

national information forum

Working for the inclusion of disabled and other disadvantaged people
by encouraging better information provision

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*A Digest of Current Social Information
For members of the National Information Forum*

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HATE CRIME: A CALL FOR ACTION

The suicide of Fiona Pilkington and the unlawful killing of her disabled daughter Francecca Hardwick in 2007, after years of unimpeded harassment from local youths, has sharpened the focus on hate crime. As Mark Goldring, Chief Executive of Mencap, has commented: "These horrific deaths are yet another tragic example of how a vulnerable young person with a learning disability, and her family, have been completely betrayed by the authorities responsible for their care. Mencap believes this should be the watershed moment for disability hate crime."

Sadly, this is not the only case in which people with learning disabilities have been targeted by callous bullies. Mencap has several similar real life stories on its website. The Government has for some time had a framework in place for tackling hate crime, and only little more than a month before the verdicts were brought in at the Pilkington inquest it had published a Hate Crime Action Plan to reinvigorate its strategy. This covers all forms of hate crime, and specific references to disability hate crime are relatively few. It is admitted that a full picture of its extent is lacking, but the plan does pick up on some earlier research. A report by Mind (*Another Assault*) found that 71% of people with mental health needs had been subjected to a disability hate crime at least once in the preceding two years, while Mencap (*Living in Fear*) reported that 88% of people with learning disabilities had experienced a disability hate crime or incident in the preceding year, the effect on them having been "cumulative and devastating". More recently, research by the Office for Public Management (*Disabled People's Experiences of Targeted Violence and Hostility*) found that an accumulation of risk factors significantly heightened the likelihood of a disabled person being the victim of targeted violence. Unsurprisingly, gender, age and type of disability were found to interact in complex manners to increase the risk of being a victim.

The Action Plan is precisely that. Its executive summary refers to "achievements" in the last ten years. Again these are rarely disability specific, but there is an important provision in the Criminal Justice Act 2003 to place a duty on courts to increase the sentence for any offence aggravated by the demonstration or motivation of hostility based on the victim's disability or presumed disability. But these achievements are on paper, and the Pilkington case highlights a lamentable absence of practical action. Indeed it might be argued that the plethora of legislation, guidance, plans, reports and analysis are no substitute for common sense intervention. As Mark Goldring observes, unless treated as seriously as racist hate crime, the



1.5 million people with a learning disability will continue to be the victims of abuse and torture. **The Hate Crime Action Plan is available on www.homeoffice.gov.uk/documents/hate-crime-action-plan.**

A MILLION VOICES FOR CHANGE

The public service union, UNISON, has launched a campaign “to create a fairer society”. They want changes that put people before profit and public interest before private greed. They argue that it is time to change a system that has allowed inequalities to widen and private greed to run riot, letting bankers and speculators gamble with the nation’s economic stability. The UNISON website, www.unison.org.uk, has an invitation to those who share these views to add their voice to the campaign.

A DIFFERENT VIEW OF EQUALITY

Lord Griffiths, chair of the Archbishop of Canterbury’s Lambeth Fund and Christian Responsibility in Public Affairs, is quoted in the free *London Evening Standard* (21 October) as saying: “We have to accept that inequality is a way of achieving greater opportunity and prosperity for all.”

WORLD ALZHEIMER’S REPORT

We commented on action on dementia in the UK in News Briefing no.14. Now a report released on 21 September predicts that the number of people with dementia and Alzheimer’s worldwide will nearly double every 20 years, to 65.7 million by 2030 and 115.4 million by 2050. It is anticipated that more than 35 million people will have dementia in 2010.

A research team from King’s College, headed by Professor Martin Prince, has provided a detailed analysis of this massive challenge. The report highlights that, of any of the chronic diseases, dementia is the major contribution to disability among older people, and thus to the need for care. Professor Prince observes that caring for people with dementia, most often by relatives, is an enormous burden, and that the carers themselves often experience high levels of strain, psychological illness and, in some cases, clinical depression.

