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Nov 2014

DWP admits investigating 60 benefit-related deaths since 2012

By [john pring](#)

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Baroness (Jane) Campbell "I welcome John Pring's weekly news update every Friday. His detailed, and above all accurate, line-up of current disability issues is a reliable source of information that I use to enhance – even at times to inspire – the work I do to champion disabled people and to combat discrimination in all of its forms. Long may it continue!"

Stephen Brookes, coordinator, **Disability Hate Crime Network**: "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

The Department for Work and Pensions (DWP) has carried out 60 secret reviews into benefit-related deaths in less than three years, Disability News Service (DNS) can reveal.

DWP released the figures in response to a series of Freedom of Information Act (FoI) requests by DNS.

It said in one response that DWP had carried out "60 peer reviews following the death of a customer" since February 2012.

There have been numerous reports of disabled people whose deaths have been linked to the employment and support allowance (ESA) claim process, or the refusal or removal of ESA and other benefits, including the writer Paul Reekie, [who killed himself in 2010](#), and the deaths of [Nick Barker](#), [Jacqueline Harris](#), [Ms DE](#), and [Brian McArdle](#).

The Scottish-based, user-led campaign group Black Triangle [has collected more than 40 examples](#) of people – most of them disabled – who appear to have died as a result of being found "fit for work" through a work capability assessment (WCA), or having their entitlement to benefits otherwise refused or removed.

Many of the cases became widely-known through media reports of inquests, but in the case of Ms DE, the Mental Welfare Commission for Scotland concluded that the WCA process and the subsequent denial of ESA was at least a "major factor in her decision to take her own life".

But DWP has consistently denied any connection between the coalition's welfare reforms and cuts and the deaths of benefit claimants.

This week, DWP also released guidance used by its staff to decide whether a peer review was necessary, and guidance for authors of a peer review.

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THE BLOG—DENISE MCKENNA

accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

Steve Donnison, Benefits and Work website: "The weekly round-up of news from DNS is now an established and vital part of the service we offer our members... We couldn't be without DNS now – our members would never forgive us."

Phil Friend, director, Phil & Friends Ltd: "My professional work means that I need to stay in touch with developments regarding disability issues. I've come to rely on the unique services provided by DNS. It is reliable, comprehensive and accurate. I can't think of another news service that provides me with the professional support I need to ensure that I'm up-to-date and kept well

This reveals that the role of a review is to "determine whether local and national standards have been followed or need to be revised/improved", while a review must be carried out in every case where "suicide is associated with DWP activity".

It also says that peer reviews might also be considered in cases involving "customers with additional needs/vulnerable customers".

As with previous FoI requests by DNS and many other disabled campaigners, DWP refused to answer some of the questions because it claimed that it planned to publish information itself "in due course".

It also said it had only begun to keep national records of internal reviews since February 2012, and that it was too expensive to find figures from local and district records showing how many such reviews there had been before that date.

Another of the FoI responses stated that it was too expensive to produce information showing how many letters DWP has received from coroners expressing concern that a death may have been linked to the non-payment or withdrawal of a benefit.

Bob Ellard, speaking on behalf of the steering group of Disabled People Against Cuts (DPAC), said the disclosure that DWP had investigated 60 claimant deaths since 2012 was a "damning revelation".

He called for an urgent independent inquiry into the suicides and other deaths of benefit claimants.

Ellard said: "We still don't know enough about this as the DWP continue to use the small print in the FoI laws to prevent disclosure of information that is in the public interest.

"We are calling for the deaths and suicides of benefit claimants to be urgently investigated by an independent authority.

"We believe that these tragic deaths are as a direct result of [Conservative work and pensions secretary] Iain Duncan Smith's policies and we want him to be called to account."

John McArdle, co-founder of [Black Triangle](#), said that if 60 people had died in a major accident there would have been "hell to pay" and a "massive inquiry".

He said NHS figures showed a general rise in self-harm and suicide, which Black Triangle (BT) believes is connected with the effects of "cuts and austerity".

McArdle said he would like to know how many coroners had made recommendations to DWP in the wake of inquests into benefit-related suicides and other deaths.

He said: "I think the public has a right to know whether coroners have made these recommendations to prevent similar tragedies happening again."

DNS [reported last month](#) how DWP had repeatedly contradicted its own position on benefit-related deaths.

It originally stated, in an FoI response, that it did not hold any records on deaths linked to, or partially caused by, the withdrawal or non-payment of disability benefits.

Mark Harper, the Conservative minister for disabled people, later told DNS that he did not "accept the premise" that DWP should collect and analyse reports of such deaths.

But the Liberal Democrat DWP minister Steve Webb appeared to contradict Harper when he said the following week that when the department becomes

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QUOTE OF THE WEEK



"Two years on from the Paralympics and I am seriously in fear for my career. The severe cuts in my Access to Work provisions mean I simply cannot fulfil my job description as chief executive and artistic director of Graeae."

Jenny Sealey, chief executive and artistic director of Graeae Theatre Company, and co-director of the London 2012 Paralympics opening ceremony

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informed.”.

aware of worrying cases “they do get looked at”.

A DWP spokesman finally told DNS last month that it carries out reviews into individual cases, where it is “appropriate”.

13 November 2014

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Author's suicide 'due to slash in benefits'

FRIENDS of an acclaimed Scottish writer have accused the new government's crackdown on welfare benefits of being a factor in his suicide.

Paul Reekie, who, along with Irvine Welsh, was part of a wave of young Scottish authors who rose to international prominence in the 1990s, killed himself in his Edinburgh home last month.

The Leith-based writer and poet, who was 48, left no suicide note but friends say letters informing him that his welfare benefits were to be

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e found close to his body.

Reekie's former publisher Kevin Williamson believes the actions of Chancellor George Osborne, who has introduced unprecedented measures to slash Britain's welfare bill, helped to push his close friend and literary collaborator towards taking his own life.

The founder of the Rebel Inc publishing label has sent a strongly worded letter to Osborne, linking his policies to Reekie's death.

The letter states: "It has come to my attention that while many of my friends and I were at the funeral of our good friend Paul Reekie, aged 48, it would appear that you were giving a speech in Parliament announcing your intentions to slash the benefits paid to the poorest and most vulnerable in our society.

"I thought I would let you know that Paul took his own life. He didn't leave a note but he laid out two letters on his table. One was notifying him that his housing benefit had been stopped. The other was notifying him that his incapacity benefit had been stopped.

"The reason I'm writing this letter is just so you know the human cost of attacking those on benefits."

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Williamson, who published Reekie's novella, Submission, in the best-selling 1996 anthology Children of Albion Rovers, said: "The letter will be binned and forgotten, but there will be loads more folk in Paul's shoes over the coming years trying to cope with unemployment, depression, house repossessions and stress."

John Wight, a friend of the late writer, said he believed Reekie had been suffering from "the after-effects of a serious assault".

Another close friend believes the letters from the Department of Work and Pensions (DWP) may have been the final straw for Reekie, who is thought to have been suffering from depression. In an online tribute to the devoted follower of Hibernian FC, he spoke of the last time they met, just days before he took his own life: "I knew (Paul) was lonely and wasn't too happy overall. "He told me that he'd had a 'brutally bad' time recently, especially because social security officials had disallowed and stopped his disability benefit, even though he had a bad heart condition.

"I didn't know Paul for any of his artistic things really, just as an absolutely brilliant pal and out-and-out funny bloke."

A political group to oppose cuts to disability payments, the Black Triangle Campaign, has been launched in Reekie's memory.

A spokesman said: "The Chancellor's emergency Budget announcing changes to the benefits regime, allegedly to get millions of sick and disabled people off benefits 'and into work' implicitly suggests that a great many of them are malingerers, and that their doctors and consultants are either 'too soft' on them or are somehow acting as co-conspirators in the execution of alleged benefit fraud.

"Unfortunately, Paul was a victim of this policy and found he simply couldn't take it any more."

Fife-born Reekie was a well known figure at literary and musical events, as well as football matches, in his adopted home city. He reached his widest audience in 1994 when his poem, When Caesar's Mushroom is in Season, was published in Welsh's short story collection, The Acid House, a global best-seller. Reekie shared a stage with the Trainspotting author at a Hogmanay event at the Traverse Theatre in 1996 and supported Nick Cave at Princes Street Gardens in 2002. He was also a talented musician and featured alongside Joy Division in a 1979 compilation album.

Strathclyde University's Fraser of Allander Institute believes the pressure on Scotland's jobless will increase and has forecast up to 126,000 job losses over the next five years.

Paul Farmer, chief executive of health charity Mind, fears a radical tightening of work capability assessments could lead to tens of thousands of people being forced to look for work when they are unable to do so.

He said: "Most people with mental health problems want to work, but need time and support to be able to do so.

"We have seen some truly shocking examples of people who cannot be reasonably expected to enter any workplace being assessed as fit for work."

The UK government insists the country cannot afford to avoid tackling spiralling welfare costs, which reached 192bn last year. Ministers had already begun tough measures to tackle benefit fraud by testing more than 10,000 claimants a week.

As part of the crackdown Osborne has also set out plans to cut housing benefit and disability living allowance.

Speaking after his Budget he said of welfare reform: "We have got to make sure we do it in a way that protects those with genuine needs, those with disabilities, but also encourages those who can work into work."

A spokeswoman for the DWP confirmed Reekie had recently been sent correspondence relating to benefits but was unable to discuss their contents.

She said: "We are very sorry to hear this tragic news, but cannot comment further as a report has been sent to the procurator fiscal."



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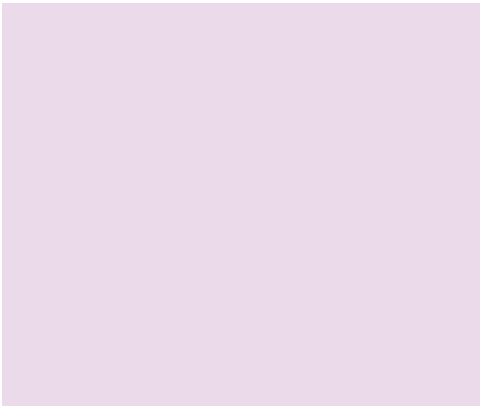
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Dad of two killed himself because he was losing his disability benefits

Apr 20, 2013 22:00

By **Nick Dorman**

Former sheep farmer Nick Barker was told he was fit for work even though a brain haemorrhage had left him struggling to walk

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Tragic: Nick Barker killed himself because he was losing his disability benefits

George Osborne sobbed in a public show of grief at Margaret Thatcher’s funeral – meanwhile there were private tears for a victim of his government’s welfare cuts.

They came after a dad of two killed himself because he was losing his disability benefits, [the Sunday People reports](#) .

Former sheep farmer Nick Barker, 51, was told he was fit for work, even though a brain haemorrhage had left him struggling to walk.

He shot himself after the shock verdict by Atos, the private drafted in by the Department of Work and Pensions to cut claimants.

His family were still reeling from the tragedy when Tory Chancellor Mr Osborne was pictured weeping at last Wednesday’s service in London for Baroness Thatcher.

Nick’s ex-wife Linda, the mother of his children, said yesterday: “It doesn’t seem right to see George Osborne crying over Margaret Thatcher when tragedies are happening because of the way his government is reforming the benefits system.”

Linda, 52, who was still close friends with Nick, added: “He was a lovely man. I can’t help but feel anger. It was clearly distressing him. He wanted a way out.”

Nick had been told he did not score enough points to continue receiving benefits.



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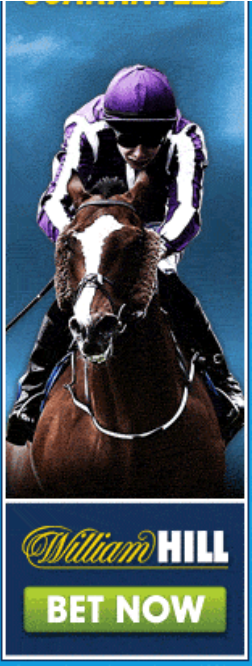
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But Linda, a chef who was wed to him for 12 years, said: “He clearly couldn’t work. He should have been top of the list for benefits. The points system doesn’t work.”




Tearful: George Osborne cries at funeral of Margaret Thatcher


An inquest in Scarborough, North Yorks, heard Nick was found dead eight days before his





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appeal against the decision.

He had raised concerns with his GP about losing his income. Recording a suicide verdict , coroner Michael Oakley said the benefits assessment was key to the tragedy.

He said: “The main factor worrying him was his benefits. His appeal might have been successful – but it didn’t get that far.

“It is evident the matter was concerning him greatly.”

Nick collapsed while working on his farm in 1988 after a weak blood vessel in his brain caused the haemorrhage. It left him paralysed down the left side.


Linda said: “He couldn’t walk, feed or dress himself. Over the years he learnt to walk again and do more things but he clearly wasn’t able to work.

“He would be out of breath just popping to the shops.”

Government figures reveal that 1,300 people have died after being told they should start preparing to go back to work.

Labour MP Michael Meacher told Parliament that Atos was paid £110million a year and a further £60million of public money was going on appeals.

And an Atos executive apologised last week to long term sick people incorrectly labelled fit for work. A third of its decisions have been overturned.



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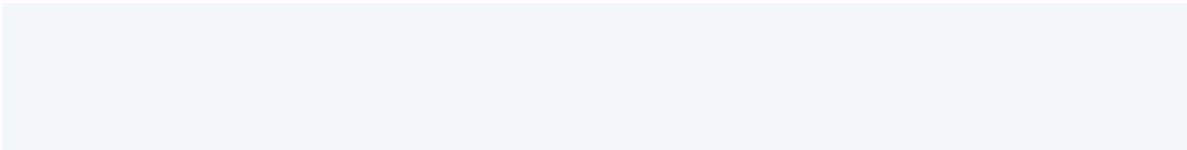
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Bristol woman 'killed herself after benefits were stopped'

By [The Bristol Post](#) | Posted: November 25, 2013

By Marc Rath



Nurse Christine Norman, whose sister Jacqueline Harris took her own life

[Comments \(38\)](#)

PARTIALLY-sighted and only able to walk with the aid of a stick, Jacqueline Harris suffered crippling pain due to slipped discs in her back and neck. Her mobility was reduced further when a dog savaged one of her wrists.



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Despite being in agony which strong pain relief could not ease, the 53-year-old was deemed to be fit for work following a government health assessment and told to find a job.

Her sister claims the verdict that she was ineligible for disability benefits drove her to take her own life earlier this month.

Nurse Christine Norman, top right, said her fitness-to-work assessment at a government-run centre lasted only a few minutes.

It is claimed that during the test she was only asked one question – "Did you come here by bus?", to which she answered 'yes'. The widow later received a letter by post telling her to find employment.

Ms Harris contested the ruling but was found dead at her home in Speedwell Road, Kingswood, on November 2 having taken an overdose.

A Department for Work and Pensions (DWP) tribunal hearing had been due to take place to consider her appeal two weeks later.

Her older sister Mrs Norman, 57, from Whitchurch, said her sibling was already low due to her health problems but could not bear the pressure of being forced into work.

She said: "She said couldn't do it anymore and that no-one was listening to her and no-one cared. She told me she couldn't work and that nobody believed her.

She just wanted her benefit so she could have avoided the pressure of work – it wasn't a massive amount of money."

Of the appointment at the assessment centre last year, she said her sister spent two hours on two buses travelling to the centre, run by private firm Atos Healthcare, and spent only two minutes having an assessment. Mother-of-two Mrs Norman said her sister was only asked one question at the assessment: "Did you get here by bus?"

"She replied with one fateful word – 'yes'," said Mrs Norman. "She hadn't even had the chance to take her coat off.

"If she was addicted to alcohol or drugs, she would have been given a sick note.

"Being a nurse and a health professional I am so disappointed – anyone could see she wasn't fit to work. She would have loved to have had a job but couldn't.

"How much grief, pain and anguish do you have to go through before they realise?"

Following the ruling, her benefits were stopped in January and she sought help through the Citizens' Advice Bureau.

Her first appeal against the decision failed, but the second appeal was due to be heard at HM Court Tribunal Service in Cardiff on November 15.

