

# Report

## Theme 1: Intersectionality

20. DDP experience extra barriers if we have additional protected characteristics. Intersectionality is routinely overlooked in policy planning which heightens the levels of risk that DDP are exposed to. This was a serious omission in WeG's National Disability Strategy (NDS)<sup>7</sup>.
21. Policy-making to address non-disability equalities issues is generally inadequate in how it includes issues relevant to DDP. The Tackling Violence Against Women and Girls Strategy and Domestic Abuse Act are examples of this<sup>8</sup>. Consultations on non-disability specific issues are not automatically accessible and engagement needs to be initiated and pushed by DDPOs. An easy read consultation on the introduction of tenant satisfaction measures was only published following complaints more than a month after the original document<sup>9</sup>. The consultation document for a Bill of Rights to replace the Human Rights Act was only published in full easy read twelve days before the closing date and two months after it opened<sup>10</sup>. This

---

<sup>7</sup> DDPO30

<sup>8</sup> DDPO33

<sup>9</sup> Consultation on the introduction of tenant satisfaction measures published on 9 December 2021. Easy read version added 19 January 2022. Regulator of Social Housing (2022). *Consultation on the introduction of tenant satisfaction measures*. [online] Available at: <https://www.gov.uk/government/consultations/consultation-on-the-introduction-of-tenant-satisfaction-measures#full-publication-update-history> Accessed on: 15.03.22

<sup>10</sup> MoJ (2021). Human Rights Act Reform: a Modern Bill of Rights. *consult.justice.gov.uk*, [online] 14 December. Available at: <https://consult.justice.gov.uk/human-rights/human-rights-act-reform/> Accessed on: 15.03.22

127. A survey conducted in association with a Channel 4 documentary on benefit deaths found that of 3,500 survey respondents, 13 per cent said they had attempted suicide as a result of interacting with the DWP<sup>299</sup>. A third said it had caused them to plan suicide, while 61 per cent said the way the system is implemented led them to have suicidal thoughts<sup>300</sup>.
128. An inquest into the death of Philippa Day in 2021 identified 28 instances where “systemic errors” by both the DWP and the assessment provider contractor had led to failures in the handling of her benefit claim.<sup>301</sup> In December 2021, another coroner wrote to the DWP calling for urgent action after a severely ill benefit claimant died as a result of being told by DWP that he had to leave hospital to attend a benefits appointment in person or his claim would be stopped.<sup>302</sup> Five bereaved families have more recently called for a public inquiry to be held into benefit deaths<sup>303</sup>. [Appendix 6](#) lists benefit deaths that have occurred since 2017<sup>304</sup>.

---

<sup>299</sup> Smallman, E. (2021). The truth about disability benefits: ‘People are killing themselves because of this system’. *iNews*, [online] 16 December. Available at: <https://inews.co.uk/news/long-reads/the-truth-about-disability-benefits-people-killing-themselves-system-1353558> Accessed on: 15.03.22

<sup>300</sup> Smallman 2021

<sup>301</sup> Clow, G. (2021). *Regulation 28: REPORT TO PREVENT FUTURE DEATHS Philippa Jane Louise Day (died 16 October 2019)*. [online] 12 February. Available at: <https://www.judiciary.uk/wp-content/uploads/2021/02/Phillipa-Day-2021-0043.pdf> Accessed on: 15.03.22; Leigh Day (2021). *Conclusion of inquest into death of Philippa Day*. [press release] 27 January. Available at: <https://www.leighday.co.uk/latest-updates/news/2021-news/conclusion-of-inquest-into-death-of-philippa-day/> Accessed on: 15.03.22

<sup>302</sup> Hayes, S. (2021). *ANNEX A – REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)*. [online] 3 December. Available at: [https://www.judiciary.uk/wp-content/uploads/2021/12/Terence-Talbot-Prevention-of-future-deaths-report-2021-0419\\_Published.pdf](https://www.judiciary.uk/wp-content/uploads/2021/12/Terence-Talbot-Prevention-of-future-deaths-report-2021-0419_Published.pdf) Accessed on: 15.03.22

<sup>303</sup> Express and Star (2021). Bereaved families call for public inquiry into deaths of benefits claimants. *expressandstar.com*, 20 July. Available at: <https://www.expressandstar.com/news/uk-news/2021/07/20/bereaved-families-call-for-public-inquiry-into-deaths-of-benefits-claimants/> Accessed on: 15.03.22

<sup>304</sup> p.134

## Article 33 – National implementation and monitoring

146. WeG's NDS was put together with inadequate engagement and consultation with DDP<sup>345</sup>. An online survey that was conducted to inform the NDS asked DDP about their views and lived experience but with no indication of what the proposals for the strategy were. In January 2022 the High Court ruled that WeG had not discharged its duty to consult via the survey and it is therefore unlawful<sup>346</sup>.
147. In June 2021, the Minister for Disabled People shut the DPO Forum he had set up just one year earlier and after only three meetings<sup>347</sup>. In WeG's recent report back to the Committee (in fulfilment of paragraph 73 of the Concluding Observations) there are repeated references to engagement with non-user led charities<sup>348</sup>. This is not consistent with Article 33 obligations and as defined by General Comment No. 7.<sup>349</sup> There is no support for DDPOs through the NDS. WeG recently awarded a large sum of money to the national

---

<sup>345</sup> CBCE6, CBCE13; DDPO26

<sup>346</sup> Disability Rights UK (2022). *National Disability Strategy declared unlawful: Disability Rights UK comment*. [press release] 26 January. Available at:

<https://www.disabilityrightsuk.org/news/2022/january/national-disability-strategy-declared-unlawful-disability-rights-uk-comment> Accessed on: 15.03.22

To see the judgment: *Binder vs Secretary of State for Work and Pensions* [2022] EWHC 105 (Admin) Available at:

[https://www.birmans.com/uploads/files/documents/Binder\\_v\\_SoS\\_for\\_Work\\_and\\_Pensions\\_2022\\_EWHC\\_105\\_\(Admin\).pdf](https://www.birmans.com/uploads/files/documents/Binder_v_SoS_for_Work_and_Pensions_2022_EWHC_105_(Admin).pdf) Accessed on: 15.03.22

<sup>347</sup> DDPO26. Disability Unit (2020). Email to Disability Positive CEO to cancel DPO forum meetings.

<sup>348</sup> Government, (2021). *UK 2021 Follow-up Report*. [online]. Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1033032/UN\\_Committee\\_on\\_the\\_Rights\\_of\\_Persons\\_with\\_Disabilities-20pt\\_Large\\_Print.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033032/UN_Committee_on_the_Rights_of_Persons_with_Disabilities-20pt_Large_Print.pdf) Accessed on: 15.03.22

<sup>349</sup> CRPD (2018). *General comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention*. CRPD/C/GC/7. Available at:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/7&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/7&Lang=en) Accessed on: 15.03.22