

An open letter to all Members of Parliament from Disability Rights CEO Kamran Mallick

Restore the Rights of Disabled People in the debate on the Coronavirus Act on 30 September 2020

Next week Parliament reviews the provisions of the Coronavirus Act, which, rightly, put in place additional measures to protect citizens from Coronavirus.

However, there is a unique group of people for whom existing, critical, rights were removed.

Disabled people, at an estimated 14 million people, make up the largest minority group in the UK. And we were the only group for whom human rights were actively removed as part of the Coronavirus Act.

The Coronavirus Act allows for central and local government to remove the rights of disabled people to care and support, education and mental health protections. This is unfair, unjust and moreover, unnecessary.

Disabled people, including those with long-term health conditions, accounted for 59% of all deaths from Coronavirus between March and July. As a demographic, we have clearly suffered the biggest impacts since the pandemic started.

Disabled people feel there is a tacit expectation that we will bear the brunt of the second wave as well.

This should not, and need not, be the case. But what it will take is proper scrutiny of the Coronavirus Act, and an honest appraisal of whether it truly affords us the same rights and protections as non-disabled people.

I am calling on you, as people who shape, and uphold, the rights of all citizens, to ensure that we have the parity of rights to survive the second wave, and the parity of rights to live, as non-disabled people do, as independent, empowered citizens.

I urge you to ask the House, is it right that there is one rule of law for disabled people, and another for non-disabled people?

I urge you to ask whether the House would accede rules which created such prejudice against other minorities – perhaps, BAME people, or gay people.

The government has shown it can make large scale changes. It has built new hospitals within weeks, invested millions in the furlough scheme and found millions for new vaccines. It has yet to show the same dynamism in relation to supporting disabled people.

The power to remove our rights under the Coronavirus Act signals to central government, local government and health and social care professionals that it is acceptable, not to increase support for those recognised in press briefing after press briefing as the most medically vulnerable, and therefore the most in need of support during the pandemic, but to reduce it.

The Act, as it stands, allows local authorities to apply to dispense of their obligations under the Care Act and to reduce social care for disabled people.

Alongside the Act, at the behest of the Secretary of State for Education, local authorities are allowed to withdraw educational support to disabled children, and to remove vital protections for those with mental health conditions.

Parliament now has the opportunity to remove these provisions. It has the opportunity to recognise the potential they have to cause damage for disabled people, whose care can, under the provisions, be withdrawn, at the time of greatest need.

This Spring, eight councils applied to withdraw care provision. Just 5% of councils. This shows that there is a willing and commitment from councils to provide the fullest level of social care for disabled people. It also shows that where the minority of councils fail in these duties, it would not take much for national government to provide emergency funding to ensure they could match the provision of the other 95% of the country.

And just as importantly, it would show disabled people that we matter to this country. That we are not second class citizens. Not cannon fodder for this virus. That we are valued, important members of society, equal to non-disabled people, in practice, and in law.

I urge Parliament to restore the rights of disabled people. To remove these punitive easements in the Coronavirus Act. To restore the provisions in the Care Act. And to ensure that every child with an Education, Health and Care Plan has it delivered until we have weathered this pandemic, together.

Let's approach this winter with a real commitment to do what it takes to support and protect disabled adults and children.

Sincerely,

Kamran Mallick
CEO Disability Rights UK