Ms Harris suffered from arthritis in her neck and back due to her slipped discs but her pain was exacerbated after an unsuccessful operation on her neck last year.

She was left in agony every time one of her arms was touched, making everyday tasks a huge challenge.

Bones from her hand had been removed during separate surgery after she had been attacked by a dog she had agreed to look after at her home.

She had previously been a recipient of incapacity benefit but was trying to claim its replacement called an Employment and Support Allowance, first introduced in 2008.

Paying tribute to her sister, a former nurse who lost her husband Brian six years ago, Mrs Norman said she tried to remain positive despite facing an uphill struggle every day.

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Mrs Norman said: "She was gregarious and loved dogs, and music and to boogie as much as her back would allow. She was an intelligent girl."

An inquest into Ms Harris' death has been opened and adjourned.

A Department for Work and Pensions spokeswoman said: "Our sympathy goes out to the family of Mrs Harris during what must be a very difficult time.

"A decision on whether someone is well enough to work is taken following a thorough assessment and after consideration of all the supporting medical evidence.

"Through a series of independent reviews and by working with medical experts and charities, we have considerably improved the work capability assessment process since 2010 to make it fairer and more accurate."

An Atos spokeswoman said: "Our sympathies go out to Ms Harris's family.

"Atos Healthcare carries out assessments on behalf of the Department for Work and Pensions and under its guidelines. But we do not make decisions on people's benefit entitlement, nor are we involved in the appeal process."

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nototoryscum

| March 07 2014, 11:27PM

How DARE the DWP and ATOS claim their sympathies are with the woman they killed?! That's like punching a gay man for being gay then saying you sympathise with what happened to him!


Report




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http://www.bristolpost.co.uk/sister-killed-disability-benefit-stopped/story-20170841-detail/story.html[15/11/2014 01:54:57]



B_Hawk_D | December 31 2013, 11:58AM

<http://tinyurl.com/p8c4q54> Worth a watch I guess.

☐ | ☐

1

[Report](#)



phoenixbbs | November 25 2013, 11:56PM

We don't want "sympathies" from ATOS, we want charges of Manslaughter by Gross Negligence to be brought against the "assessor", her team leader, and at least one senior manager. I've already emailed my own MP (not local to Bristol), but I'd have to ask if everyone else could do the same... suggested wording follows; Surely it must be possible to prosecute at very least the "assessor", their team leader, and at least one senior manager for Manslaughter by Gross Negligence <http://tinyurl.com/o7xmg96>
<http://tinyurl.com/6blhu9> 1: the defendant owed a duty to the deceased to take care; 2: the defendant breached this duty; 3: the breach caused the death of the deceased; and 4: the defendant's negligence was gross, that is, it showed such a disregard for the life and safety of others as to amount to a crime and deserve punishment. Thanks

☐ | ☐

66

[Report](#)



foolery | November 25 2013, 9:21PM

What do you expect? She was born in this country! Thanks to all the Champagne Socialists and Bitter and Twisted Little Lefties, we can now expect more of this. Our social security budget goes on our friends who have paid nothing into the system. Take your fingers out of your ears, Its gonna get worse!

☐ | ☐

-56

[Report](#)



Tiny_Steve | November 25 2013, 8:44PM

@hjgethin Time to vote UKIP and take control of our country again folks. Really? The party that says that everyone who wants benefits should have to work would have helped in this case would it?

☐ | ☐

-38

[Report](#)



ettyg | November 25 2013, 7:02PM

OH huge greg what a silly little sausage you are. I've just gone through the progression of your diatribe. If you knew anything about either the WCA process or suicide you might hold fire on some of your judgements. The process itself is stressful and terrifying and in the case of suicide very few people are of a sound enough mind to detail the reasons for their actions, if they leave a note at all. I have been involved in formulating suicide prevention policies for some time and the fact that job centre plus staff are represented on public health committees is reason enough to wonder whether some of the recent benefit changes may be responsible for some of the rises in suicide rates. So please greg do your research before you spout you daily mail propaganda

☐ | ☐

42

[Report](#)



nickthompson | November 25 2013, 6:28PM

Millionaire MP Nadhim Zahawi used a company in an offshore tax haven to buy his constituency home in Warwickshire. Conservative MP Mr Zahawi – an adviser to David Cameron – used the company in low-tax Gibraltar as a lender to buy an estate and riding stables now worth £1 million in Upper Tysoe, near Stratford-upon-Avon, in 2011. Berkford Investments Limited were traced to a PO box in the British overseas territory off Spain and to a residential address in Putney, south London. Documents obtained from Companies House in Gibraltar show Berkford Investments Limited is managed by T&T

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40

[Report](#)

Management Services Limited, which shares the same address. T&T Management Services Limited's website advertises its services as administering trusts for wealthy individuals and families to manage their assets, and avoid or minimise paying property taxes.



[nickthompson](#) | November 25 2013, 2:43PM

[□](#) | [□](#)

54

Anne Main MP is one of Tories' most vocal backers of the bedroom tax, but one person who certainly wasn't "paying for the accommodation they were using" was Mains 27 year daughter, who lived rent free for up to three years in a second home funded by MPs' expenses. So that's £40,000 in mortgage interest payments on the taxpayer (plus conveyancing fees, furnishings, council tax and refurbishments). This is a woman who wants to charge 400,000 disabled people up to £832 per year to remain in their own homes. Labour's Baroness Uddin was banned from the Lords until she repaid £123,349 of claims made "in bad faith" for a flat she described as a second home. She took out loans from friends to repay the money quickly — with the result that taxpayers are now effectively repaying her debt through the £300 daily allowance.-----
-----£300 A DAY The most recent parliamentary figures reveal that in June alone, Baroness Uddin claimed £4,800 in allowances for 16 sitting days, which was the maximum available. In May she claimed £2,700 to cover nine sitting days, and in April claimed £1,200. To qualify for the £300 daily rate, a peer simply has to turn up to Parliament and be noted as having attended. Those living outside London can claim travel expenses too. In 2011 peers claimed an average of £22,830 each. Let us all send the outgoing head of British Telecom our hearty congratulations as he takes up his new post of Tory Trademinister, I wonder if he will remember that we are all in it together when he banks his 9 MILLION POUNDS payoff

[Report](#)



[Steve059](#) | November 25 2013, 2:42PM

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54

Another notch on IDS' desk.

[Report](#)



[fisherking](#) | November 25 2013, 2:34PM

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Well said roly12345. That figure says it all ATOS is a disgrace, and a blatant waste of money.

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Mar 2014

Woman killed herself after being stripped of disability benefit, says watchdog

By [john pring](#)

Baroness (Jane)

Campbell "I

welcome John Pring's weekly news update every Friday. His detailed, and above all accurate, line-up of current disability issues is a reliable source of information that I use to enhance – even at times to inspire – the work I do to champion disabled people and to combat discrimination in all of its forms. Long may it continue!"

Stephen Brookes, coordinator, **Disability Hate Crime Network:**

"We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

A disabled woman almost certainly killed herself because she had been found "fit for work" and stripped of out-of-work disability benefits, according to a mental health watchdog.

The Mental Welfare Commission for Scotland concluded that the work capability assessment (WCA) process and the subsequent denial of employment and support allowance (ESA) was at least a "major factor in her decision to take her own life".

[The commission's investigation report](#) – Who benefits? The benefits assessment and death of Ms DE – concluded that the decision to strip her of out-of-work disability benefits had been based on an assessment that contained "insufficient information about her mental health".

Ms DE killed herself after she was found "fit for work", following an assessment by Atos Healthcare on behalf of the government.

The Atos assessor, a doctor, had decided she showed "no evidence of significant disability of mental health function".

But neither her GP nor her psychiatrist, who had both been treating her for 20 years, was asked by Atos or the Department for Work and Pensions (DWP) to comment on her mental health, even though both were convinced that she was not fit for work.

She had been claiming incapacity benefit (IB), but was caught up in the national programme to reassess all IB claimants through the much-criticised WCA process.

Ms DE was found dead in her home on 31 December 2011, 13 days before her ESA was to be stopped. She had told a welfare rights adviser that she did not know how she would be able to pay her mortgage.

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accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

Steve Donnison, Benefits and Work website: "The weekly round-up of news from DNS is now an established and vital part of the service we offer our members... We couldn't be without DNS now – our members would never forgive us."

Phil Friend, director, Phil & Friends Ltd: "My professional work means that I need to stay in touch with developments regarding disability issues. I've come to rely on the unique services provided by DNS. It is reliable, comprehensive and accurate. I can't think of another news service that provides me with the professional support I need to ensure that I'm up-to-date and kept well

Her psychiatrist said there were no other factors he knew of that could have caused her to take her own life.

She was going to have to move onto jobseeker's allowance, which would have meant a "significant drop in her income", from £94.25 a week to £67.50.

Dr Donald Lyons, the commission's chief executive, told Disability News Service: "There was not anything else that we could determine was happening in her life [that could have caused her to kill herself].

"There was evidence that things were getting better for her, [but] she was extremely distressed by the whole process of assessment and being refused ESA.

"Unquestionably, the process and the denial of ESA were certainly at least a major factor in her decision to take her own life."

The commission concluded that the WCA needed to be "more sensitive to mental health issues", and that it was "disappointed at how the DWP communicated with Ms DE".

The case was brought to the commission's attention because psychiatrists in the area where Ms DE lived "felt that changes in the benefits system were having a major adverse effect on their patients".

The commission carried out a survey of Scottish psychiatrists to ask them how they thought the WCA had impacted on their patients.

Of the 56 who replied and had patients who had undergone a WCA, three-quarters said they had not been asked for their opinion at any point in the process by either Atos or DWP, while 96 per cent said their patients had been "distressed" by the WCA process.

Two-fifths had at least one patient who had self-harmed following a WCA – partly as a result of the assessment process or outcome – and 13 per cent stated that at least one patient had attempted to take their own life, partly again as a result of the assessment.

More than one-third said that at least one of their patients had been admitted to hospital as a result of the WCA.

The report says: "Commonly reported were increased stress, anxiety and thoughts of suicide. In some cases the stress had severely destabilised patients."

It adds: "The overall theme of the responses was the distress caused to patients and consequent demands on mental health services."

The report makes a series of recommendations, particularly for improving the WCA process for claimants with mental health conditions, and for how Atos and DWP must ensure their communication with claimants "is compliant with the requirements of the Equality Act".

John McArdle, a co-founder of the user-led grassroots campaign group Black Triangle, said the case of Ms DE had disturbing similarities to that of the Scottish poet Paul Reekie, who killed himself in 2010 after being told that his incapacity benefit and his housing benefit were being stopped.

McArdle said: "It is an identical set of circumstances and it is still happening. It is shocking."

He said it would be four years in June since Reekie's death. "It is just heart-breaking. The evidence [of connections between people with mental health conditions being found fit for work and then killing themselves] is now in the public domain and it is irrefutable."

The Mental Health Resistance Network considers Community Treatment Orders to be a profound violation of human rights and we regard the use of forced medication to be a violent assault... [\[Read More...\]](#)

QUOTE OF THE WEEK



"Two years on from the Paralympics and I am seriously in fear for my career. The severe cuts in my Access to Work provisions mean I simply cannot fulfil my job description as chief executive and artistic director of Graeae."

Jenny Sealey, chief executive and artistic director of Graeae Theatre Company, and co-director of the London 2012 Paralympics opening ceremony

SEARCH DNS

informed.”.

And he said he was appalled by DWP’s response to the commission’s recommendations, in which it insisted that it was “important to retain a balance between the added value of further evidence in any claim for ESA and the demands on the time of GPs and other healthcare professionals”.

McArdle said: “This is a callous way to approach the safety and wellbeing of disabled people who are at risk of suicide.”

27 March 2014

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Atos benefits bullies killed my sick dad, says devastated K

Nov 01, 2012 08:34 By **Janice Burns**

THE devastated youngster believes the benefits assessors' decision to deem his dad "fit for work" led to his death from a heart attack.

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Kieran McArdle with picture of his late father

A GRIEVING boy of 13 has accused Atos of killing his disabled dad.

Kieran McArdle told the Daily Record in a harrowing letter how his father Brian, 57, collapsed and died the day after his disability benefits were stopped. He had been assessed by Atos and deemed “fit for work”.

The youngster said a previous stroke on Boxing Day last year had caused a blood clot on Brian’s brain.

He was left paralysed down his left side, unable to speak properly, blind in one eye and barely able to eat or dress.

But he was still summoned to an Atos “work capability assessment” – part of the Con-Dem Government’s drive to cut billions from the welfare bill.

Kieran says he had another stroke days before his appointment because of stress, but was still determined to attend.

A month later, former security guard Brian got a letter telling him he would lose his disability benefits on September 26.

Kieran said his dad’s health went rapidly downhill. He believes constant worry about how he would survive without the cash he needed robbed Brian of the will



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to live.

The day after his benefits were stopped, Brian collapsed and died in the street near his home in Larkhall, Lanarkshire. He had suffered a heart attack.

Kieran poured out his anger about the tragedy in his letter.

He wrote: "Atos need to know their changes are killing genuine people like my dad.

"It has to stop before more people lose their lives."

The Record is campaigning for a fair and decent system that protects the rights of the genuinely disabled. Scots have repeatedly told us how Atos deemed them fit for work despite their illnesses after humiliating assessments.

Kieran told us in his letter: "I write to you regarding your fight for a fair assessment for the sick and disabled people.

"My dad was assessed by Atos and told he was fit for work.

"After his assessment he was very low and worried how he was going to cope with no money as he was informed his benefits would stop on September 26.

"He died on September 27.

"My dad was severely disabled after he took a massive stroke which caused a blood clot in his brain."

Kieran said Brian had a panic alarm around his neck in case he fell or became ill, and had to use a mobility scooter.

He added: "How disabled do you have to be to get disability benefits? That's what I want to know.

"My dad was a very proud man and didn't like asking for help, financial or otherwise, but the money helped him retain some kind of dignity.

"He couldn't come to terms with the fact he was disabled and needed help. The left side of his body was completely paralysed. He couldn't walk properly, see out of his left eye, use his left arm, which meant he really struggled to feed himself, get dressed or perform even simple tasks.

"I was gobsmacked when he got the letter saying he was fit for work and that his benefits were being cut.

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“How could he possibly be fit for work? It is an absolute disgrace and those Atos people should hang their heads in shame for what they are doing to these poor disabled people.

“They are supposed to be targeting the fraudsters, not killing off the genuine folk with their disgusting tactics.

“Even though my dad had another stroke just days before his assessment, he was determined to go.

“He tried his best to walk and talk because he was a very proud man, but even an idiot could have seen my dad wasn’t fit for work.

“He was under a great deal of stress the moment he was told about his assessment, and then after he got the letter telling him his benefits were being stopped he completely changed and he was very down.

“In the three weeks leading up to his death his fighting spirit was gone. I feel Atos caused my dad stress and unnecessary suffering which brought all this on and didn’t help.

“So them and David Cameron need to see the bigger picture and know their changes are killing genuine people like my dad. It has to stop before more people lose their lives.

“I decided to write to the Record to highlight my dad’s case.

“I know it won’t bring my dad back but maybe it will save some other family the loss of their loved-one.”

We spoke to Kieran, a pupil at Holy Cross High School in Hamilton, after receiving his letter.

He told us: “Atos destroyed my dad. They knocked the stuffing out of him.

“He was always a fighter , but I knew he wouldn’t survive after he got that letter stopping his benefits.

“It completely changed him. He was stressed out about how he was going to live. No one should have to suffer like that.

“Atos should hang their heads in shame for what they have done to my dad and other genuinely disabled people. It is disgusting.



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“I will never forgive them. I have not been able to grieve for my dad because I had so much anger inside me.

“I won’t be able to come to terms with my dad’s death until I get justice for him.”

Kieran said his parents split up years ago but were good friends. He saw his dad “all the time”.

“I thought the world of him,” he added. “My last words to him were ‘I love you dad’ which gives me some comfort at least.

