



# Mo Stewart Research

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The Rt Hon Shabana Mahmood KC MP  
Lord Chancellor and Secretary of State for Justice  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ

via email

Dear Secretary of State

## Re: The urgent need for an Independent Advisory Panel on DWP Related Deaths

It is my understanding that the Independent Advisory Panel on Deaths in Custody is directly linked to the Ministry of Justice.<sup>1</sup>

Writing in my capacity as the research lead for the Preventable Harm Project,<sup>2</sup> ongoing since 2009, I wish to alert you to an identified government induced public health crisis<sup>3</sup> which has continued under the latest administration. Please be advised that those in greatest need are living in fear of the Department for Work and Pensions (DWP) and the demonstrated 'institutional violence'<sup>4</sup> adopted by the DWP when using a flawed disability assessment model to limit access to long-term disability benefit(s). This often has fatal consequences,<sup>5-9</sup> increased by the excessive use of sanctions linked to a disturbing increase in suicides. It is therefore my considered opinion that there is an urgent need for a new Independent Advisory

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<sup>1</sup> [Independent Advisory Panel on Deaths in Custody \(IAPDC\) – Working to prevent deaths in custody.](#)

<sup>2</sup> [The Preventable Harm Project](#)

<sup>3</sup> [The public health crisis created by UK social policy reforms: \*Justice, Power and Resistance\* 6\(2\): 217-228](#)

<sup>4</sup> [Violent bureaucracy: A critical analysis of British public employment service: \*Critical Social Policy\* 42\(2\): 306-326](#)

<sup>5</sup> [KILLED BY THE STATE: Transcript of talk hosted by the Centre for Welfare Reform](#)

<sup>6</sup> [‘First do no harm’: are disability assessments associated with adverse trends in mental health? \*Journal of Epidemiol Community Health\* 2016; 70: 339-345](#)

<sup>7</sup> [Work, welfare, and wellbeing: The impacts of welfare conditionality on people with mental health impairments in the UK - Dwyer - 2020 - Social Policy & Administration - Wiley Online Library](#)

<sup>8</sup> [The death of Errol Graham: Man starved to death after DWP wrongly stopped his benefits – Disability News Service](#)

<sup>9</sup> [Psychological tyranny masquerading as welfare reform – \*Journal of Critical Psychology, Counselling and Psychotherapy\*](#)



Panel on DWP Related Deaths linked to the Ministry of Justice, not to the DWP.

The Employment and Support Allowance (ESA) disability benefit has been replaced with Universal Credit (UC), which continues to use the fatally flawed Work Capability Assessment (WCA) for access to the health component of the benefit, and the application for UC jeopardises the health and wellbeing of the chronically ill and disabled community who are unable to work, identified as *'undermining vulnerable claimants' mental health, increasing the risk of poverty, hardship, destitution and suicidality.'*<sup>10</sup> Initially conducted by Atos Healthcare the WCA is a totally discredited<sup>11,12</sup> non-medical functional assessment model that disregards all clinical need, which guaranteed a government induced public health crisis as those in greatest need were impacted by social policies which adopted 'disability denial' to limit access to costly ESA<sup>6</sup> and now to UC benefits:

'In total, across England as a whole, the WCA disability reassessment process during this period was associated with an additional 590 suicides, 279 000 additional cases of self-reported mental health problems and the prescribing of an additional 725 000 antidepressant items. To put this into perspective... this is equivalent to 5% of the total number of suicides. ...

The programme of reassessing people on disability benefits using the Work Capability Assessment was independently associated with an increase in suicides, self-reported mental health problems and antidepressant prescribing. This policy may have had serious adverse consequences for mental health in England, which could outweigh any benefits that arise from moving people off disability benefits.'<sup>6</sup>

Successive administrations have been alerted to the identified public health crisis introduced by the adoption of the WCA but continue to justify its use and disregard the thousands of deaths linked to it.<sup>13,14</sup> There is a tendency to forget that the constant political justification for the continued use of the WCA is that there were five annual WCA reviews conducted by Professor Malcolm Harrington (2010-13), and Dr Paul Litchfield (2014-15). However, what is overlooked is the warning by Professor Harrington in the introductory pages of the first WCA review in 2010:<sup>15</sup>

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<sup>6</sup> ['First do no harm': are disability assessments associated with adverse trends in mental health? \*Journal of Epidemiol Community Health\* 2016; 70: 339-345](#)

<sup>10</sup> [Impact of Universal Credit in North East England: a qualitative study of claimants and support staff | \*BMJ\* Open](#)

<sup>11</sup> [Blaming the victim, all over again: Waddell and Aylward's biopsychosocial \(BPS\) model of disability – \*Critical Social Policy\* 2017 37\(1\): 22-41](#)

<sup>12</sup> [Green Paper: A New Deal for Welfare: empowering people to work. 2006 – an independent assessments for the arguments for proposed Incapacity Benefit reform](#)

<sup>13</sup> [Psychological tyranny prescribed by the DWP: preventable harm is government policy - \*British Journal of General Practice\*, December 2018: 579](#)

<sup>14</sup> [Influences and Consequences](#)

<sup>15</sup> [Harrington, M. \(2010\) \*An Independent Review of the Work Capability Assessment\*. London: The Stationary Office](#)



'It is important to note that advice from the Atos assessment to the Decision Maker is just advice. It provides evidence collected by a healthcare professional (HCP) as to whether the claimant has or has not met a particular threshold of capability for work. The Decision Maker should then use this evidence as part of a suite of information, including the original ESA50 [application form] and any other additional evidence provided by the claimant to make an informed judgement. They should, for instance, consider whether the findings of the Atos assessment are consistent with what the claimant has stated on the ESA50, or with any particular representations or case notes from the claimant's own doctors and HCPs (p47). ...

