of March 2022) identified a further deterioration in the treatment of Disabled people on numerous points raised by the UNCRPD Committee in 2017. Rather than seeing an improvement, during and after the pandemic, almost every aspect of our rights, income, living standards and support has deteriorated.

78. In August 2023 a further 'Alternative report from Civil Society' was prepared by a number of DPOs and Disabled people under Article 6 of the Optional Protocol to the Convention: <https://www.inclusionlondon.org.uk/wp-content/uploads/2023/08/UK-DDPO-CRDP-Special-Inquiry-Shadow-Report-final.pdf> [Exhibit KM/73 **INQ000279968**]. The report includes sections addressing the impact of Covid-19 and the Government's response on Disabled people. I was part of the delegation of Disabled People's Organisations to the United Nations CRPD

Committee hearing in Geneva on 28 August 2023 where this report was presented, alongside Inclusion London, Disabled People Against Cuts, Disability Wales, Disability Action Northern Ireland, and Liberation Rights. Regrettably, the United Kingdom Government refused to attend this UN session.

79. Another important report has been prepared by the Trades Union Congress entitled 'Disabled workers' experiences during the pandemic' and is publicly available here: <https://www.tuc.org.uk/sites/default/files/2021-06/Outline%20Report%20-%20Covid-19%20and%20Disabled%20Workers.pdf> [Exhibit KM/74: **INQ000279969**].

80. Finally, DR UK worked with People's Voice Media to prepare a report on Disabled people's experiences in the pandemic:

(1) The report is publicly available here:

<https://www.disabilityrightsuk.org/news/our-stories-disabled-peoples-experiences-covid> [Exhibit KM/75 – **INQ000279970**]

(2) There are a series of video interviews with Disabled people here:

<https://communityreporter.net/disrupt-covid-19-enquiry>.

Overall impact

81. Ultimately, in my view, every aspect of Disabled people's lives was affected by the way the Government managed the pandemic and we experienced significant injustice and inequality. From the statements, decisions and actions of the UK Government throughout the crisis, considerations relating to Disabled people appeared to be largely disregarded. This was despite millions of people with specific long-term health conditions being more clinically vulnerable to the virus, and millions more of us with a range of impairments and health conditions, requiring additional support and adjustments to live our lives.

82. Moreover, it should be recognised that the impact on Disabled people comprised an abrupt transformation in our daily lives due to the cumulative changes to routines and services that Disabled people can take years to build and protect. As with non-

Disabled people, Disabled peoples' lives were turned upside down. But what was different for us was that the emergency – and how to respond to it – was largely seen from the perspective of non-Disabled people; for example how they could survive the virus through social distancing (which was not possible for many Disabled people) and how they could continue to access necessities (which were beyond the reach of Disabled people without additional support).

83. I set out below my view on the impact of the pandemic and government response on various aspects of Disabled people's lives based on my own experiences, conversations and meetings with other DPOs and Disabled people across the country, communications with us from Disabled people and the numerous reports that have been written both during and since the pandemic.

Mortality

84. Almost 60% of all deaths from coronavirus were those of Disabled people. Young people between 18 and 34 with learning disabilities were 30 times more likely to die from COVID-19, see <https://www.gov.uk/government/news/people-with-learning-disabilities-had-higher-death-rate-from-covid-19> [KM/76 **INQ000279971**]. The death rate for Disabled people of working age was disproportionately higher than for non-Disabled people.

Tone and language

85. On tone and language, Disabled people have had legal rights against discrimination on the basis of disability since 1995. Yet, in 2020, the UK Government failed to recognise or implement these rights across the wide span of its decision-making. The language it used stripped us of our agency and dignity. It repeatedly referred to an amorphous group of people as 'vulnerable'. We would contend that people are made vulnerable when services and support are inadequate or denied to them or when a specific circumstance causes vulnerability, such as a clinical condition. At the beginning and end of life we all depend on others; and from time to time, during our lives, we all have different requirements arising from our circumstances.

We are all vulnerable in one way or another, but the distribution of resources to deal with our vulnerabilities is socially determined and unequally so.

Inadequate consultation and engagement

86. There were no consultation arrangements which allowed for the views of Disabled people or our organisations to be properly heard before decisions were made. There was a plethora of virtual briefing sessions to advise civil society groups of what was planned but no proper engagement in the lead-up to decisions being taken. We fully understand that by necessity, any consultations would have been fast paced with quick turnaround times, and we would have found ways to respond. However, opportunities to properly engage were not offered. None of the meetings we had seemed like a route to involvement in UK Government decision-making.