“Maybe I could accept his death a bit better if he had died of natural causes, but knowing that the stress of the Atos stuff killed him makes me sick to my stomach. I refuse to come to terms with it.

“He was very independent and wanted to live on his own. He had recently bought some disability aids to help him feed himself and was getting on with this life the best way he could.

“Me and my mum visited him all the time and helped him. He had great difficulty washing himself, getting dressed and feeding himself. He hated that he had to ask for help.

“He was a great dad and he was saving up to buy me a laptop for my Christmas, but after the terrible news from Atos I knew he would never see Christmas.

“My life seems empty now without my dad. I don’t know how I’m going to live without him. We were each other’s world.”

The Department for Work and Pensions said: “Our sympathy goes out to Mr McArdle’s family during what is obviously a very difficult time.

“Through employment and support allowance (ESA), we help people move from benefits and back into work if they are capable of doing so, while giving unconditional support to those who need it.

“A decision on whether someone is well enough to work is taken following a thorough face-to-face assessment, and after consideration of all the supporting medical evidence from the claimant’s GP or medical specialist.

“We encourage people to provide as much medical evidence as possible when



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they apply for ESA. Often, people found fit for work only provide the necessary evidence when they ask for a reconsideration or an appeal.”

Atos Healthcare said: “Our sympathies are with the friends and family of Mr McArdle.

“Although we cannot comment on individual cases, our trained doctors, nurses and physio-therapists strictly follow the guidelines given to them by the Government when conducting assessments, which form a single, although important, part of the process.”

Atos have raked in millions assessing ESA claimants. And despite fury over their methods, they won contracts worth £400million to assess disabled people for the new “personal independence payment” which replaces disability living allowance from next year.

Secret papers revealed Atos could make £40million profit from the assessments in Scotland and the north of England.

But after our campaign, they announced that they had sub-contracted the assessments in Scotland to an NHS agency. Opponents called it “a humiliating climbdown”.

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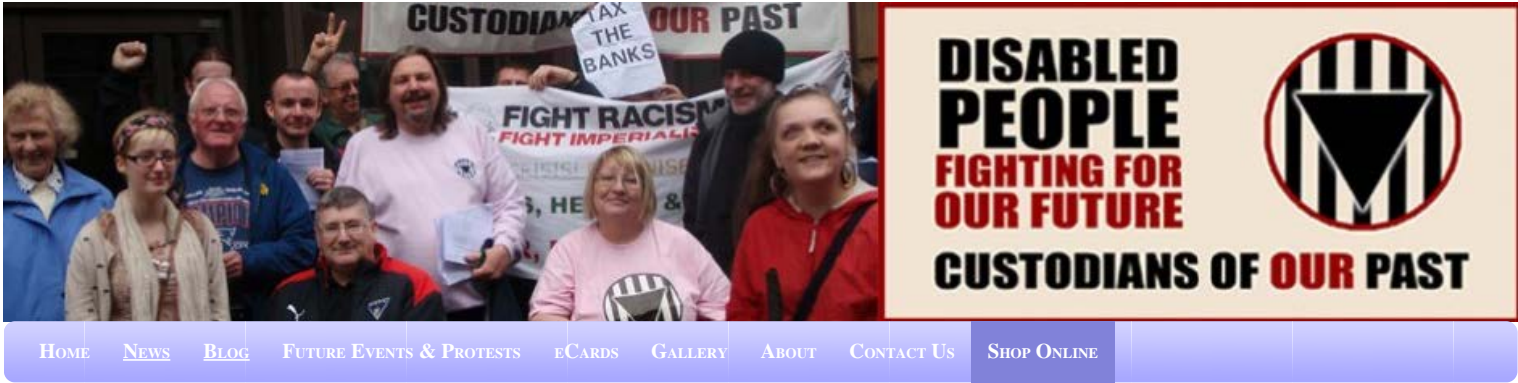
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UK Welfare Reform Deaths ~ Updated List ~ October 21st 2014

Posted on [October 21, 2014](#) by [John McArdle](#)



Updated tragic list of welfare-related deaths of UK's sick and/or disabled people. This is the tip on the iceberg:

They shall be remembered forevermore.

Avenge the dead. Resuscitate the living. We must fight on for freedom from Westminster's murderous policies and support the struggle of all Britain's sick and/or disabled people simultaneously. Saor Alba.

[Terry McGarvey, 48](#). Dangerously ill from polycytheamia, Terry asked for an ambulance to be called during his Work Capability Assessment. He knew that he wasn't well enough to attend his WCA but feared that his benefits would be stopped if he did not. He died the following day.

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[Elaine Lowe, 53](#). Suffering from COPD and fearful of losing her benefits. In desperation, Elaine chose to commit suicide.

[Mark Wood, 44](#). Found fit for work by Atos, against his Doctors advice and assertions that he had complex mental health problems. Starved to death after benefits stopped, weighing only 5st 8lb when he died.

[Paul Reekie, 48](#), the Leith based Poet and Author. Suffered from severe depression. Committed suicide after DWP stopped his benefits due to an Atos 'fit for work' decision.

[Leanne Chambers, 30](#). Suffered depression for many years which took a turn for the worst when she was called in for a WCA. Leanne committed suicide soon after.

[Karen Sherlock, 44](#). Multiple health issues. Found fit for work by Atos and denied benefits. Fought a long battle to get placed into the support group of ESA. Karen died the following month of a heart attack.

[Carl Payne, 42](#). Fears of losing his lifeline benefits due to welfare reform led this Father of two to take his own life.

[Tim Salter, 53](#). Blind and suffering from Agoraphobia. Tim hanged himself after Atos found him fit for work and stopped his benefits.

[Edward Jacques, 47](#) years old and suffering from HIV and Hepatitis C. Edward had a history of severe depression and self-harm. He took a fatal overdose after Atos found him fit for work and stopped his benefits.

[Linda Wootton, 49](#) years old. A double heart and lung transplant patient. Died just nine days after the government found her fit for work, their refusal letter arriving as she lay desperately ill in her hospital bed.

[Steven Cawthra, 55](#). His benefits stopped by the DWP and with rising debts, he saw suicide as the only way out of a desperate situation.

[Elenore Tatton, 39](#) years old. Died just weeks after the government found her fit for work.

[John Walker, 57](#), saddled with debt because of the bedroom tax, John took his own life.

[Brian McArdle, 57](#) years old. Suffered a fatal heart attack the day after his disability benefits were stopped.

[Stephen Hill, 53](#). Died of a heart attack one month after being found fit for work, even though he was waiting for major heart surgery.

[Jacqueline Harris, 53](#). A former Nurse who could hardly walk was found fit for work by Atos and her benefits withdrawn. In desperation, she took her own life.

[David Barr, 28](#). Suffering from severe mental difficulties. Threw himself from a bridge after being found fit for work by Atos and failing his appeal.

[David Groves, 56](#). Died of a heart attack the night before taking his work

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Dear Secretary of
State, We are deeply
concerned by your
decision to award the
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capability assessment. His widow claimed that it was the stress that killed him.

[Nicholas Peter Barker, 51](#). Shot himself after being told his benefits were being stopped. He was unable to work after a brain haemorrhage left him paralysed down one side.

[Mark and Helen Mullins, 48 and 59 years old](#). Forced to live on £57.50 a week and make 12 mile trips each week to get free vegetables to make soup. Mark and Helen both committed suicide.

[Richard Sanderson, 44](#). Unable to find a job and with his housing benefit cut forcing him to move, but with nowhere to go. Richard committed suicide.

[Martin Rust, 36](#) years old. A schizophrenic man who killed himself two months after the government found him fit to work.

[Craig Monk, 43](#). A vulnerable gentleman and a partial amputee who slipped so far into poverty that he hanged himself.

Colin Traynor, 29, and suffering from epilepsy was stripped of his benefits. He appealed. Five weeks after his death his family found he had won his appeal.

Elaine Christian, 57 years old. Worried about her work capability assessment, she was subsequently found at Holderness drain, drowned and with ten self inflicted wrist wounds.

Christelle and Kayjah Pardoe, 32 years and 5 month old. Pregnant, her benefits stopped, Christelle, clutching her baby son jumped from a third floor balcony.

Mark Scott, 46. His DLA and housing benefit stopped and sinking into deep depression, Mark died six weeks later.

Cecilia Burns, 51. Found fit for work while undergoing treatment for breast cancer. She died just a few weeks after she won her appeal against the Atos decision.

Chris Cann, 57 years old. Found dead in his home just months after being told he had to undergo a medical assessment to prove he could not work.

Peter Hodgson, 49. Called to JCP to see if he was suitable for volunteer work. Peter had suffered a stroke, a brain haemorrhage and had a fused leg. His appointment letter arrived a few days after he took his own life.

Paul Willcoxsin, 33 years old. Suffered with mental health problems and worried about government cuts. Paul committed suicide by hanging himself.

Stephanie Bottrill, 53. After paying £80 a month for bedroom tax, Stephanie could not afford heating in the winter, and lived on tinned custard. In desperation, she chose to walk in front of a lorry.

Larry Newman suffered from a degenerative lung condition, his weight dropping from 10 to 7 stone. Atos awarded him zero points, he died just three months after submitting his appeal.

Paul Turner, 52 years old. After suffering a heart attack, he was ordered to find a job in February. In April Paul died from ischaemic heart disease.

Christopher Charles Harkness, 39. After finding out that the funding for his care

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e-petition - Stop Unfair Re-assessments For Disabled People

Responsible department:
Department for Work and Pensions

Stop the unfair and cruel re-assessments via ATOS for disabled people currently on Incapacity Benefit. ESA is a flawed benefit, and puts terrible pressure and stress on vulnerable people, putting people who cannot work on lesser benefits and applying sanctions. Let disabled people decide for themselves if they can work, they and their carers know best.

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home was being withdrawn, this man who suffered with mental health issues, took his own life.

Sandra Louise Moon, 57. Suffering from a degenerative back condition, depression and increasingly worried about losing her incapacity benefit. Sandra committed suicide by taking an overdose.

Lee Robinson, 39 years old. Took his own life after his housing benefit and council tax were taken away from him.

David Coupe, 57. A Cancer sufferer found fit for work by Atos in 2012. David lost his sight, then his hearing, then his mobility, and then his life.

Michael McNicholas, 34. Severely depressed and a recovering alcoholic. Michael committed suicide after being called in for a Work Capability Assessment by Atos.

Victor Cuff, 59 and suffering from severe depression. Victor hanged himself after the DWP stopped his benefits.

Charles Barden, 74. Charles committed suicide by hanging due to fears that the Bedroom Tax would leave him destitute and unable to cope.

Ian Caress, 43. Suffered multiple health issues and deteriorating eyesight. Ian was found fit for work by Atos, he died ten months later having lost so much weight that his family said that he resembled a concentration camp victim.

Iain Hodge, 30. Suffered from the life threatening illness, Hughes Syndrome. Found fit for work by Atos and benefits stopped, Iain took his own life.

Wayne Grew, 37. Severely depressed due to government cuts and the fear of losing his job, Wayne committed suicide by hanging.

Kevin Bennett, 40. Kevin a sufferer of schizophrenia and mental illness became so depressed after his JSA was stopped that he became a virtual recluse. Kevin was found dead in his flat several months later.

David Elwyn Hughs Harries, 48. A disabled man who could no longer cope after his parents died, could find no help from the government via benefits. David took an overdose as a way out of his solitude.

Denis Jones, 58. A disabled man crushed by the pressures of government cuts, in particular the Bedroom Tax, and unable to survive by himself. Denis was found dead in his flat.

Shaun Pilkington, 58. Unable to cope any more, Shaun shot himself dead after receiving a letter from the DWP informing him that his ESA was being stopped.

Paul ?, 51. Died in a freezing cold flat after his ESA was stopped. Paul appealed the decision and won on the day that he lost his battle to live.

Chris MaGuire, 61. Deeply depressed and incapable of work, Chris was summonsed by Atos for a Work Capability Assessment and deemed fit for work. On appeal, a judge overturned the Atos decision and ordered them to leave him alone for at least a year, which they did not do. In desperation, Chris took his own life, unable to cope anymore.

Peter Duut, a Dutch national with terminal cancer living in the UK for many years

- ['Down With All That'](#) In-depth background reading on the shambles of the (rapidly disappearing) welfare state
- [Aktion T4](#) The T4 Program was responsible for the murder of over 100,000 German citizens...babies, children, adults, and elderly...who had physical and mental disabilities. Developed in 1938 and carried out at six different sites throughout Germany and Austria, the T4 P
- [AtoS Healthcare User Group \(Closed Group – Request to Join\)](#) "How do you feel about the Government's move in scrapping Income Support and Disability Living Allowance and the organisation calling itself AtoS 'HEALTHCARE'?"
- [Atos Miracles](#) Find out where your nearest Atos Miracle Cure Center is on this fantastic web site.
- [Atos Miracles](#) A place for the sick and disabled to share stories of how ATOS have cured them. Many sites on this subject have been threatened with legal action by the company and this is a place of satire – which we are hoping is not yet outlawed in the UK.
- [ATOS VICTIMS GROUP](#) "Telling it How it IS" – Staunch allies and fighters against the UK's genocidal so-called welfare 'reform' programme
- [Benefits Claimants Fight Back](#)
- [Boycott Workfare](#) Workfare – compulsory work for benefits – is being rolled-out across the country. We call on public sector bodies, voluntary organisations and businesses being offered these placements as well as union branches to join others in signing a pledge to boycott
- [Crippen Cartoons](#) The website of David Luton-Crippen, renown disabled cartoonist and a member of The Black Triangle
- [Crippen Cartoons Blog](#) David Luton-Crippen's blog
- [Diary of a Benefits Scrounger](#) Sue Marshes excellent blog that shares information on Welfare cuts, illness, disability and general, current, political thought.
- [Disability Arts Online](#) A 'must read'! Not to be missed.
- [Disability History Month](#)

found that he was not entitled to benefits unless he was active in the labour market. Peter died leaving his wife destitute, and unable to pay for his funeral.

George Scollen, age unknown. Took his own life after the government closed the Remploy factory he had worked in for 40 years.

Julian Little, 47. Wheelchair bound and suffering from kidney failure, Julian faced the harsh restrictions of the Bedroom Tax and the loss of his essential dialysis room. He died shortly after being ordered to downgrade.

Miss DE, Early 50's. Suffering from mental illness, this lady committed suicide less than a month after an Atos assessor gave her zero points and declared her fit for work.

Robert Barlow, 47. Suffering from a brain tumour, a heart defect and awaiting a transplant, Robert was deemed fit for work by Atos and his benefits were withdrawn. He died penniless less than two years later.

Carl Joseph Foster-Brown, 58. As a direct consequence of the wholly unjustifiable actions of the Job centre and DWP, this man took his own life.

Martin Hadfield, 20 years old. Disillusioned with the lack of jobs available in this country but too proud to claim benefits. Utterly demoralised, Martin took his own life by hanging himself.

Annette Francis, 30. A mum-of-one suffering from severe mental illness, found dead after her disability benefits were ceased.

Ian Jordan, 60. His benefits slashed after Atos and the DWP declared Ian, a sufferer of Barratt's Oesophagus, fit for work, caused him to run up massive debts in order to survive. Ian was found dead in his flat after taking an overdose.

Janet McCall, 53. Terminally ill with pulmonary fibrosis and declared 'Fit for Work' by Atos and the DWP, this lady died 5 months after her benefits were stopped.

Stuart Holley, 23. A man driven to suicide by the DWP's incessant pressure and threat of sanctions for not being able to find a job.

Graham Shawcross, 63. A sufferer of the debilitating disease, Addison's. Died of a heart attack due to the stress of an Atos 'Fit for Work' decision.

[David Clapson](#), 59 years old. A diabetic ex-soldier deprived of the means to survive by the DWP and the governments harsh welfare reforms, David died all but penniless, starving and alone, his electricity run out.

Chris Smith, 59. Declared 'Fit for Work' by Atos as he lay dying of Cancer in his hospital bed.

Nathan Hartwell, 36, died of heart failure after an 18-month battle with the Department for Works and Pensions.