Marc Wortmann, the Executive Director of Alzheimer’s Disease International, argues that this crisis can no longer be ignored, and sets out an action plan needed to tackle the challenges faced by governments and healthcare systems. **The full report is at www.alz.co.uk/worldreport, and a press release is available at www.kcl.ac.uk/news.**

FURTHER THOUGHTS ON WELFARE TO WORK

Vladimir Spidla, European Commissioner for employment, social affairs and equal opportunities is quoted in *Society Guardian* (21 October) as arguing that the proposal to get Britain working by siphoning claimants off incapacity benefit and on to jobseeker’s allowance is a sideshow. He says that benefits “are active stabilisers that have played a crucial role in mastering the crisis”, keeping the economy moving by putting money into people’s pockets.

Spidla attributes this policy to the Tories, but it is clear that the drive to get people off incapacity benefit and into work is as much a bedrock of Labour as of Conservative policy. Stemming from the ideas of the same consultant it is perhaps unsurprising that there is so much common ground here; the extent of ‘Clear Blue Water’ seems to be measured only in the intensity of the proposed drive.

In the same issue, Alan Marsh, Emeritus Professor of Social Policy at the Policy Studies Institute, points out that disallowing disability benefit has already begun and that it hasn’t worked. Sending half a million people to the back of a lengthening dole queue, he contends, may stretch resources beyond capacity.

We think that it is undeniable that a proportion of IB claimants are just about fit for work and that some are work-shy. But it is equally certain that there are nevertheless significant barriers to getting them into work:

- there is a scarcity of available jobs
- and high demand for worthwhile available jobs from those who have become unemployed because of the current recession (so that at best IB claimants can hope to get only low-paid, menial work)
- IB claimants who have been unemployed for some time are generally unattractive to employers
- IB claimants are out of touch with the discipline of work
- there is likely to be an adverse impact on the children of IB claimants moving to low paid work
- the cost of overcoming these barriers will be high, possibly more than the benefits saved
- there is a strong probability that cutting the benefits of IB claimants deemed 'fit' will be perceived as mean and gradgrindian.

Is this policy really worth the candle, or at least deserving of the prominence that it is now being given?

TESTING CAPACITY

There is increasing concern that the testing regime to determine entitlement for the new Employment and Support Allowance is more of a guillotine than a safety net. Letters to *The Guardian* (16 October) pinpoint a number of criticisms:

- that the policy is heavy-handed, particularly in relation to patients with mental illness/autism
- that none of the doctors or nurses conducting the interviews have any specialist training in mental illness
- that the DWP no longer asks the patients' GPs for their opinion; indeed letters from GPs and consultants are usually ignored
- that the assessment process is mechanistic
- that the system is unnecessarily complex and unfair
- that answers to questions can sometimes be turned around
- that on appeal, when the medical evidence is properly considered, the original finding is often reversed.

KEEP WARM KEEP WELL

With energy prices resolutely high and set to rise still further, and winter approaching, the risk to people on low incomes, older people, families with young children and those who have chronic illness or who are vulnerable to illness due to disability is very real. Deaths from hypothermia are a tragic reality. 'Keep Warm Keep Well' is an annual campaign that provides free booklets giving advice on how to stay healthy during the winter months, along with information about financial and practical help that is available. These can be ordered online at www.orderline.dh.gov.uk.

Effective price regulation would be even better.

AGEISM IN THE NHS

Sir Ian Carruthers OBE, CEO of NHS South West, and Jan Ormondroyd, CEO of West Bristol Council, have launched (22 October) '*Achieving Age Equality in Health and Social Care*', a report of an investigation into the barriers faced by older people in receiving and accessing NHS treatment. While clear evidence was found that there has been progress in addressing age discrimination in the health and social care system in recent years, it was felt that greater consistency is needed to tackle what some people call 'hidden' or 'covert' discrimination. It finally concludes that "age discrimination is rooted in the behaviour and attitudes of health and care organisations and staff – and wider society", and recommends that this state of affairs should be outlawed through the forthcoming Equality Act.

Having just passed the age of 80, I think that I (DCK – Ann does not join me on this) am entitled to comment. I feel that, in this context, discrimination also has its natural meaning of ‘choice’ and it seems to me inevitable, and right, that given finite resources younger people will be favoured. The progress of medical science is such that it is possible that our lives can be extended, if not indefinitely, then well beyond the point at which they cease to be meaningful. While I want respect from the NHS, I do not want my existence to be sustained if and when I reach the breakwater of senility.