87. This raises bigger questions about whether contemporary government has yet truly mastered the principle and practice of co-production and co-design and whether it really intends to do so. Article 4(3) of the UNCRPD requires: “In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations”. However, I neither witnessed nor read any explicit commitment to realising this right. Two-way conversations, with consequential actions being made transparent have been absent before, during and since the height of the pandemic.

88. This absence is due not only to an apparent failure of government to embrace the principles of consultation and co-design but also funding constraints. Speaking of England for present purposes, DPOs are generally not funded to participate in consultations or associated advocacy with local and central government. DPO funding used to include core grants from Local Authorities but they were cut in the early 2000s. This has reduced the capacity for DPOs to participate in advocacy and they have found themselves instead having to invest their resources in specific funded service delivery projects. The discrete situation in Scotland, Wales and

Northern Ireland can no doubt be considered in the follow-on modules, but in England the funding situation undoubtedly limits the ability of DPOs to participate in the type of consultation and engagement required under the UNCRPD. In addition, when DPOs do engage with central or local government it is rare to see how our input and advice feeds through into actual concrete policies and where they do not, we rarely receive a proper explanation as to why. Purported engagement is often just a 'tick-box'.

89. More broadly, the Inquiry will see from its disclosure that it is very rare for the UNCRPD to be mentioned by any witness, or in any document which deals with issues affecting Disabled people. Disabled People's Organisations have tried to press for recognition of it and the principles it contains, but Ministers and civil servants do not have it in their vocabulary and did not use its rights as a means of developing policy with us during the pandemic. Had they done so I believe that Covid-19 and the government's response to it would not have had such a devastating and disproportionate impact on Disabled people.

90. There is a further issue I have mentioned earlier which is that the Disability Minister sits within the Department for Work and Pensions and has a low profile in Government. There have been five different Disability Ministers since I joined DR UK in July 2017, which in itself creates difficulties. Also, the DWP's agenda is to reduce the amount the government spends on benefits and get people, including Disabled people, into work. I would argue that there should be a focus on disability in each government department. When the Disability Unit ('DU') was set up I was hopeful that having the DU in the Cabinet Office would mean it had a strong voice across government but regrettably that has not been our experience. We are still in a position where we need direct access to Ministers to have some say over matters under their purview, for example accessibility around transport with the Department for Transport. That is sometimes facilitated by the DU, and we saw this happen with access to DEFRA during the pandemic when we raised inadequate access to food and necessities under lockdown, but often it does not happen and the issues we raise with the DU are not translated into policies in other departments.

Inaccessible communications

91. Despite the pandemic occurring 25 years after the Disability Discrimination Act and 10 years after the Equality Act, there was a shocking disregard in relation to providing information in alternative formats. The regular UK Government broadcasts had no BSL interpreter, unlike those of the devolved countries, all letters sent to people who were Clinically Extremely Vulnerable, were in standard print, as was the letter to all households from the Prime Minister. There was a huge reliance on digital communication and information, despite a large number of Disabled and older people not being digitally connected. The absence of accessible information left some of the most marginalised Disabled and older people without knowledge of what was happening at a time when other support arrangements were likely to have broken down. These issues were regularly brought to the attention of the UK Government.

Impact on mobility

92. Despite the Equality Act, planning laws were relaxed and pavement dining became popular. Local Authorities were permitted to hold quick and inaccessible consultations prior to tables and chairs being put on pavements. For those with sensory or mobility impairments, particularly wheelchair users or people who are blind, pavements became hugely difficult to navigate safely and independently. For Disabled people who relied on cars, parking bays allocated to blue badge use began to be re-purposed, limiting access to town centres. These issues were raised with central and local governments.

Access to food

93. The UK Government asked supermarkets to prioritise online deliveries for those on the CEV list. Little thought was given to Disabled people who were not on the CEV list but who were reliant on online food deliveries due to impairments or health conditions. This resulted in thousands of Disabled people finding themselves without access to their usual way of purchasing food. This happened at the same time as other support mechanisms were reduced or removed. DEFRA held regular

virtual meetings with civil society representatives and did respond to concerns. However, progress was slow and processes were complex. For instance DR UK wrote to the Secretary of State to highlight these issues and propose solutions as early as 27 March 2020, but meetings and actions did not begin to bear fruition until the end of April. For those without assistance that timescale would have been terrible. In addition, people on the CEV list were sent food boxes with no consideration of dietary or religious needs. The ordering process was online with no provision for those not digitally connected.