Michael Connolly, 60. A Father of One, increasingly worried about finances after his benefits were cut. Committed suicide by taking 13 times the fatal dose of prescription medicine on the 30th October – His Birthday.

Jan Mandeville, 52, A lady suffering from Fibromyalgia, driven to the point of mental and physical breakdown by this governments welfare reforms. Jan was

[Scotland](#) The official website of Disability History Month Scotland – 22nd November to 22nd December 2011

- [Disability History Month Scotland](#) Held annually in the Autumn to celebrate our history of struggle and to build for a better future
- [Disabled People Against Cuts](#) DPAC is about disabled people and their allies. DPAC is UK based but we know that disabled people in other countries are suffering from austerity cuts and a lack of fundamental rights. We welcome all to join us in fighting for justice and human rights for
- [Double Karma](#) Ania Waterman's blog on everything to do with disabled people's activism
- [Down With All That](#) Bigleyma's excellent blog that chronicles the farce that the WCA assessments are and the major players involved in it's execution.
- [DWP Examinations Forum A](#) friendly online community for those undergoing an Atos Medical Assessment or appeal full of loads of information and valuable advice.
- [Edinburgh Coalition Against Poverty](#) Practical advice and solidarity for all those facing benefit difficulties and hardship. Excellent campaigning organisation
- [Good Advice Matters](#) Guides that have been produced in an effort to simplify the various processes involved when trying to claim benefits.
- [Inspired By Atos Origin A](#) Facebook Group for people to post their artwork that is inspired by Atos Origin.
- [Ouch Too](#) A disability support forum founded from the ashes of the BBC's Ouch Board after they closed it.
- [Paralympics 2012 Boycott Website](#) Dedicated to exposing Atos's hypocrisy as disability deniers and sponsors of the Paralympic Games! Paralympians: SPEAK OUT AND PROTEST!!!
- [Rolling with the Punches Blog](#) "33 year old with lupus since 17 and a variety of other weird awkward symptoms!" Campaigner who co-authored the Spartacus Report

found dead in her home after battling the DWP for ESA and DLA.

Trevor Drakard, 50 years old. A shy and reserved, severe epileptic who suffered regular and terrifying fits almost his entire life, hounded to suicide by the DWP who threatened to stop his life-line benefits.

Death of a severely disabled Dorset resident, unnamed, who took her own life while battling the bedroom tax.

May their deaths be avenged.

See also: [UK 'is first country to face UN inquiry into disability rights violations'](#) ~ Disability News Service

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- [Solidarity Federation](#) Advice on what to do if you 'fail' your DWP/ATOS Work Capability Assessment
- [The Broken of Britain](#) Non-partisan UK-based Disability campaign. Advocacy for people with invisible illness and/or physical & mental health conditions. Also Carers, their Families and Friends. Our individual voices are too quiet to be heard, but collectively we can shout
- [The Dawn Willis Blog](#) Dawn Willis sharing the news & views of the "Mentally Wealthy"
- [The New Republic](#) The daily tabloid of the "Age of Austerity"
- [The Void](#) Narking off the state since 2005
- [Unum Insurance Blog](#) An excellent website that exposes advisor to the UK Government on welfare reform, Unum, for what they are.
- [Using the Law to Fight Cuts to Disabled People's Services](#) A practical guide for campaigners – disabled people and their families; carers and local groups (Updated July 2012)
- [Victims of Atos Corruption](#) They tried to silence Atos Register of Shame and it back as Victims of Atos Corruption.
- [Where's the Benefit](#) A blog on all things that affect sick and/or disabled people under the ConDem jackboot
- [Why Wait Forever – DWP ATOS Veterans](#) An amazing website containing interesting detailed research carried out by Mo Stewart into Atos & Unum Insurance
- [YOUR CALL – National Freephone Telephone Counselling Service for Disabled People in Scotland](#) This is the first service of its kind in the UK. The service takes calls to its appointment line from 11am until 3 pm Mondays to Thursdays. Calls are free from a home telephone, and from most mobile networks(including T-Mobile, Vodafone, O2, 3, Orange a



About John McArdle

Co-founder of Black Triangle

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By [john pring](#)

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THE BLOG—DENISE MCKENNA

Baroness (Jane) Campbell "I welcome John Pring's weekly news update every Friday. His detailed, and above all accurate, line-up of current disability issues is a reliable source of information that I use to enhance – even at times to inspire – the work I do to champion disabled people and to combat discrimination in all of its forms. Long may it continue!"

Stephen Brookes, coordinator, **Disability Hate Crime Network:** "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

The Department for Work and Pensions (DWP) has sparked fresh anger after it finally admitted that it does carry out reviews into the deaths of some claimants of disability benefits.



DWP had previously stated, in a Freedom of Information (Fol) Act response, that it did not hold any records on deaths linked to, or partially caused by, the withdrawal or non-payment of disability benefits.

Mark Harper, the Conservative minister for disabled people, later told Disability News Service (DNS) that he did not "accept the premise" that DWP should collect and analyse reports of such deaths.

The Liberal Democrat DWP minister Steve Webb then appeared to contradict Harper when he said the following week that when the department becomes aware of worrying cases "they do get looked at".

Now DWP appears to have contradicted its own Fol response.

A DWP spokesman told DNS this week: "We take the death of any claimant seriously.

"Where it is appropriate, we undertake reviews into individual cases but we do not accept the argument of those who seek to politicise people's deaths by linking them inaccurately to welfare policy.

"We keep guidance on dealing with vulnerable claimants under constant review."

But he refused to explain how DWP could deny holding any records on such deaths, but at the same time admit to carrying out reviews.

He said: "We don't throw things out but we don't hold details of things related to that. If you want to apply under the Fol Act for any records and stuff then

accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

Steve Donnison, Benefits and Work website: "The weekly round-up of news from DNS is now an established and vital part of the service we offer our members... We couldn't be without DNS now – our members would never forgive us."

Phil Friend, director, Phil & Friends Ltd: "My professional work means that I need to stay in touch with developments regarding disability issues. I've come to rely on the unique services provided by DNS. It is reliable, comprehensive and accurate. I can't think of another news service that provides me with the professional support I need to ensure that I'm up-to-date and kept well

by all means do, but that is all we can say at the moment. Sorry."

Linda Burnip, a member of the steering group of Disabled People Against Cuts, said: "They've tried very hard to avoid actually answering any questions and the responses made are totally unsatisfactory.

"Failure to collate this information is yet another example of the government's failure to meet their obligations under the UN Convention on the Rights of Persons with Disabilities."

[Article 31 states](#) that countries signed up to the UN convention must "undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention".

Pat Onions, [founder of Pat's Petition](#), which campaigns for an end to cuts to benefits and services falling disproportionately on disabled people and their families, said: "We are very disappointed that the DWP would suggest that such a query 'politicises people's deaths', especially for those cases where those people have left clear notes or evidence that imply that welfare reform itself is specifically a root cause of their ongoing worries and mental health problems.

"While acknowledging that any death is caused by multiple factors and it is impossible to ascribe any purely to changes in welfare reform, this government must face up to the impact of its policies.

"It is time they held a full and proper cumulative impact assessment [of the overall effect of the cuts and reforms on disabled people] to include any possible increase in fatalities as well as increased use of health and social care services."

There have been numerous reports of disabled people whose deaths have been linked to the employment and support allowance (ESA) claim process, or the refusal of ESA and other benefits, including the writer Paul Reekie, [who killed himself in 2010](#), and the deaths of [Nick Barker](#), [Jacqueline Harris](#), [Ms DE](#), and [Brian McArdle](#).

Many of the cases became widely-known through media reports of inquests, but in the case of Ms DE, the Mental Welfare Commission for Scotland concluded that the WCA process and the subsequent denial of ESA was at least a "major factor in her decision to take her own life".

16 October 2014

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QUOTE OF THE WEEK



"Two years on from the Paralympics and I am seriously in fear for my career. The severe cuts in my Access to Work provisions mean I simply cannot fulfil my job description as chief executive and artistic director of Graeae."

Jenny Sealey, chief executive and artistic director of Graeae Theatre Company, and co-director of the London 2012 Paralympics opening ceremony

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Oct 2014

Lib Dem minister casts doubt on DWP response on benefits deaths

By [john pring](#)

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Baroness (Jane) Campbell "I welcome John Pring's weekly news update every Friday. His detailed, and above all accurate, line-up of current disability issues is a reliable source of information that I use to enhance – even at times to inspire – the work I do to champion disabled people and to combat discrimination in all of its forms. Long may it continue!"

Stephen Brookes, coordinator, Disability Hate Crime Network: "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

A Liberal Democrat minister has cast doubt on Department for Work and Pensions (DWP) claims that it does not collect or analyse accounts of disability benefit-related deaths.



The comments of pensions minister Steve Webb at his party's annual conference in Glasgow raise new concerns about the accuracy of information provided by DWP on the most controversial aspect of its welfare reforms.

There have been numerous reports of disabled people whose deaths have been linked to the employment and support allowance (ESA) claim process, or the refusal of ESA and other benefits, including the writer Paul Reekie, [who killed himself in 2010](#), and the deaths of [Nick Barker](#), [Jacqueline Harris](#), [Ms DE](#), and [Brian McArdle](#).

Many of the cases became widely-known through media reports of inquests, but in the case of Ms DE, the Mental Welfare Commission for Scotland concluded that the work capability assessment process and the subsequent denial of ESA was at least a "major factor in her decision to take her own life".

But DWP has stated in a response to a Freedom of Information (FoI) Act request from Disability News Service (DNS) that it does not hold information on deaths that have been reported to be connected to the withdrawal or non-payment of disability benefits.

And the new Conservative minister for disabled people, Mark Harper, insisted that his department was right to ignore reports of such deaths and said he did not accept that DWP should be collecting this information or trying to learn lessons from such deaths.

But Steve Webb, the Liberal Democrat pensions minister, and a departmental colleague of Harper, told DNS in Glasgow: "Everybody is concerned at a

accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

Steve Donnison, Benefits and Work website: "The weekly round-up of news from DNS is now an established and vital part of the service we offer our members... We couldn't be without DNS now – our members would never forgive us."

Phil Friend, director, Phil & Friends Ltd: "My professional work means that I need to stay in touch with developments regarding disability issues. I've come to rely on the unique services provided by DNS. It is reliable, comprehensive and accurate. I can't think of another news service that provides me with the professional support I need to ensure that I'm up-to-date and kept well

situation like this happening."

He said there "may not be a systematic approach" within the department, because of the number of inquests that are held, but that "when cases come up, clearly when the department becomes aware of cases through the media, they do get looked at".

Webb refused to comment further. DNS later contacted his Commons office to ask him to clarify and expand on his comments, but he has so far failed to respond.

Meanwhile, DWP has again failed to respond to requests for a comment on the FoI answer. DNS first asked DWP to explain and clarify its position on 24 September.

9 October 2014

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Minister insists DWP is right to ignore reports of deaths linked to benefits

By [john pring](#)

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Stephen Brookes, coordinator, **Disability Hate Crime Network:** "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

The new Conservative minister for disabled people has insisted that his department is right to ignore reports of deaths linked to the loss or non-payment of disability benefits.



Mark Harper said he did not accept that the Department for Work and Pensions (DWP) should be collecting this information or trying to learn lessons from such deaths.

He was speaking to Disability News Service (DNS) at the Conservative party conference in Birmingham, days after a DNS story revealed that DWP refused to collect or analyse accounts of benefit-related deaths.

One disabled activist [suggested last week](#) that this failure could amount to criminal negligence, while [Samuel Miller, a prominent disabled academic from Canada](#), said this week that DWP had "seriously breached its duty of care by ignoring benefit-related deaths".

But Harper said he did not "accept the premise" that DWP should collect and analyse reports that suggest a disabled person's death could have been linked to the non-payment or withdrawal of benefits.

He said: "If somebody in those sort of cases, if someone has [a] mental health [condition] and then something happens, trying to disaggregate what was the cause I don't think is as simple as you are trying to suggest."

When asked whether he accepted that any deaths had been caused, or even partly caused, by the loss or non-payment of benefits, he said: "Of the cases I have seen since I have been the minister where there have been allegations, when you look at the detail they are not as simple and straightforward as people are alleging."

But Harper did promise to "go back and look back at what processes we have

accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

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in place to track cases" and to look at the Freedom of Information Act response from DWP that led to the DNS story.

There have been numerous reports of disabled people whose deaths have been linked to the employment and support allowance claim process, or the refusal of benefits, including the writer Paul Reekie, [who killed himself in 2010](#), and the deaths of [Nick Barker](#), [Jacqueline Harris](#), [Ms DE](#), and [Brian McArdle](#).

Many of the cases became widely-known through media reports of inquests, but in the case of Ms DE, the Mental Welfare Commission for Scotland concluded that the work capability assessment process and the subsequent denial of ESA was at least a "major factor in her decision to take her own life".

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DWP's confession: 'We ignore benefit-related deaths'

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Stephen Brookes, coordinator, Disability Hate Crime Network: "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

The Department for Work and Pensions (DWP) has admitted making no effort to collect – or learn the lessons from – reports of disabled people whose deaths have been linked to the withdrawal or non-payment of disability benefits.



The admission came in a response to a Freedom of Information Act (Fol) request from Disability News Service (DNS).

DNS had asked DWP what records it keeps of deaths that have been found to be "connected to, or linked to, or partially caused by, the withdrawal or non-payment of disability benefits ... from the person who has died".

The request highlighted benefits such as employment and support allowance (ESA), incapacity benefit (IB), disability living allowance and personal independence payment.

It also asked DWP to say how it collects reports of such deaths, and how many there have been for each of the years from 2004 to 2013.

But in its response to the Fol request, DWP's "freedom of information team" said: "The specific information requested is not held by the Department."

DWP says it does plan to publish statistics on the number of benefit recipients who have died "in due course", but these will not give any indication of the cause of death or whether those deaths might have been caused or partly caused by the withdrawal of benefits or a decision not to award benefits to a disabled person.

Statistics on the number of benefit recipients who have died have been [the source of intense controversy](#) in recent years.

If and when they are published, they should show whether the number of ESA

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Anna Borthwick-Martin, head of business development and marketing, DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

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claimants dying every year has risen or fallen at a time when ministers claim they have been improving the much-criticised work capability assessment, which tests ESA eligibility.

But these figures would not show whether benefit claimants had died because of the harshness of the WCA, or as a result of being found fit for work or placed in the ESA work-related activity group.

There have been numerous reports of disabled people whose deaths have been linked to the ESA process, or the refusal of benefits.

The Scottish-based grassroots campaigning organisation [Black Triangle](#) was founded in memory of the writer Paul Reekie, [after he killed himself in 2010](#).

Although Reekie did not leave a suicide note, he laid out two letters on a table near his body, one telling him his housing benefit had been stopped, and the other that his IB had been stopped.

In the following months and years, a string of similar deaths have been reported, including those of [Nick Barker](#), [Jacqueline Harris](#), [Ms DE](#), and [Brian McArdle](#).

One disabled activist suggested that DWP's failure to make any attempt to keep track of such deaths could amount to criminal negligence.

Rick Burgess, co-founder of the new campaigning organisation [New Approach](#), which is dedicated to scrapping the WCA and developing a replacement, said he was "extremely sceptical" about DWP claims that it does not collect such information.

He said: "If however they have ceased to collect that data, it is wilful negligence and perhaps criminal."

Ian Jones, one of the founders of the [WOWcampaign](#), said he and colleagues were concerned that the coalition's welfare reforms were "having a significant and negative effect on the mental health and well-being of people this [government] has a duty of care to protect".

He said: "Whilst our government insists that it is unable to update and clarify statistics [on deaths] already released in 2012, the information commissioner concluded earlier in 2014 that the requested information was held and that it could be located and released without exceeding the relatively modest resource limits of an FoI request.

"In view of numerous coroners' reports and newspaper articles where the effects of the ConDems' ideological welfare reforms are identified as a causal factor in some premature deaths, WOWcampaign believes any compassionate government would seek to address the suspicions held by many and properly investigate and report back on its findings.

"The fact this government refuses to do so, in our opinion, speaks volumes."