It is clear that a culture has developed amongst Decision Makers that sees the advice from Atos as forming the decision, and that they are simply to ratify that decision. This is evident in the language officials use about decisions; many talk about '*overruling*' the Atos advice rather than making an evidence-based decision, while others reference the difficulty in going against the recommendation of the Atos HCP: '*It's difficult. I mean, they're a doctor. They've assessed this person. I don't know enough about it to overrule what they're saying.*' Jobcentre Plus Decision Maker (p 50).<sup>15</sup>

The 'Decision Makers' are basic grade administrators, not medical administrators, so this growing public health crisis will not improve as long as 'Decision Makers' with significant responsibility for those in greatest need chose to disregard the medical support provided by chronically ill and disabled benefit claimants and support the WCA findings.

Whilst the DWP Chief Medical Advisor, Dr Gail Allsopp, attempted to downplay the numbers of DWP related deaths during her recent evidence to the Work and Pensions Committee,<sup>16</sup> she stressed the significance of the Prevention of Future Deaths (PFD) reports provided by coroners and claimed that all deaths especially suicides were 'very complex'. Seemingly, Dr Allsopp remains uneducated as to the number of suicide notes left by service-users, who had been intimidated by the DWP and couldn't cope with the arrival of yet another official brown envelope from the DWP,<sup>17</sup> to demand another assessment for a health condition that could not improve. The Committee Chair Debbie Abrahams MP advised Dr Allsopp that the PFD reports by coroners were '*extremely rare,*' and are provided to establish a cause of death.

The confidential Internal Process Reviews (IPR) are conducted by the DWP as they examine some of the deaths of DWP benefit claimants, with Debbie Abrahams advising that the IPR deaths were the '*tip of the iceberg*' of DWP related deaths.<sup>18</sup>

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<sup>15</sup> [Harrington, M. \(2010\) \*An Independent Review of the Work Capability Assessment\*. London: The Stationary Office](#)

<sup>16</sup> [Parliamentlive.tv - Work and Pensions Committee](#)

<sup>17</sup> [Garthwaite, K. \(2014\) Fear of the brown envelope: exploring welfare reform with long-term sickness benefit recipients, \*Social and Policy Administration\*, 48\(7\): 782-98](#)

<sup>18</sup> [DWP's chief medical adviser dismisses importance of her own department's reviews into benefit deaths – Disability News Service](#)



As the Work and Pensions Committee (the Committee) continues to attempt to access evidence of the numbers of deaths linked to the DWP flawed assessment, there is a tendency to overlook the fact that the government can disregard the Committee's recommendations and they can also disregard significant reports by other agencies. A 2016 report by NHS Digital identified that almost 50% of ESA claimants had attempted suicide at some point, but the report wasn't released until 2017,<sup>19</sup> and wasn't shared with the media.

This DWP crisis has been ongoing for a long time and in his latest book, '*The Department*',<sup>20</sup> critically acclaimed journalist and author John Pring, the Editor of the Disability News Service, exposed the brutality of the DWP and identified the suffering and the DWP related deaths of 12 disability benefit claimants. A free copy of the book was delivered to every MP in the House of Commons.<sup>21</sup>

The chronically ill and disabled community are in desperate need of an Independent Advisory Panel on DWP Related Deaths who report to the Ministry of Justice, not to the DWP, as the DWP Serious Case Panel is not independent and their published minutes are inadequate.

Thank you for your time.

Yours sincerely

**Mo Stewart**

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Research Lead, Preventable Harm Project



Author ['Cash Not Care: the planned demolition of the UK welfare state'](#)

Producer [The Preventable Harm Project](#)

Editor [Influences and Consequences](#)

Copied to: The Lady Chief Justice, The Right Honourable the Baroness Carr of Walton-on-the-Hill  
The Attorney General, Lord Hermer KC  
Chair, Work & Pensions Committee, Debbie Abrahams MP  
Chair, Health & Social Care Committee, Layla Moran MP  
Consultant Psychiatrist/Senior Policy Advisor, Centre for Mental Health, Dr. Jed Boardman

<sup>19</sup> ['Shocking' NHS stats show nearly half ESA claimants have attempted suicide – Disability News Service](#)

<sup>20</sup> [The Department](#)

<sup>21</sup> [Disabled Activists Deliver Book Exposing Deaths At Hands of DWP To Every Member of Parliament | Disability Rights UK](#)