

Rt Hon Boris Johnson
Prime Minister
House of Commons
London
SW1A 0AA



cc
Rt Hon Matt Hancock, Secretary of State for Health and Social Care

By e-mail

Dear Prime Minister

Re: Coronavirus Bill 2019 – 2021

We are writing to you as we believe the Coronavirus Bill as it stands could have a serious negative impact on the lives of disabled people, their families and carers and could undermine their rights.

We know from experience that the rights and entitlements currently protected in law are not always observed for people with learning disabilities and autistic people and evidence from enquiries such as the Human Rights select committee reinforces that.

We understand the need for emergency measures but do not want to see disabled people further disadvantaged by them and potentially their lives negatively affected for a considerable amount of time.

The questions we have

- Why is it necessary to suspend the Care Act duties for two years when you have said that the current crisis should be addressed in twelve weeks? We think this should be suspended for no more than 2 months after the current crisis is over.
- Why is it necessary to remove all the duties to meet care and support needs unless to do so would breach a person's human rights? We think local authorities should be required to meet their duties so far as reasonably practicable?
- Why shouldn't local authorities be required to continue to provide direct payments to disabled people who can arrange their own care? We think offering direct payments would enable more people with care and support needs to get the support they need if other services are suspended
- If the duty to assess is suspended, how will local authorities know whether it is necessary to provide care to avoid a breach of a person's human rights? We think that assessments should still take place, even if the crisis means there is additional delay to this.

What we want to see happen

We would like to see the Coronavirus Bill amended to make sure that the rights and entitlements of all disabled adults and children are not undermined and there is a duty kept on Local Authorities to assess whether a decision would lead to a breach of the Equality Act 2010 and Human Rights Act 1998.

We worry about the proposal that people will be required to leave hospital very soon (to free up NHS beds) and only be offered one social care service that they cannot refuse. We know that, for most people with learning disabilities, the only places that have spare capacity at the moment are the type of services that have poor reputations and where people are likely to be at risk of abuse and neglect. We strongly believe that people should be allowed to reject the one offer of service and demand something better if they and their families/advocates are able to show that the new “Ethical Framework for Social Care”, (which we welcome and is a good document), has not been fully followed by those doing the assessment and service planning for that person.

Yours sincerely,



Wendy Burt



Jordan Smith



Scott Watkin

Representative Body Co Chairs

Copied to David Nuttall, DHSC