So far, DWP has refused to comment on its FoI response.

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Doctors' union is 'complicit' in continuing 'fitness for work' deaths

By [john pring](#)

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Stephen Brookes, coordinator, Disability Hate Crime Network: "We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

Disabled activists have accused the doctors' union of being "complicit" in deaths connected to the work capability assessment (WCA), after a report concluded that a Scottish woman probably killed herself as a result of being found "fit for work".



The Mental Welfare Commission for Scotland this week published a report into the death of Ms DE, who had a long-standing mental health condition.

She killed herself in December 2011, less than three weeks after learning that she had been found fit for work, following a work capability assessment (WCA). She was told that her benefits would be slashed.

Neither her GP nor her psychiatrist, who had both been treating her for 20 years, had been asked to comment on her mental health by the assessor or the Department for Work and Pensions (DWP).

Now the user-led grassroots campaign group Black Triangle, which has campaigned to scrap the WCA, is calling leaders of the British Medical Association (BMA) to account for its failure to prevent future such tragedies.

Black Triangle was formed after the 2010 suicide of the Scottish poet Paul Reekie, in similar circumstances to Ms DE. He had also just been told that his incapacity benefit – as well as his housing benefit – was being stopped.

Black Triangle is furious that the BMA is still refusing to inform every GP in the country about two vital regulations which they believe could avoid more deaths like that of Ms DE.

The regulations state that a claimant should not be found fit for work (regulation 29), or placed in the employment and support allowance (ESA) work-related activity group (regulation 35), if such a decision would pose "a substantial risk" to their "mental or physical health".

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But the BMA has refused to contact GPs about the regulations, even though doctors at its annual representative meeting were almost unanimous in voting two years ago for the organisation to "demand" that the WCA should end completely.

John McArdle, a co-founder of the user-led grassroots campaign group Black Triangle, said the cases of Ms DE and Mark Wood – [who starved to death after he was found 'fit for work' and had his benefits cut](#) – were just "the tip of the iceberg".

He accused the BMA of being "complicit" in similar deaths of disabled people, because of its refusal to act over the regulations.

McArdle said that members of the Deprivation Interest Group – a group of GPs and primary healthcare workers in the Scottish Lothians – along with other surgeries across Lothian and in Glasgow, were using the regulations and were "saving lives".

He said: "It is now incumbent on the BMA... to act unilaterally in order to prevent these barbaric tragedies from becoming a daily occurrence.

"Black Triangle has consistently argued that it is now time for the BMA to step up to the plate and take unilateral action by informing all 55,000 GPs in the UK of the existence and appropriate application of the substantial risk regulations, so that where in the clinical judgement of the doctor they believe that there would be a risk to their patient's safety, they can sign a simple declaration and forward it to DWP decision-makers."

A BMA spokeswoman said: "We do not believe that these tragic deaths are the result of BMA action and are looking at how to take things forward."

27 March 2014

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EXCLUSIVE



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MURDER



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CHILD ABUSE



The victim, who we are identifying only as "Nick", says Sir Peter Hayman was one of a group of men who raped him as a child during a party in London

Wales cannibal killer's victim made mercy plea for jailed ex who torched their home

WELSH CANNIBAL



Forgiving Cerys Yemm, whose face was partially eaten by Matthew Williams after he killed her, made a plea for troubled Mathew Hayman just three months ago

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Carol McGiffin on Politically correct fancy dress



Charlie Catchpole on Scouting

We have professional busybodies who make it their life's work to get offended on behalf of the people who aren't"

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CHILD ABUSE

The latest allegation comes from a witness who claims he and others were abused by a VIP paedophile ring including a former Cabinet minister, political, military and secret services figures

Unborn baby SURVIVES after mum-to-be stabbed 5 times in stomach by sick love cheat father

PREGNANCY



Lauren Oliver was 34 weeks pregnant when cage fighter Nicholas Leaning stabbed her five times in the stomach, hoping their baby would die

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ANN MAGUIRE



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Tina O'Brien buries hatchet with former lover Ryan Thomas in time for Coronation Street comeback

TINA O'BRIEN

New Corrie chief Stuart Blackburn was "thrilled" the actress has agreed to return after seven years away from playing teenage mum Sarah Louise Platt

Coronation Street actress Wendi Peters won't rule out another return for battleaxe Cilla Battersby

CORONATION STREET



Wendi, who is back as street loudmouth Cilla Battersby after more than six years, says the new studio in Salford Quays is "corporate" and "sparse"

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WILLIAM AND KATE



The Royal couple were joined by their dog Lupo but baby Prince George wasn't with them - Both were casually dressed in jeans and baseball caps

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BEDROOM TAX



Wayne Rooney's dream Manchester United five-a-side team wouldn't have a single defender

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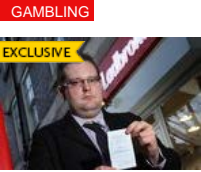
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HUGH GRANT



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HOLLY WILLOUGHBY



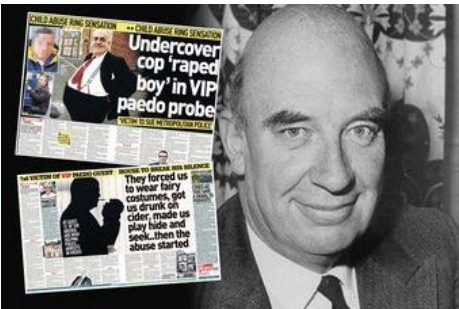
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INVESTIGATION REPORT

Who benefits?

The benefits assessment
and death of Ms DE

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Our aim

We aim to ensure that care, treatment and support are lawful and respect the rights and promote the welfare of individuals with mental illness, learning disability and related conditions. We do this by empowering individuals and their carers and influencing and challenging service providers and policy makers.

Why we do this

Individuals may be vulnerable because they are less able at times to safeguard their own interests. They can have restrictions placed on them in order to receive care and treatment. When this happens, we make sure it is legal and ethical.

Who we are

We are an independent organisation set up by Parliament with a range of duties under mental health and incapacity law. We draw on our experience as health and social care staff, service users and carers.

Our values

We believe individuals with mental illness, learning disability and related conditions should be treated with the same respect for their equality and human rights as all other citizens. They have the right to:

- be treated with dignity and respect
- ethical and lawful treatment and to live free from abuse, neglect or discrimination
- care and treatment that best suit their needs
- recovery from mental illness
- lead as fulfilling a life as possible

What we do

Much of our work is at the complex interface between the individual's rights, the law and ethics and the care the person is receiving. We work across the continuum of health and social care.

- We find out whether individual care and treatment is in line with the law and good practice
- We challenge service providers to deliver best practice in mental health and learning disability care
- We follow up on individual cases where we have concerns and may investigate further
- We provide information, advice and guidance to individuals, carers and service providers
- We have a strong and influential voice in service policy and development
- We promote best practice in applying mental health and incapacity law to individuals' care and treatment

Introduction

This investigation was conducted under section 11 of the Mental Health (Care and Treatment) (Scotland) Act 2003. Section 11 gives the Mental Welfare Commission (the Commission) the authority to carry out investigations and make related recommendations as it considers appropriate in a number of circumstances.

The Associate Medical Director (Mental Health) of NHS Board A wrote to the Commission to inform us that Ms DE had unexpectedly taken her own life after an assessment for continuing eligibility for welfare benefits. She had been told that she would not receive Employment and Support Allowance. He had brought this to our attention because the psychiatrists in that area felt that changes in the benefits system were having a major adverse effect on their patients. He felt that it might be helpful to look more closely into the circumstances to see whether any lessons could be learned.

We discussed this at the Commission and agreed that this was a significant case, with issues relevant to many people. Similar concerns had been raised with us by service users, carers and professionals across Scotland. We decided to undertake an investigation into the circumstances of Ms DE's death.

The investigation team was chaired by Mr George Kappler, Deputy Chief Executive and Chief Social Work Officer of the Commission. The lead investigator was Dr Steven Morgan, Medical Officer. Administrative support was provided by Mrs Alison Smith, Casework Manager.

Terms of Reference and Method of Investigation

We set terms of reference for our investigations. In this case, the terms of reference were:

- 1) Review medical casenotes for an overview of Ms DE's care and treatment prior to and after the Atos Work Capability Assessment.
- 2) Examine the process by which the Atos Work Capability Assessment was organised and undertaken, including the nature of the clinical assessment.
- 3) Examine the process by which the result of the Atos assessment was communicated to Ms DE.
- 4) Explore the relationship, if any, between the Atos Work Capability Assessment and the impact on Ms DE's mental health.

We gathered information for our investigation using the following sources:

- 1) Review of Ms DE's GP casenotes
- 2) Review of psychiatry notes
- 3) Review of psychology notes
- 4) Review of psychotherapy notes
- 5) Review of Atos assessment and Department for Work and Pensions (DWP) correspondence
- 6) Interview with Dr A, the consultant psychiatrist
- 7) Interview with Dr B, the GP
- 8) Interview with the Local Authority Welfare Rights Officer, Mrs A
- 9) Interview with Mrs B, a close friend of Ms DE
- 10) Interview with Dr C (the Atos doctor who performed the Work Capability Assessment) and Dr D (an Atos clinical manager)
- 11) Interview with Mr A, DWP officer who carried out a review of the case on behalf of DWP
- 12) Written materials provided by DWP in response to our questions.

We were able to make contact with Ms DE's family but they did not accept our invitation for an interview.

We took independent advice from a consultant in occupational health. We also undertook a survey of psychiatrists in Scotland to obtain their views on the effect of benefits changes on their patients.

We are aware of numerous reviews, research and widespread public debate on this subject. One of the reasons we undertook this investigation is because the issues identified may affect many people in similar circumstances. However, the remit of the Mental Welfare Commission relates to individuals and this is a detailed investigation into how the nature and process of the Work Capability Assessment may have contributed to pressures that led to Ms DE taking her own life. We hope that our findings and recommendations can complement those of the reviews that have taken place, to the benefit of the health and welfare of other individuals with mental illness, learning disability or related conditions who undergo the Work Capability Assessment in future.

We sent a draft of our report to the DWP and to everyone we interviewed to ensure factual accuracy. We took on board comments as necessary. We also met representatives of the DWP to discuss our recommendations.

We are grateful for the cooperation of all parties who participated in this investigation.

We have included a glossary of relevant terms and abbreviations in Appendix 2.

Chronology

1985

Ms DE's first contact with psychiatry.

1992

Became an out-patient of Dr A, consultant psychiatrist. Diagnosis of recurrent depressive disorder with some features of anxiety.

21 May 2007

First day on Incapacity Benefit. Ms DE had three periods on Incapacity Benefit (21/5/07 – 4/5/08, 15/11/09 – 24/2/10 and 28/6/10 to her death).

28 June 2010

First day of final period on Incapacity Benefit.

18 July 2011

Selected for benefit reassessment by the DWP. Computer-generated letter sent.

27-29 July 2011

An unsuccessful attempt made on each of these three days by the DWP contact centre to telephone Ms DE to give further information and advice about reassessment process and identify if she needed help with the process.

26 October 2011

Assessment by Atos.

1 December 2011

Separate appointments with Dr A and Dr B, her GP.

9 December 2011

DWP decision made – not entitled to ESA, ESA to stop 12/1/12. Two unsuccessful attempts by the DWP decision maker to telephone Ms DE to explain the decision, obtain any additional information and advise options available to her. Notification of decision letter sent by the DWP to Ms DE.

15 December 2011

Telephone call from Ms DE to Dr A. Very distressed due to change in benefits. Dr A put her in contact with welfare rights officer.

19 December 2011

Telephone consultation with Dr A.

20 December 2011

Meeting with Welfare Rights Officer, Mrs A.

22 December 2011

Out-patient appointment with Dr A. No evidence of risk identified. Arrangements made for appointment on 5 January 2012. Also arranged that Ms DE could contact Dr A's team from 29 – 30 December 2011, and out-of-hours service if required. She also had a separate appointment with Dr B on this day.

29 December 2011

Ms DE spoke to Dr A's ST6 registrar, no evidence of risk identified.

31 December 2011

Ms DE found dead at her house after overdose.

23 March 2012

Letter sent to Mental Welfare Commission from the Associate Medical Director of the relevant NHS Board. A number of clinicians had expressed concern about the impact on patients of this process and reassessment.

About Ms DE

Ms DE was in her early fifties at the time of her death. She had worked in several different jobs during her career, including a position in the financial sector and some clerical posts, but was unemployed for the last 21 months of her life. She was divorced with one teenage son, who she saw regularly. She had been in a relationship for several years and was engaged. She lived in her own home, paying a mortgage on this property.

She had been seeing her consultant psychiatrist, Dr A, and her General Practitioner, Dr B, for some 20 years. Dr A usually saw Ms DE in a clinic based at Dr B's GP surgery, which allowed easy verbal communication between the doctors in addition to the usual clinic letters.

Her diagnosis was recurrent depressive disorder with some features of anxiety. She had been prescribed several different medications over the years but at the time of her death she was taking an antidepressant of the SSRI class (a commonly used class of antidepressant) augmented with lithium, indicating an illness that had proved difficult to treat. She also had some significant physical health issues, including cardiac and gynaecological problems. She was signed off work, with the reason stated on the relevant form as "depression". She was clear that she wanted to return to work when she was well enough.

As well as her fiancé and her son, she had regular contact with her parents. She had several friends who she saw regularly. She had met some of these friends through a local church. She also did some voluntary work.

Ms DE's Benefit Assessment

Ms DE had three periods on Incapacity Benefit; the third period started on 28 June 2010. On 18 July 2011 she was sent a letter from the Department for Work and Pensions (DWP) telling her that "the benefit you receive is changing". Ms DE was contacted as part of the Incapacity Benefit Reassessment project. This reassessment began in April 2011 and involved all of the 1.5 million people on Incapacity Benefit being assessed for eligibility for Employment and Support Allowance (ESA). This reassessment of all Incapacity Benefit claimants was planned to take place over a three year period. This was due to changes made in the benefit system as a result of decisions made by the UK government, which were being implemented by the DWP. Ms DE entered the reassessment process in July 2011.

The letter said that she would be assessed to see if she was eligible for Employment and Support Allowance, the benefit that was replacing Incapacity Benefit.

The process would normally involve a claimant completing a self-assessment questionnaire (called "Limited Capability for Work", also referred to as an ESA50). After this, if indicated, the claimant would attend for an assessment, known as a Work Capability Assessment (WCA), carried out by a company called Atos. Atos are contracted by the DWP to perform these assessments on their behalf. After the assessment, Atos send a report to the DWP.

Ms DE later told a Welfare Rights Officer that she had not received the self-assessment questionnaire. The DWP could confirm that Atos had sent Ms DE the questionnaire on 4 August 2011. We could not confirm that it had been delivered. The DWP told us that these questionnaires are not sent by recorded delivery and attempts to make contact with Ms DE by telephone had been unsuccessful. In any event, there was no questionnaire completed.

The usual practice was that when the ESA50 questionnaire was returned a decision was made on the next step in the process. In Ms DE's case, when the ESA50 was not returned it was decided by a healthcare professional at Atos that they would go ahead with a face to face assessment. We were informed that not returning the ESA50 questionnaire would stop the claim unless there was a good cause for not returning it or the claimant had a mental health condition. As the latter was the case, the Work Capability Assessment process continued.

We were told that based on Ms DE's original Incapacity Benefit claim it was felt that there was little to suggest that she would meet the criteria for ESA, so a decision was made not to request further medical evidence from either the GP or hospital consultant before the Work Capability Assessment.

The assessment by Atos went ahead on 26 October 2011. The report was subsequently sent to the DWP.

The DWP staff member who decides on eligibility for ESA is known as the "decision maker". Based on the Atos assessment report, the decision maker decided that Ms DE did not meet the criteria to receive ESA.

The record of the decision made by the DWP decision maker is quoted below:

"The Limited Capability for Work Assessment test of incapacity assesses the ability to perform specific physical activities and, where there is a mental illness, to cope with day to day living. Points are awarded to reflect limitations and a score of 15 points is needed to satisfy the test. The assessment cannot take account of the requirements of a person's normal occupation.