The full report is available on www.dh.gov.uk

UNEMPLOYMENT

As has been widely reported, UK unemployment now stands at 2.47 million after rising by 88,000 in the three months to August. The detailed figures show that men have fared more badly than women, and that black men have been particularly adversely affected, the unemployment rate among them having risen by five percentage points over the past 12 months to 18.2%, nearly 1 in 5.

The impact on young people generally is especially severe. Government statistics show that 39% of all 16 to 25 year-olds who are unemployed have been out of a job for more than six months. There are now 366,000 in this category.

RACIAL DISCRIMINATION IN EMPLOYMENT: WHAT’S IN A NAME

It is well known that there has been a persistent gap between the employment rate of our minority ethnic population and the population of Great Britain. The current difference is 13.8 percentage points. Research recently carried out by the National Centre for Social Research and published by the Department of Work and Pensions (19 October) has found that, even at the first stage of the recruitment process, minority ethnic applicants are less likely than White British to secure a positive response. The study found that to get a reply for every nine applications sent by a white applicant, an equally qualified applicant with a minority ethnic name had to send 16.

In the study, 2,961 applications (three per job vacancy) were submitted between November 2008 and May 2009 across private, public and voluntary sector employers. One of each set of three had a White British name, the other two purported to come from different minority ethnic groups.

From www.dwp.gov.uk/newsroom/press-releases/2009/october-2009/dwp047-09-191

BUT YOUNG MUSLIM WOMEN CAN SUCCEED

On 20 October, the National Muslim Women’s Advisory Group launched a website, ‘Our Choices, New Careers for Muslim Women’, along with a booklet and roadshow, featuring real stories of successful workers in many fields. The aim is to raise aspiration of young Muslim women and give them confidence to pursue careers of their own choosing.

For more, go to www.ourchoices.org.uk

PAY AND WORK RIGHTS HELPLINE

A number of Government employment helplines have been consolidated onto a single freephone line: **0800 917 2368 (voice), 0800 121 4042**. This offers information and advice on:

- the national minimum wage (now £5.80 an hour for workers aged 22 or over)
- the agricultural minimum wage
- the right not to have to work more than an average of 48 hours a week

- the rights of people working for an employment agency or gangmaster.

This confidential service seeks to raise awareness among workers of their rights on pay, unfair deductions (for things such as uniforms or safety equipment) and working hours. Prominent just now is the well-publicised fact that employers are no longer able to include tips as part of the national minimum wage. The helpline is open 8am – 8pm, Monday to Friday, and 9am – 1pm, Saturday.

BEYOND TOLERANCE

The Equality and Human Rights Commission has launched a report into discrimination experienced by lesbian, gay and bisexual people. A critical finding of ‘Beyond Tolerance: Making Sexual Orientation a Public Matter’ is that data on sexual orientation in Britain is virtually non-existent.

For more, go to www.equalityhumanrights.com/fairer-britain/beyond-tolerance-sexual-orientation-project

COMMUNITY DEVELOPMENT

The Community Services Group (CSG), a sub group of the Chartered Institute of Library and Information Professionals, is developing a policy document around community development, community engagement and social justice, and the role of libraries of all kinds in relation to these ends. We believe this to be a most important endeavour, in that libraries are pivotal hubs within local communities, providing free and open access and skilled support. In the drive to cut costs some local authorities see libraries as expendable; as little more than gratuitous book stores. We think, on the contrary, that they have the potential to animate and sustain their communities as citizens draw breath.

TALK ABOUT LOCAL

This inspirational project, set up by William Perrin, a community activist and former civil servant, is taking off. It aims to give people in their communities a powerful online voice, helping them to communicate and campaign more effectively “to influence events in the places in which they live, work or play”. The project is still at an early stage, but already there are ‘hyperlocal sites’ in many parts of the country. Talk About Local is about partnerships, working with anyone who is trying to promote community activism on the ground, benefiting from the development of skills to take advantage of the web.

More on <http://talkaboutlocal.org>. Contact: Studio 16, Fazeley Studios, 191 Fazeley Street, Digbeth, Birmingham B5 5SE; tel: 0121 288 2910; e.mail: info@talkaboutlocal.org.