Access to health care

94. Key incidents at the outset of the pandemic such as the National Institute of Health and Care Excellence (NICE) guidance on prioritisation for critical care linked to a Clinical Frailty Scale that deprioritised those who needed support at home, and GP practices sending letters to care home residents asking them to sign blanket Do Not Attempt Resuscitation Notices (DNARs), left Disabled people feeling that our lives weren't valued equally and that we would not get the health care we were entitled to. Following a statement signed by over 2,000 Disabled people and our representative organisations, hosted on the DR UK website, NHS England sent a letter to all NHS Trusts making it clear that Disabled people were equally entitled to health care. The UK Government made no similar statement to uphold our rights.
95. With regard to the vaccination programme, Disabled campaigners made the case in November 2020 that CEV people should receive increased priority, and they were moved to group 4. In February 2021, the case was made for people with learning disabilities to receive increased priority, and they were moved to group 6. Securing vaccination appointments proved difficult for some Disabled people, as it required digital communication. Accessing vaccination centres was also problematic for some Disabled people, including those with sensory impairments, mobility impairments including, wheelchair users, those with energy-limiting conditions, people with learning disabilities and autistic people.

Social care

96. On 25 March 2020, the Coronavirus Act became law, reducing Disabled people's rights to social care, education support and mental health safeguards. A number of national disability charities, including DR UK, had written to Government asking for the provisions affecting the rights of Disabled people to be withdrawn but with no success. Rather than the UK Government ensuring that Disabled people received more support and protection during the pandemic, the Coronavirus Act signalled that rights and services would be reduced. Whilst only 8 Local Authorities were required to register their departure from Care Act rights, many authorities closed day centres, reduced care and support and delayed assessments.

97. The UK Government was slow to act to protect Disabled people receiving social care. The Social Care Action Plan was published almost 6 weeks after the pandemic started. Personal Protective Equipment (PPE) and testing were unavailable for several weeks for care workers, leaving Disabled people living in residential settings or receiving care at home exposed to the virus. Disabled people receiving direct payments waited almost 2 months for PPE and testing. People with the virus were moved into care homes, so spreading the virus to clinically vulnerable residents. Letters sent to the Minister for Care were not responded to.

Other Easements

98. The Coronavirus Act enabled the Secretary of State for Education to reduce rights for Disabled children. Between May and July 2020, the UK Government suspended Local Authority commitments to children with special educational needs and disabilities set out in Education, Health and Care Plans. Families with Disabled children had already found themselves without respite support, therapies and support for accessing education.

99. In September 2020, when the Coronavirus Act provisions were subject to review, DR UK, Liberty, Inclusion London and Mind asked that rights be restored to Disabled people. The provisions relating to mental health safeguards were

withdrawn. Following further representations in March 2021, the provisions relating to reductions in Care Act rights were withdrawn.

Employment & benefits

100. Disabled people in the workforce were disproportionately affected by the pandemic, for example being required to work fewer hours, survive on sick pay or being made redundant. Government employment schemes designed to help people into employment such as “Plan for Jobs”, required people to receive Universal Credit, so excluding many Disabled people. Not every Disabled person has access to or is eligible for Universal Credit. Disabled people often receive 'legacy benefits' such as Employment and Support Allowance.

101. The UK Government introduced a £20 per week uplift to Universal Credit from April 2020 to October 2021 but decided not to make a similar payment to the almost 2 million Disabled people on legacy benefits. The refusal to increase legacy benefits is particularly damaging in Northern Ireland given the large number of Disabled people in Northern Ireland who receive those benefits due to the delayed migration to Universal Credit in that region. The higher costs of food, medicine and utilities have pushed Disabled people into greater poverty. DR UK is part of the Disability Benefits Consortium, which has made regular representations to the UK Government on this issue.

Face coverings

102. Guidance on mandatory face coverings for transport and retail settings, provided a number of exemptions to cover certain groups of Disabled people. However, communication of the regulations often did not refer to exemptions, thereby resulting in harassment of Disabled people in the street or on public transport, who were legitimately not wearing face coverings. DR UK supported representations to Government on this issue.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed:

Dated: 21 September 2023