[Ms DE] did not complete a questionnaire.

On 26/10/11 [Ms DE] was examined by a Healthcare Professional of the Medical Services in connection with the Work Capability Assessment and [Ms DE] described problems with Depression, Heart Failure, Abdominal Problem and Under active Thyroid.

[Ms DE] lives alone and gets up independently most days at the same time, she takes her medication and is able to wash in a shower which is over the bath standing for 10-15 minutes most days. On days when she does not shower she is still able to wash herself. She sits down to dress as she feels tired but is able to complete this herself. She manages to do her housework and does it in stages and usually completes it if getting visitors. She is able to manage stairs by holding on to the rails. She is able to drive and goes out driving every few days and, once a week she drives to the local shop, church, bible study group and drives to her voluntary work. She occasionally drives to her parents' home but her Mum visits a couple of times a week and is able to drive to any appointments. She attended to the examination centre by public transport alone. Once a month she goes to the supermarket and can walk about for 60 minutes pushing a trolley. She watches television in the evening and is able to cook herself simple meals and do things safely in the kitchen. Her adult son (18 years) visits her once a fortnight. The HCP observed that she was able to sit on a chair with a back for 50 minutes; she rose once from this chair which had no arms without physical assistance from another person. She was able to stand independently for 2 minutes without difficulty and walked 15 metres normally into the examination room and had no problems getting on to the couch. She was not breathless on examination and her chest was clear, her lower limb examination was normal.

[Ms DE] is able to self care, and interacts with her family, she does voluntary work with teenagers and speaks to the people at her church. The HCP states she was timid during the assessment but her everything else was normal in the mental state and despite her regular review by a psychiatrist there was no evidence of significant disability of mental health function.

I am satisfied that the descriptors have been fully justified with clinical findings, observations and extracts taken from the typical day history provided by [Ms DE]. The medical report of 26/10/11 was appropriate, complete and covered all the area of incapacity described by [Ms DE] as well as including a comprehensive typical day history and full set of clinical findings.

The Decision Maker has considered the Healthcare Professional's report and has decided that [Ms DE] has not achieved 15 points from the appropriate descriptors. As a consequence, the existing award(s) of [Ms DE] does not qualify for conversion into an award of Employment and Support Allowance. The existing award(s) and entitlement to be awarded credits will terminate from and including 12/01/12."

Instead of receiving ESA, Ms DE would have had to move onto Jobseeker's Allowance (JSA). This would have led to a significant drop in her income. The decision was communicated to Ms DE by two letters on 9 December 2011, after two unsuccessful attempts to telephone her. The first letter stated that she

would not be entitled to ESA from 12 January 2012 because she had been "found to be capable of work following your recent Work Capability Assessment." The second letter stated "We recognise that you have a disability or health condition. But to get Employment and Support Allowance you have to score at least 15 points from your assessment. You scored 0 points using the information from the report of the medical assessment you had on 26-Oct-2011." It then proceeded to state that all 17 "Functional Areas" of the assessment and the assessment result for each functional area, scored at zero points. The functional areas and corresponding assessment results are quoted in Appendix 1.

These letters also included information on how to appeal the decision.

Not being eligible for ESA would have caused a significant reduction in Ms DE's benefit payments. She was receiving £94.25 per week on Long Term Incapacity Benefit. Jobseeker's Allowance would have been paid at £67.50 per week (although The DWP subsequently informed us that she might have been entitled to additional funds). If she appealed against the decision she would have received £67.50 per week (on the ESA Appeal Rate) until the appeal was heard. Either way, her welfare benefits would have been reduced by £26.75 per week (a 28% reduction). It is notable that she would have experienced this drop in income even though she was appealing the decision. If she won her appeal she would have received ESA of either £94.25 or £99.85 per week (depending on whether she was placed in the "work-related activity group" or the "support group") backdated so that she did not suffer a financial loss.

Ms DE was upset by the DWP decision and spoke to both Dr A, her consultant psychiatrist, and Dr B, her GP. Dr A introduced her to Mrs A, a Welfare Rights Officer then based at Dr A's hospital. Mrs A gave Ms DE some more information about appealing the decision. Ms DE decided that she did wish to appeal and Mrs A helped her to prepare her written appeal. As part of the appeal Mrs A asked Dr A and Dr B if they would submit supporting letters and both doctors were happy to do this. The appeal form was submitted to the DWP on 21 December 2011.

As Ms DE had been distressed by these developments, Dr A put extra measures in place to support her at that time, which coincided with the Christmas period. She was seen by Dr A on 22 December 2011 and given a phone consultation on 29 December 2011 with Dr A's experienced Specialty Registrar doctor. At both of these appointments she denied any thoughts of suicide or self-harm.

On 31 December 2011 she was found dead at her home. The post-mortem examination found that she had taken an overdose of medication. Toxicology results revealed that some of the medication that she had taken was prescribed, but she had also taken tablets that she had not been prescribed.

Clinical Care

We looked at the clinical care provided to Ms DE by Dr A and Dr B. When Ms DE sought help after learning she would not receive ESA she was seen promptly. Dr A introduced her to the Welfare Rights Officer without delay.

Extra appointments were put in place over the following days. A consultation was arranged for the period between Christmas and New Year. Ms DE was stating that she did not have any ideas of self-harm or suicide. A "safety-net" arrangement was put in place in case she did contact services in a crisis situation. We did not think that there was any fault with the clinical care. A joint Significant Event Review held locally did not identify any defects in the care provided.

Our Interviews

Interview with Consultant Psychiatrist, Dr A

Ms DE had first become a patient of Dr A in 1992. Dr A told us that Ms DE had a recurring depressive illness. The frequency of appointments varied according to her clinical condition.

Dr A told us that Ms DE had been working in the financial sector when he first met her. She had given up that job due to a depressive episode. Dr A described Ms DE as having a very difficult time from 2006 to 2010. He felt that a large part of this was due to stress at work. Ms DE had worked for the NHS locally. At times Dr A was seeing Ms DE on a weekly basis. She had also developed some physical health problems. Ms DE had told Dr A that her job was very stressful. The local Occupational Health Service was involved. She had become more anxious and had taken the decision to resign from work because she could not cope with the stress any longer. Dr A told us that after this Ms DE had tried to get back to work. She wanted to be well and working again.

We asked Dr A about Ms DE's clinical condition around June 2011. Dr A felt that she had been doing well. She had been looking at returning to work but had found some options ruled out due to her physical health.

Dr A heard about the outcome of the benefits reassessment on 15 December 2011 when Ms DE phoned him, very upset about the letter she had received saying that she had received "zero points". Dr A arranged for Ms DE to speak to Mrs A, the Local Authority Welfare Rights Officer, as this was very important for her in terms of considering an appeal against the decision. Dr A felt that the Welfare Rights Officer had a very good knowledge of the benefits system and knew who to contact. She had been located in the office next door to his, which meant that patients could be seen in a familiar setting at short notice. Dr A also arranged to speak to Ms DE again on 19 December 2011. He had spoken to Ms DE about the risk of self-harm or suicide. He had felt that she wasn't at risk and she had assured him that she would contact him if she had any such thoughts.

Dr A was aware of some financial pressure on Ms DE. The subject came up intermittently in clinic. He thought that Ms DE did not have a lot of money but had been managing her finances in a capable way. When Ms DE had received the decision letter from the DWP she had been very worried about her financial situation.

Dr A informed us that there had been no contact from the DWP or Atos requesting any information from him as part of the benefit reassessment process. He said that both he and the GP, Dr B, had felt that their medical opinions should have been sought. He told us that they both felt that they could have worked with the DWP and given an indication of Ms DE's progress towards being able to work again.

When Dr A saw Ms DE again on 22 December 2011 he felt that she was slightly less distressed. She had lodged her appeal against the decision by this point. Dr A hoped that she would get through this upset. He was unaware of any other possible precipitants which could have contributed to her decision to take her own life. He had not thought Ms DE was likely to take her own life.

We asked Dr A if Ms DE had ever expressed any suicidal thoughts or ideas of self-harm. Dr A told us that Ms DE had occasionally had some passive thoughts about self-harm but had never talked about any active plans or done anything about them. When he saw Ms DE on 22 December 2011 there had been no

thoughts of self-harm or suicide. Dr A arranged for Ms DE to speak by phone to his experienced registrar doctor on 29 December 2011. This call took place on the scheduled date. Dr A's registrar had recorded that there were no thoughts of suicide or self-harm, and advised her that she could contact the out of hours service over the holiday period if she needed any help.

We asked Dr A if he thought that anything could have been done differently in this case. Dr A said that he thought that it would have been helpful to have known that Ms DE was going to be assessed regarding her benefits. He felt that the DWP could have informed him as Ms DE had said that she had told the DWP that she was in contact with him. He would have liked the opportunity to discuss Ms DE's situation.

Dr A felt that Ms DE may have been able to go for the Work Capability Assessment and present herself well for an hour. She would have tried to do her best for the assessment. Dr A did not think she was fit for work yet at the point when she was assessed. In addition to her mental health problems she had significant physical health issues.

When Dr A found out about Ms DE's death he informed Healthcare Improvement Scotland and his local Clinical Governance Group. This group felt that the case should be referred to the Mental Welfare Commission. A joint Significant Event Review was held with the GP surgery. The review did not identify any faults in the care provided.

Dr A described concerns about other patients undergoing this assessment process. He described patients asking for advice after receiving a letter about an impending assessment. Dr A told us that he advises patients to attend the assessment, and also informs patients that he is happy to write a letter of support. Dr A said that it appeared there was no system by which he would routinely be asked for an opinion or informed that a patient was about to go through this assessment process.

Dr A told us that, in his opinion, patients are very stressed about the assessment but they do go as they see it as a meeting with an "authority". He felt that people "got dressed up" and tried to look their best. Dr A said that he had started writing letters to the DWP for patients who he thought would be greatly distressed by the assessment, asking that they be excused attendance. He told us that some of his patients had been very distressed by the process of reassessment, including a patient who had actually remained on the same level of benefits. Dr A had become increasingly aware of the process patients were going through.

Interview with General Practitioner, Dr B

Dr B had been Ms DE's GP since 1987. Ms DE consulted Dr B quite frequently for both physical and mental health issues. She also saw her consultant psychiatrist, Dr A, at Dr B's surgery.

Dr B recalled that in 2011, Ms DE had been experiencing multiple health problems. She had been undergoing investigations for an impairment of heart function and was to be reviewed by her consultant cardiologist in early 2012. She had other significant physical symptoms which were being investigated. Dr B felt that her physical problems had an effect on her depression and anxiety. Despite this, she made her best efforts to appear well.

Dr B said that he saw Ms DE on 1 December 2011. At this appointment they had discussed what it would be like to make a very gradual return to work on reduced hours at some point in the future. When he saw Ms DE on 22 December the situation had changed. She was very unhappy that her benefits would

be changing for the worse. At this appointment she had said that she would appeal and Dr B indicated that he would support this appeal by providing a letter to be submitted. Some extracts from this letter written by Dr B are quoted below for information:

"I would say at the outset that I strongly support this appeal."

"[Ms DE] has a very long history of significant mental illness starting with depression, anxiety and obsessive compulsive behaviour back in December 1985. She has continued to have significant depression and has been seen regularly by Psychiatrists since that time."

"[...] unfortunately this assessment has dented her confidence and caused a worsening of depressive symptoms [...] and as such at present she is certainly unfit for work."

"[...] she is unfit for work mostly due to depression but also her physical symptoms which are due for investigation in the first few months of 2012."

Dr B was shocked when he heard of Ms DE's death. He recalled that she had not been perceived to be at risk of self-harm or suicide on the day that he last saw her. She had never self-harmed in the past and had not been assessed as a high-risk patient. There were no special measures in place relating to the dispensing of her medication as this was not felt to be necessary. Dr B had not been able to identify any other possible precipitants for Ms DE's suicide. He said that she would have had some support from people at her church and the charity she volunteered with.

We asked Dr B if Ms DE had discussed the ESA50 self-assessment questionnaire with him. Dr B said that it was common for patients to discuss this questionnaire but Ms DE had not done this, which made him think that she may not have received the form. Dr B said that neither Atos nor the DWP had contacted him for information before the assessment. He said that, unfortunately in his view, it was standard practice that he was not contacted before assessments.

Dr B said that he had recently been sent some "ESA113 forms" to complete for other patients. Some patients suffering from certain specified severely disabling conditions may be treated as incapable of work without undergoing the Work Capability Assessment. An ESA113 report completed by a GP provides information that may be used to decide that the patient does not need to be examined. There had not been an ESA113 form sent regarding Ms DE.

We asked Dr B about the Significant Event Review held at the practice after Ms DE's death. We also looked at the report completed after the review. The review had been attended by Dr A, Dr B and another GP at Dr B's surgery.

The review noted that Ms DE was hoping to return to employment at some point. It was recorded that she had been seen by the psychiatric team on the same day that she saw Dr B for the last time and she had denied any intent of suicide or deliberate self-harm. The review noted that the benefit assessment may have been the trigger – there was no other known trigger. Ms DE was being dispensed medication on an eight weekly basis but this was not considered unusual for a stable patient. It was felt that the clinical management of Ms DE had been good, with proper engagement of mental health and GP services. The review emphasised the importance of explicitly recording the risk of suicide and deliberate self-harm at all contacts with patients who have a severe and enduring mental illness.

We asked Dr B if he had changed his clinical approach as a result of Ms DE's case. Dr B said that it had highlighted to him the importance of asking about suicidal ideation in a patient with a mental illness. He felt that he had covered this subject with Ms DE.

Interview with Welfare Rights Officer, Mrs A

Mrs A was the Welfare Rights Officer who assisted Ms DE to make an appeal against the DWP decision regarding eligibility for ESA. She was a qualified social worker, employed by the local authority but funded by the NHS.

Mrs A had received a telephone call from Dr A, the consultant psychiatrist, on 15 December 2011. He had explained that he had seen Ms DE at his clinic at the GP surgery and she was very distressed about her benefit situation. Mrs A had spoken to Ms DE on the phone that day and advised her on possible courses of action. On the 19 December, Ms DE phoned to say that she did wish to appeal so a meeting was arranged for 20 December.

At this meeting, Ms DE confirmed that she wanted to appeal. She signed an authorisation form which would allow Mrs A to obtain information from the Job Centre and to act on Ms DE's behalf.

Mrs A said that she hoped the appeal could be resolved in a few weeks, although sometimes it took months. Mrs A thought that it could possibly be resolved quickly as the Job Centre often changed their decision on receipt of medical evidence. Mrs A felt that the decision would be overturned when letters from Dr A and Dr B were submitted.

Mrs A had outlined the actual reduction that Ms DE would receive in her benefit payment. Her £94.25 per week Long Term Incapacity Benefit would be reducing to £67.50 per week (which was the rate for both Jobseeker's Allowance and the ESA appeal rate). Ms DE had become very upset at this point. She had been crying and saying that she didn't know how she was going to manage. She was extremely worried about how she would pay her mortgage. She had already re-mortgaged and was unable to do this again.

Mrs A and Ms DE filled in the appeal form and posted it to the Job Centre that day (20/12/11). Part of the text of the appeal read: "I have both physical and mental health problems which impact greatly on each other. I feel the medical just focussed on my physical health though. I have found going from being an independent working woman to being on benefits extremely hard and has made my depression worse. My heart problems are still being investigated and I see a consultant in February. My health problems affect all activities of daily living."

As part of the appeal they were lodging medical evidence so Mrs A wrote to Dr A and Dr B to request letters of support. Both doctors were happy to provide letters supporting the appeal. The standard practice of Mrs A was to forward this medical evidence once received.

Mrs A explained that the appeal would be logged on the Job Centre system, which would ensure that there was no break in the claim. Benefit would continue to be paid, but at a lower rate from the date that the Incapacity Benefit was due to stop. If Ms DE won her appeal she would receive the shortfall backdated. There would have been a hearing regarding the appeal, with the option of a paper hearing or an oral hearing. Mrs A would have attended the hearing and she thought that Ms DE would have won her appeal.