DON'T MAKE CHILDREN VICTIMS OF THE RECESSION

Responding to the Taxpayers’ Alliance and Institute of Directors report ‘How to save £50 billion’, Kate Green, Chief Executive of the Child Poverty Action Group, said:

“This report outlines deep, swingeing cuts to education, training and to support for children. These policies are precisely the wrong answer to a downturn caused by unregulated casino capitalism. These policies would damage children and families long after the recession is likely to have ended in the UK.

“The Taxpayers Alliance and Institute of Directors propose abolishing child benefit, the popular, effective and well-targeted scheme on which many families rely, and replacing it with a complex, error-prone and expensive to administer means-tested system. Child benefit is the cornerstone of policy to support families; to means-test now wouldn’t just throw the baby out with the bathwater, but the bath as well.

“The answer at a time of fiscal constraint is for society to come together, but more means-testing will stigmatise the poorest families more. All should pay a fair share, and those with the broadest shoulders should take more of the burden. The report says nothing about how resources could be more equitably raised, such as by reducing tax perks given out through low rates of tax for the wealthiest.”

CPAG Press Release, 11 September 2009, www.cpag.org.uk/press/2009/110909.htm.

CALL FOR DEFAULT RETIREMENT AGE TO BE SCRAPPED

The Equality and Human Rights Commission (EHRC) has reiterated its call for a default retirement age to be abandoned, following a high court ruling on 25 September.

The Employment Equality (Age) Regulations 2006 implemented a European Directive outlawing age discrimination in employment and vocational training. However, the Government restricted the protection available to people over the age of 65 by creating a new “default retirement age” (DRA) of 65 for both sexes. This allowed employers to set a ‘mandatory retirement age’ or ‘normal retirement age policy’ at or above the age of 65. Age Concern with Help the Aged promptly sought a judicial review of the UK regulations, arguing that the inclusion of a DRA was improper.

In explaining his ruling, Mr Justice Blake said he had taken into account the Government’s move to bring forward a review of DRA from 2011 to 2010. This will consider whether a DRA is still “appropriate and necessary”. He concluded that the DRA was lawful when first introduced, but that if the regulation had been adopted for the first time in 2009, or there had been no indication of an imminent review, he would have concluded that the selection of age 65 would not have been proportionate. He accepted that there was now a “compelling” case for setting the age higher than 65, recognised the “very substantial weight” of arguments put forward by the Commission and Age UK to stop people being forced out of work at 65, and said that he could not presently see how 65 could remain as a DRA after the review.’

At present an employer can compel its employees to retire at or after 65 and can refuse to recruit anyone over the age of 65. It is still lawful for an employer to force employees age 65 or over to retire as long as they follow the correct procedure. Employees have the right to request to continue working beyond the date when the employer wants them to retire, but the employer can refuse the request and the law does not require them to give any reason for that decision.

This position is, of course, inconsistent with the drive to combat age discrimination. The EHRC is now asking the Government to abolish the DRA through the Equality Bill - soon to be debated in the House of Lords - rather than wait until a review of the policy next year. A positive sign is that it has already been announced that from 2010 there will be no mandatory retirement age in the Civil Service (can I come back?!). John Wadham, Legal Group Director for EHRC said: ‘The judge has sent out a strong signal that it is only a matter of time before the default retirement age of 65 is removed, and we will consider what action we could take next.’

Ed: It is worth remembering that the ‘Oxford Book of Work’ (1999, p.587), points out that compulsory retirement is a relatively modern invention. In 1900 nearly two thirds of men over 65 in Britain were still in full employment. Many continued working until they died.

Full details are available on the EHRC website.

THE UNKINDEST CUT

Up to 5 October, destitute asylum seekers awaiting a decision on their asylum application were entitled to claim a weekly cash allowance equivalent to 70% of Income Support. From that date,

however, the weekly rate for those who are single and aged over 25 has been reduced by £7.03 (from £42.16 to £35.13). Denied the opportunity to work, they now receive roughly £5 a day, little more than half of what the Government has said that a person needs to live on. Benefits for single-parent asylum seekers with one child, instead of rising in line with the consumer price index, stay at £42.16, leaving them more than £2 a week worse off.