When Mrs A returned to work after the festive period on 4 January 2012 the letter supporting the appeal from Dr A was waiting for her. The letter from Dr A included the following passages:

"[Ms DE] has been an outpatient under my care for many years and indeed has suffered from a significant and disabling depressive illness for a lengthy period which unfortunately continues to compromise her ability to work."

"She has symptoms including low mood, anhedonia, lack of motivation and drive, poor concentration and poor sleep pattern and marked negative thinking..."

"My opinion therefore is that at present [Ms DE] is totally incapable of work due to these ongoing symptoms ..."

Mrs A forwarded Dr A's letter to the Job Centre. Later that day she was informed of Ms DE's death by Dr A's secretary. Mrs A was shocked and upset by this news. Dr B's letter of support arrived later the same day. This letter was not forwarded to the Job Centre. Instead she wrote informing them of Ms DE's death and requesting a copy of the Work Capability Assessment report.

On 23 January 2012, Mrs A received a letter from the DWP (incorrectly dated 24 November 2011) saying they were sorry to hear of Ms DE's death. A copy of the WCA report was provided.

Mrs A felt that Ms DE wanted to get back to work and would have been well enough to do this at some point in the future. She thought that Ms DE needed some time to get well before going back to work.

Mrs A said that she had been involved in lots of appeals against ESA decisions. This work took up the majority of her working week. In her opinion the success rate for appeals was quite high. Appeals are heard by the First-tier Tribunal, an independent tribunal administered by HM Courts & Tribunals Service. Mrs A thought that this body reviewed all the information and also considered the impact of a claimant's mental health problem.

Importantly, Mrs A recalled that Ms DE had said that she had definitely not received the ESA50 self-assessment questionnaire.

Interview with Mrs B, a friend of Ms DE

Mrs B had first met Ms DE in 2007. Mrs B ran parenting courses for a charity and she met Ms DE through this course. Ms DE had then gone on to take other courses on offer and had become involved with the charity as a volunteer in 2009. Mrs B recalled that around that time Ms DE had been depressed. Ms DE started attending the same church as Mrs B. They were in the same bible study group and Mrs B got to know her well.

Mrs B recalled that in mid-2011 Ms DE was trying to get back to work. An earlier phased return to work had been unsuccessful and this had caused a dip in Ms DE's mood. Ms DE was also suffering from physical health problems.

Mrs B said that Ms DE was worried when she received the letter about the benefit assessment. Ms DE did want to get back to work but was worried about returning at that point, especially after the previous attempt. Ms DE also had financial worries.

Ms DE told Mrs B after the Atos assessment that she was confused about it. She felt that she hadn't been asked the right questions. She thought that she hadn't been allowed to express herself. After hearing that she had received zero points and wasn't eligible for Employment and Support Allowance, Ms DE had been very worried about how she was going to manage financially. She had been tearful and was wandering around her flat.

Mrs B saw Ms DE for the last time on Christmas Eve, 2011 when she delivered a Christmas present. Mrs B received a phone call from Ms DE's brother on New Year's Day, 2012, telling her that Ms DE was dead. Mrs B was shocked by the news, as were their mutual friends.

Mrs B was unaware of any stressful events in Ms DE's life, other than her benefit assessment. Her relationship with her son seemed to be going well – he usually visited twice per week. Ms DE had been sad when her son decided to live with her ex-husband but they had built a good relationship. Ms DE was close to the other members of her family.

Mrs B was also able to tell us about Ms DE's relationship with her fiancé. It seemed to be going well and they had set a wedding date for mid-2012. Preparations were proceeding for the wedding.

The DWP/Atos Processes

The Incapacity Benefit reassessment process was dictated by changes to the law and authorised by the UK Parliament in the Welfare Reform Act 2007 and the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (S.I. 2010/1907).

The process to determine eligibility for ESA is called a Work Capability Assessment. Atos are contracted to perform part of this process, including the sending of the ESA50 questionnaire and the face to face assessment. In the face to face assessment the Atos healthcare professional assesses the claimant using a structured framework, combining history-taking and examination. Ms DE was assessed by an experienced doctor with six months' training in psychiatry. The assessment is documented on a computerised system and a report is generated which is sent to the DWP. The Work Capability Assessment uses a points system to give an indication of capability for work. Points are allocated for an assessed lack of functional capability in multiple categories. The points allocated are then summed and compared against thresholds to indicate the assessed level of capability for work.

Ms DE's assessment lasted approximately one hour. The only information that the assessing doctor had before interviewing Ms DE was the one word "depression". This was the reason given for her incapacity benefit claim. As previously stated there was no ESA50 questionnaire and no medical reports. Based on the assessment, Ms DE was allocated zero points.

The Atos report (also known as an ESA85) is sent to the DWP and considered by a DWP staff member who is known as the "Decision Maker". The decision maker may have other information available to them, in addition to the ESA85 report. Before making a decision of disallowance the decision maker attempts to contact the claimant to discuss the likely decision, allowing the claimant to provide relevant additional information. The decision is then made. If the claimant is subsequently unhappy with the decision then there is a right of appeal and information on the appeal procedure is also supplied to the claimant.

The DWP decision maker in Ms DE's case only had the Atos report to consider in making the decision on eligibility for ESA. There were no other medical reports or self-assessment questionnaire. Based on the Atos report, the decision maker decided Ms DE was not eligible for ESA. We asked the DWP about the processes undertaken by the DWP decision maker once the Atos assessment had been received. We received the following answer:

"The Decision Maker (DM) determines whether the claimant has Limited Capability for Work (LCW) by reviewing the ESA50 (where available), the Atos medical report and personalised summary and any other medical evidence obtained by Atos or provided by the claimant. The DM will consider the merit of each answer and decide what weight to give to the content of the medical report, especially where there are differences between the answers from the claimant and the Health Care Professional (HCP). The level of each activity is measured by points. Part 1 contains activities characterising physical function. Part 2 contains activities characterising mental, cognitive and intellectual function, both are broken down into descriptors. The extent to which a claimant can or cannot carry out an activity is determined by which descriptor applies to that claimant. The test is the ability to perform any work not a specific occupation. If a total of 15 points is reached then the claimant has LCW. The DM must record the final scores for each descriptor

and the reasons for the decision. If the claimant has LCW the DM will consider whether they also have Limited Capability for Work-Related Activity (LCWRA) and be entitled to the ESA Support Component. The ESA regulations allow the DM to treat a claimant as having LCW even if they do not reach 15 points if they are suffering from a life-threatening disease that is uncontrollable or suffering from a specific disease or bodily or mental disability and there would be a substantial risk to the claimant's mental or physical health if they were not treated as having LCW or LCWRA.

As a result of the Harrington Review of the WCA process all disallowance decisions are, where possible, communicated to the claimant over the phone via a Decision Assurance Call. These calls are designed to explain to the claimant what evidence has been considered, as well as offer the opportunity to submit any further evidence that the claimant feels may affect the decision prior to disallowance and to advise the options available at this stage. Two unsuccessful attempts were made on 9 December to phone [Ms DE], with a gap in between of at least three hours. No messages were left on her answering machine. A decision letter was sent in the post on the same day.

As mentioned [elsewhere] following the WCA when all the evidence had been considered and the DM was minded to disallow on no LCW before that decision was input they would try to contact the claimant by phone to explain what the decision was and to give them the opportunity to supply any further medical evidence they may wish to put forward for consideration. They would also, at this point, if no further evidence was to be presented, explain the claimant's options e.g. claim JSA or request a reconsideration of the decision or appeal. A reconsideration of the decision involves another DM looking at all the evidence again and deciding if it can be "changed".

If they are unable to contact a Mental Health claimant or the DM feels they have not fully understood the situation they could decide to request a departmental Visiting Officer to go and see the claimant and explain the same information and gather any further information from the claimant. The claimant is only disallowed from a "safe date". This would be the next pay day following the issue of the disallowance letter. Until the final decision to disallow is made and the decision letter is issued following this above process the claimant remains in receipt of benefit."

We used this information to guide our interviews with the DWP peer reviewer and Atos medical staff.

Further Interviews

Interview with Mr A, DWP Peer Reviewer

We spoke to Mr A, a DWP Senior Executive Officer, who conducted the DWP peer review of the handling of Ms DE's benefit reassessment. The peer review in this case is a solely paper-based internal process. It reviews all the relevant DWP documentation. Mr A had been asked to carry out the peer review by a senior executive within the DWP in September 2012. Mr A carried out the peer review on a single-handed basis, without any contribution from medical staff. As such, there was no effective peer review carried out.

We heard that the peer review process involves creating a timeline and examining the five stages of the benefit claim. We were told that the five stages are: the initial letter being sent; the ESA50 form; the Atos examination; the decision making; and appeal and closure.

Mr A told us that his review had found that staff had followed the agreed process. He added that he found nothing in the Atos report or in Ms DE's comments during the assessment to suggest that she was likely to take her own life. In his role as peer reviewer, Mr A told us that he had not identified any deficiencies in the DWP processes in this case. However, in his personal opinion (as opposed to his opinion as peer reviewer), he had identified some "missed opportunities". He said that it was difficult to know if these would have made any difference to the decision making. Mr A then talked us through the five stages of the claim listed above.

Stage 1 – initial letter being sent

We were told that Ms DE's case had been selected for review on 18 July 2011 and a computer-generated letter was sent. Ms DE had indicated a preference for telephone contact. DWP staff made three phone calls to Ms DE on separate dates but all were unanswered. The purpose of these calls was to offer advice about the assessment process and to find out if she needed any additional help with the process. Mr A told us that it had been noted that Ms DE had an answering machine. It was not part of the DWP guidance for staff to leave messages. In Mr A's personal opinion (as opposed to his opinion as peer reviewer), if DWP staff had left messages then Ms DE might have called back. We were subsequently informed by the DWP that guidance on leaving telephone messages was introduced in late 2011.

Stage 2 – the ESA50 form

Mr A told us that the ESA50 form had been issued on 4 August 2011 according to the DWP records. We had previously heard that Ms DE had said that she did not receive this form. There was no proof that the form had actually been delivered to Ms DE. We asked Mr A if it was common for claimants not to complete an ESA50 form. Mr A said that he was aware that some people do not complete the form. He told us that he thought that claimants should supply the information requested as it was in their best interests.

Stage 3 – the Work Capability Assessment (performed by Atos)

Mr A said that he had not found anything in the process of the Work Capability Assessment that had not been done properly. He noted that the Atos assessing practitioner did not have any additional information, such as the letters submitted with the appeal. However, he felt that everything contained in the letters was discussed at the interview and the Atos professional had come to a different conclusion about Ms DE's capability for work.

Mr A said that if the ESA50 had been available it might have provided more information, but that could never be known. We were told that the claimant would not be routinely asked as part of the assessment process if they had received an ESA50. There was also no process at the DWP to telephone a claimant to ask if they had received the ESA50.

Mr A was satisfied that the Atos report had been completed in line with the DWP guidance.

Stage 4 – the decision making process

The decision making process was based on the information available, namely the Work Capability Assessment report only. Mr A told us that the decision makers are Executive Officers with experience in the benefit system and specific training for the role they are performing. The decision taken was that Ms DE did not have limited capability for work and correspondence was sent advising her of this decision. The DWP decision maker was required to make two efforts to phone the claimant (with the calls at least three hours apart) to offer an opportunity to talk about the decision and to allow the claimant to provide additional relevant information. The calls were made but there was no answer and no messages were left on Ms DE's answering machine. Again, it was not part of the DWP guidance to leave messages on answering machines. There had been no indication to the decision maker that Ms DE was at risk of suicide or self-harm. Mr A felt that the steps taken by the decision maker and the decision reached showed "nothing untoward."

Stage 5 – the appeal and closure

The appeal form was received within the required timescale. Mr A said that he could not add much more information due to Ms DE's death shortly after the form was received.

Overall observations

Mr A felt that DWP staff had worked appropriately within the relevant guidance. He told us that he had recommended that the DWP guidance on vulnerable claimants should be re-publicised. This guidance defines vulnerable claimants as those people who have difficulty in coping with the demands of the service. It is there to help staff identify and make judgements about those claimants for whom it would be more appropriate to deliver services face to face. Ms DE had not been regarded as a vulnerable claimant. Had she been regarded as a vulnerable claimant she might have had a home visit to explain the decision and discuss her options. We were subsequently told by the DWP that new guidance on vulnerable claimants has since been issued.

As peer reviewer, Mr A had not mentioned the subject of leaving messages on a claimant's answering machine.

We were told that Ms DE's entitlement to Incapacity Benefit would have stopped on 12 January 2012 as a result of the decision made on 9 December 2011. Normally the period between the decision of non-eligibility and the stopping of the benefit would have been two weeks. In Ms DE's case the period was extended to allow for the festive period.

Mr A had reviewed the communication between the DWP and Atos in this case. He did not identify any defects in the communication process.

Interview with Dr C (the Atos Doctor who performed the Work Capability Assessment) and Dr D (an Atos Clinical Manager)

Dr C had been working for Atos as a Medical Adviser for around 14 months when she saw Ms DE for a Work Capability Assessment (WCA). Dr C's role was described to us as involving giving advice and providing impartial functional assessment reports following face to face assessments, mostly in ESA cases. Dr C was a GP with six months' experience of psychiatry as part of her General Practice training. She had also undertaken Atos training in "moderate to severe mental health conditions".

We heard that Dr C would normally have four clients scheduled for WCAs over a half-day session. This allowed an average time of between 50 and 60 minutes for an assessment. There was no set time for an assessment and no cut-off time by which it had to be completed.

We were told that the assessing practitioner would note the history (i.e. the claimant's description of events and symptoms) during the interview. The form completed by the practitioner would be finalised after the interview. In some assessments there would be information available to the practitioner before the client arrived – for example an ESA50 (limited capability for work questionnaire), an ESA113 (information requested from a healthcare professional regarding an ESA claim) or letters from doctors or social workers. In Ms DE's case there was no such information available. There had been no ESA50 received from Ms DE. As she was known to have a mental health problem the assessment process continued without an ESA50. The information that Dr C had was that "depression" was quoted on the MED3 form (statement of fitness for work, completed by a doctor) and the date of the claim was 28/6/10.

When no ESA50 was received by Atos a "scrutiny process" occurred. The scrutiny process is carried out by an Atos practitioner. There are three options available to this practitioner:

- i) Atos cannot advise on level of disability so the client will need to be called for a face to face assessment.
- ii) evidence available shows that the client meets the support group criteria – the case is returned to the DWP.
- iii) evidence available shows that the client may meet the support group criteria but further medical evidence is required to support this. An ESA113 will be requested, usually from the client's GP.

In Ms DE's case, based on the period of incapacity and the one word "depression" on the MED3 form, the decision was taken that it was very unlikely that additional evidence from the GP would have led to the client being assessed as meeting the criteria for the support group. Dr D told us that due to the limited information and the fact that most people with depression do not meet the support group criteria, the decision taken by the scrutinising Atos practitioner would have been that a face to face assessment was appropriate.

Dr D explained that it is not a standard process to obtain further information about clients. Some clients would incorrectly assume that the Atos practitioner had access to medical notes.

After the scrutiny process an appointment to attend the Assessment Centre was arranged with Ms DE. Dr C described the face to face assessment she conducted with Ms DE. Dr C had begun by asking Ms DE what problems she had. Ms DE had listed her problems and Dr C had asked further about the various conditions. Dr C recorded the details on a computerised system which allowed the use of both "standard phrases" and free text in order to accurately reflect the history. Dr C said that Ms DE had said

that she had problems in almost every area other than upper limbs. Dr C told us that she was doing an assessment of a number of physical health issues as well as mental health. Ms DE had told Dr C that she felt unable to take up a new job because of depression and physical health problems.

We asked if it was possible to request a psychiatric report as part of the assessment. We were told that the Atos practitioner cannot delay during an assessment to request further information, such as a medical report.