Organisations belonging to the Asylum Support Partnership have described the cuts as “appalling”. The Refugee Council website (www.refugeecouncil.org.uk) carries an invitation to protest to the Home Secretary.

NEWS FROM THE OFFICE OF FAIR TRADING

The OFT is keen to reach and raise the awareness of consumers. Brief coverage by membership organisations with newsletters would be welcome.

Scams: The OFT is particularly concerned to combat ticket scams. Information at www.consumerdirect.gov.uk/ticketscams.

For further information please contact: Paul McSherry 020 7211 5836; paul.mcsherry@oft.gsi.gov.uk

Consumer Direct

In September the Department for Business, Innovation and Skills (BIS) launched the ‘Know Your Consumer Rights’ campaign. This describes consumer rights simply (goods should fit the description given and be of satisfactory quality and suitable for purpose) and signposts Consumer Direct for further advice. There is also guidance for smaller companies at www.businesslink.gov.uk. A compact disc will be available in the run up to Christmas.

For further information please contact: Karen Chilvers 020 7211 8676; karen.chilvers@oft.gsi.gov.uk

Rogue doorstep traders

Our advice is to have nothing to do with them, but the OFT will be rolling out a more sophisticated campaign ‘Your Doorstep, Your Decision’ in November, with a primary focus on vulnerable people aged 70 and over.

For further information please contact: Harriet Gardner 0209 7211 8109; harriet.gardner@oft.gsi.gov.uk

Approved businesses

OFT is working to publicise its Code Approval Scheme, signposting consumers to www.oft.gov.uk/codes, where they can easily access details of companies who are code members who go above and beyond the strict legal requirements in the consumer rights they offer.

For further information please contact: Harriet Gardner 0209 7211 8109; harriet.gardner@oft.gsi.gov.uk

Proposed consumer advocate

This is another BIS initiative, announced back in July as a consumer white paper. It proposes a consumer advocate to champion and co-ordinate the delivery of existing consumer education.

WE HATE NO. 23: SELF-INTEREST

“He who lives only for himself is truly dead to others.”

Saying 771, ‘The Moral Sayings of Publilius Syrus’ (1st century BC, translated Darius Lyman, 1856)

Our hatred of self-interest is said somewhat with tongue in cheek. For self-interest is clearly part of the human condition; in all of us, indeed in all animals, it serves as a mechanism towards our preservation. But it can be taken too far. As we approach a general election, take voting as an example. All too often what we call democracy is really no more than the exercise of self-interest. The consideration is not what is best for society, for fairness, for the well-being of our nation, but which political party is likely to provide us personally with the greatest benefit. Thus the mindset of those who seek election is also frequently not high-minded, but predicated on temptation.

As we have said before, the same can increasingly be said of executive pay, where in many cases the objective is no longer a fair and reasonable reward, but the maximum that can be extracted. The idea has taken root that a fit and proper salary is not enough; that it should be enhanced by bonuses and other inducements, commonly paid irrespective of merit. So that the gap between the pay of managers and the managed grows ever wider. And no less the lifestyle of governors is divorced from the governed.

Nor, we suggest, can believers in God generally claim the moral high ground. We recognise, of course, that piety can to some extent be characterised by concern for others and selfless endeavour. And we are not here particularly castigating the way-out moral and political imperatives of the 'religious right'. Rather we seek to make the wider point that at the root of much religious belief is the concept of personal salvation: the narcissistic pursuit of a heavenly reward after death. Among suicide bombers this is carried to extremes, but it is nevertheless indicative of a perverted, selfish morality. The idea that 'God' is on the faithful believer's side is also a common example of deluded self-regard: framed, again in an extreme case, by the ludicrous notion that following a natural disaster those who survived have somehow enjoyed divine protection; prompting the inevitable implication that the rest were not worth saving.

Few of us, we suspect, altogether avoid the lure of self-interest, or even do unto others as we would have done to ourselves, but we can at least recognise, hate and avoid the more obvious siren voices.

This information sheet has been compiled by Ann Darnbrough and Derek Kinrade. The views expressed do not necessarily represent those of the National Information Forum. Earlier News Briefings are available on the Forum's website: www.nif.org.uk.