Dr C told us that she would not have contact with a client's GP or hospital doctor unless she was specifically worried about something or an unexpected discovery came up, in which case they could ask for information in exceptional circumstances. We asked what would happen if an Atos practitioner found that a client had suicidal ideation. Dr D told us that there is a process called "unexpected findings" by which they can raise concerns with the person who has clinical care responsibility, often the GP, sometimes a hospital practitioner. Dr C said that if a client voiced suicidal thoughts she would arrange for the person to see their GP – she would want to ensure that the GP had taken over the clinical care.

Dr D explained that Atos were not looking at diagnosis or treatment but were focussing on function. The Atos remit was to provide a "stand back independent functional assessment of the person's ability". Advising on the client's condition or treatment was not part of their role. It was not part of the assessment process to adjourn the assessment to obtain further information, or to follow up after the assessment to find out the outcome. After the report was completed, with an opinion on the client's functional capability, the advice was sent to the DWP and a DWP decision maker would decide how to proceed.

We then looked at Ms DE's assessment report in detail. It was recorded that the examination took 59 minutes. There was additional work after the client had left, which included writing a "Personalised Summary Statement".

Near the beginning of the report there is a "description of functional abilities". Recorded under the heading of "depression", it states that in the last few weeks there has been a dip in mood, lack of motivation and problems with housework and form-filling. It is recorded that there were no current thoughts of self-harm or suicide, but "has had thoughts in the past many years ago". We were told that asking about thoughts of suicide or self-harm was always part of the assessment if the client has a mental health problem.

We asked about the section of the report that is titled "Mental State Examination". We had observed that there is very little in this section relating to mood. The two headings recorded under "mood" in this section of the WCA are "demeanour" and "self-harm". Under each of these headings the assessing practitioner would choose a phrase to be the best representation.

In Ms DE's case the "mood" section reads: "Mood – Ideas of Self Harm: No ideas of self harm. Demeanour: Timid". It is possible for the practitioner to add free text to this section if required, but there was no free text added to this part of Ms DE's report. The options available for selection under "ideas of self harm" are: not assessed; client declined; none; firm and detailed; frequent but non specific; occasional; infrequent. The options available under "demeanour" are: not assessed; normal; confident; over-familiar; timid; irritable; hostile; aggressive; labile; withdrawn. In a mental state examination performed in a clinical setting there would usually be a subjective and objective assessment of mood, respectively involving

recording the individual's description of their own mood and the assessing professional's description. Biological and cognitive features of depression could also be recorded in this section of the mental state examination.

Dr D told us that the discrepancy between the WCA "Mental State Examination" and the usual clinical examination was due to the fact that the Atos practitioner is performing a functional assessment, not a diagnostic assessment. Earlier versions of the assessment (for Incapacity Benefit, prior to ESA) had recorded an evaluation of mood. The assessment had subsequently been changed as it was felt that these descriptive terms were not helpful as part of an assessment of function. These changes were made in conjunction with DWP requirements and at their direction.

We asked about the lack of recording of cognitive symptoms of depression such as hopelessness, guilt and worthlessness. It was reiterated by Dr D that the Atos practitioner was not assessing Ms DE's depression, but how the depression affected her. We found it difficult to understand how an assessment of function could be made without considering these symptoms.

We asked about the assessment of Ms DE's motivation. Dr C said that Ms DE had come to the interview by herself and had coped well with it. Dr C had noted that Ms DE was engaged with appropriate services and was able to cook for herself. Dr C also added that Ms DE attended church and did some voluntary work. This had contributed to the assessment of Ms DE's functioning.

We asked about the "15 points system". We were told that there would be 0, 6, 9 or 15 points awarded for each "descriptor". The total for the assessment as a whole is taken and if it is 15 points or above then the person will qualify for ESA within the work-related activity group. If any of the support group criteria are met then the person moves into the support group. We were informed that conditions with mild or moderate functional effects will probably generate a score of less than 15 points, while if there are substantial functional effects the score will probably be 15 points or more.

If a client does not meet the 15 points threshold there is a further consideration, called "non-functional descriptors". The non-functional descriptors were described to us as a "safety net" for people who have scored less than 15 points, in cases where there could still be difficulties in a workplace setting despite not having been assessed as having significant functional restriction. There are two non-functional descriptors. One relates to life-threatening disease which is uncontrollable or uncontrolled, which was not applicable in this case. The other non-functional descriptor relates to risk to health. The relevant wording is: "the claimant is suffering from some specific disease or a bodily or mental disablement, and by reasons of such disease or disablement, there would be a substantial risk to the mental or physical health of any person if they were found not to have limited capability for work". We were told that the key word was "substantial" and an assessment of that would be made by the Atos practitioner. In Ms DE's case it had not been felt that there was a substantial risk.

We asked about the "Personalised Summary Statement". In Ms DE's case the last of the five paragraphs in the statement relates to her mental health. It reads:

"She has depression, she regularly gets reviewed by psychiatry. She was started on mood stabilisers last year. She lives alone, self cares, and is able to do a variety of cooking and housework tasks. She is able to drive. She attends bible study classes and to do volunteer work speaking to teenagers. She does not get in to fights or arguments. She was timid at interview but otherwise

her mental state appeared normal and despite her regular review by psychiatrist there is no evidence that she has a significant disability of mental health function.”

We were surprised about this paragraph for a person who had been seen by a consultant psychiatrist over the course of a 20 year period, was being frequently reviewed and was prescribed significant medication. Dr C said that the key word here was “function”. Dr D told us that he did not feel that Dr C was saying that there was nothing wrong with the client, she was commenting on the claimant’s functioning.

We asked if there had been any changes to the assessment process since Ms DE’s assessment took place. We heard that there had been some changes to wording and support group criteria but no fundamental changes to the descriptors or the application of the descriptors.

Our Survey of Psychiatrists

As part of this investigation we conducted a survey of psychiatrists in Scotland. We wrote to Associate Medical Directors in Psychiatry at health boards across Scotland and asked them to distribute an invitation and a link to an online survey to Responsible Medical Officers (RMOs) in their area. RMOs have overall responsibility for the psychiatric care of their patients and are usually consultant psychiatrists, although there are some senior psychiatric trainees and specialty grade doctors who act in this capacity.

We received 70 responses to our survey. For comparison, the most recent NHS Scotland Information Services Division report on workforce statistics shows a headcount of 320 consultants working in general adult psychiatry in Scotland in June 2013. Of the 70 responses, 56 were completed by RMOs who had patients who had undergone a Work Capability Assessment (WCA). All percentages quoted relate to these 56 responses, unless otherwise stated.

We asked RMOs if their opinion had been sought by the DWP or Atos at any point in the WCA process. 75% said they had not been asked for their opinion at any point in the process. 25% had been asked for their opinion, some before the WCA and some after.

We then enquired if patients had asked our survey respondents to provide medical evidence. 95% had been asked to provide medical evidence at some point. 70% had been asked before their patients attended for the WCA. 29% had been asked after the WCA but before the decision was made. 73% had been asked as part of the appeal process against the DWP decision.

We asked RMOs if any of their patients had lost ESA or Incapacity Benefit after undergoing the WCA. 78% said that some of their patients had lost entitlement, 9% said that their patients had not, and 12% did not know. We also enquired if any of their patients had won an appeal against a decision made by the DWP to stop entitlement to these benefits. 80% of our respondents said that at least one of their patients had won an appeal.

We asked RMOs if any of their patients had been distressed by the process of undergoing the WCA and 96% replied that this had been the case. In addition, 93% of respondents said that at least one of their patients had been distressed by the outcome of the WCA.

We then asked RMOs about patient experiences following the WCA to which the assessment process or outcome contributed (in the RMO's opinion). 85% of the 52 respondents to this question told us about an increased frequency of appointments. 65% had at least one patient who required an increased dose of medication and 35% reported at least one patient who had changed medication. 40% had at least one patient who had self-harmed after the WCA. 13% of respondents reported that a patient had attempted suicide and 4% (two RMOs) stated that a patient had taken his/her own life. 35% said that at least one of their patients had been admitted to hospital as a consequence of the WCA and 4% told us about a patient being detained under the Mental Health (Care and Treatment) (Scotland) Act 2003.

RMOs told us of other patient experiences after the WCA. Commonly reported were increased stress, anxiety and thoughts of suicide. In some cases the stress had severely destabilised patients. Some patients had experienced a worsening of a low mood. We heard about one patient who had increased psychotic symptoms, requiring referral to the local Intensive Home Treatment Team.

We asked in our survey if respondents could give us examples of patient experiences of the assessment. Several RMOs told us that patients had described the Atos practitioner performing the assessment as lacking sensitivity and knowledge relating to mental illness. Several patients found the process distressing and demeaning. Many patients were surprised that their psychiatrists were not contacted as part of the assessment process. Worryingly, some patients described feeling stigmatised and victimised.

Some patients had told their psychiatrist that the assessment report did not match the questions and answers within the assessment appointment. There was also a feeling from some patients that the assessment had judged their physical health rather than their mental health. Another frequent theme was a worsening of symptoms before the assessment, particularly symptoms of depression and anxiety. Some patients had a worsening of psychotic symptoms, others had self-harmed or experienced thoughts of self-harm. One example given was of a patient with a psychotic illness who had incorporated the assessment process into his system of delusions, leading him to believe that he was being followed by the DWP.

We also asked RMOs if they had any other comments they would like to share with us. The level of distress caused to patients was raised again. We heard about the pressure the assessment process had put on psychiatrists' clinics, due to an increased frequency of appointments for some patients and requests for support relating to the assessment. Several respondents thought that they should have been contacted for information about their patients. Some RMOs expressed the opinion that it was unfair that the responsibility for gathering medical evidence was put on the patient.

There were examples given of patients who had stopped receiving ESA despite their doctors being adamant that the patients were completely unable to work. A point made by one of our respondents was that some patients are less able to appeal an ESA decision and will consequently be less likely to achieve the overturning of the original decision on appeal.

We heard of examples where community psychiatric nurses were attending assessments with their patients to offer support and to attempt to prevent a crisis situation occurring.

One of our respondents pointed out that the level of distress experienced by a patient about the assessment process did not always correspond to the severity of the patient's mental illness. Another RMO told us that some severely ill patients were relatively unperturbed by the process. We heard about a patient who had neurocognitive deficits and was actively psychotic. He had answered questions at the assessment by stating that he was "fine". His ESA had been stopped despite the fact that he was completely unable to self-care.

The overall theme of the responses was the distress caused to patients and consequent demands on mental health services. We are very grateful to the doctors who completed this survey.

Analysis and Findings

In Ms DE's case, Atos and the DWP were satisfied that there had not been any errors or omissions on their part. The DWP had decided that Ms DE was not eligible for ESA. This decision contrasted with the opinion of two doctors who knew Ms DE very well, who were certain that she was not ready to return to the workplace at the time of her assessment.

Our investigation raised numerous issues. These issues are discussed below in an order corresponding with the benefit reassessment process.

Telephone Calls to Claimants

When Ms DE was selected for benefit reassessment on 18/7/11 a computer generated letter was sent. Ms DE had expressed a preference for telephone contact and efforts were made to speak to her by telephone. However, these calls were not answered. It was noted that Ms DE had an answering machine. No messages were left on the answering machine. The DWP guidance did not state that messages should be left. It may have been the case that messages left may have led to Ms DE returning the call and being given more information about the benefit reassessment process.

Similarly, when telephone calls were made to Ms DE to inform her of the DWP decision there was no answer and no messages were left, again in line with the DWP guidance. Messages may have prompted her to phone back. At this point in the process an explanation of the decision and a discussion of the options available to Ms DE might have allayed some of her concerns and reduced the distress she described. The DWP requirement was that two calls were made with a minimum time of three hours between the calls. This contrasts with the requirement for three calls on separate dates when a claimant starts the process. Introducing a requirement for attempts on separate dates to discuss the disallowance decision would increase the likelihood of telephone contact with the claimant.

We were informed by the DWP that guidance on leaving telephone messages was introduced in late 2011.

We think that the DWP should review its guidance on this subject to ensure that its procedures are working well. We are of the opinion that attempts to telephone a claimant to discuss a disallowance decision should be made on separate dates.

Notifying Doctors of the Start of the Reassessment Process

We heard from our survey that psychiatrists are not routinely informed when their patients enter the assessment process. This is despite the fact that the process can have a significant impact on the mental health of their patients. In some cases the first time that psychiatrists and GPs heard that a patient was going through the process was when the person presented in crisis.

We think that when an individual with a mental illness, learning disability or related condition is about to undergo this assessment process a letter should be sent to the person's GP and, if applicable, the person's psychiatrist to inform the doctors of the potentially challenging situation being faced by the individual.

Medical Reports

We heard that psychiatrists and GPs are not routinely asked to provide medical reports for patients with a mental illness. This is despite the fact that it may be more difficult for some individuals to put in place the necessary arrangements to provide medical evidence supporting their claim.

Medical reports from the doctors with the best knowledge of the individual's condition would provide valuable information for the Atos practitioner and the DWP decision maker. In some cases the medical reports would contain details which had not been discussed in the ESA50 self-assessment questionnaire or the Work Capability Assessment.

We think that medical reports should be routinely obtained for individuals with a mental illness, learning disability or related condition entering the assessment process. A request for a report could be combined with a letter informing doctors that their patient will be undergoing the process of assessment.

Vulnerable Claimant Guidance

We heard during our investigation that Ms DE had not been considered to be a "vulnerable claimant" by the DWP. We looked at the DWP guidance on this topic. The guidance aims "to help staff identify and make judgements about those claimants for whom it would be more appropriate to deliver services face to face, particularly where it appears that the claimant is vulnerable".

We noted the following sentence regarding identification of vulnerable claimants: "When considering whether a claimant is vulnerable it is important to talk with them." This does not appear to have happened in Ms DE's case, casting doubt on the decision not to treat her as a vulnerable claimant. Attempts to contact Ms DE by telephone had been made but were unsuccessful. Later in the guidance it is stated: "The following may be relevant to identifying vulnerable claimants where they have/are (not an exhaustive list):". The first item on the list is "Mental health conditions". Ms DE was known to have depression as this was recorded on her MED3 form. Despite this information she was not considered to be a vulnerable claimant. If she had been designated as a vulnerable claimant then additional safeguards would have been put in place.

We think that the DWP should examine the decision that Ms DE was not a vulnerable claimant and identify any shortcomings that led to this decision.

We also think that the DWP should strengthen its vulnerable claimant guidance and audit adherence by its staff to the guidance.

The ESA50 Self-assessment Form

We heard in our investigation that Ms DE had said that she did not receive a self-assessment ESA50 form. The DWP confirmed that it had been posted. There was, however, no evidence of delivery.

The ESA50 form is an important source of information for the Atos assessing professional and the DWP decision maker. In some cases it can also act as a trigger for the claimant to start gathering supporting evidence for their claim. Not receiving the ESA50 would, therefore, be of significant detriment to the claimant. In Ms DE's case there were no efforts from the DWP or Atos to look into the non-return of the ESA50 form – the assessment process simply continued. We were subsequently informed by the DWP that Atos send an automated reminder to the claimant if the ESA50 is not returned within two weeks. The lack of an ESA50 form was not discussed at the Work Capability Assessment.

We are of the opinion that non-return of the ESA50 form should lead to further enquiries being made. If there is no ESA50 form at the Work Capability Assessment the reasons for this should be tactfully explored by the Atos assessing practitioner.

The Work Capability Assessment

We heard in our interview with the Atos clinical manager and doctor that some claimants would incorrectly assume that the Atos practitioner had access to medical notes. This could lead to some claimants not giving a complete account of their situation, due to the mistaken belief that the Atos practitioner was already in possession of relevant information from the medical notes.

We think that when claimants meet the Atos practitioner they should be told what information the Atos practitioner possesses about their case.

We are also of the opinion that when claimants are invited to a face to face assessment, it should be fully explained to them that the Atos practitioner will not have access to their medical notes. They should also be given comprehensive information describing what will take place at the assessment and advice on possible sources of help to prepare for the assessment.

The evidence we heard was that Atos and the DWP considered the Work Capability Assessment to be satisfactory, both in Ms DE's particular case and in general. We have major concerns that the WCA is not sensitive enough to capture the elements of mental illness that mean a person is unable to function in a workplace.

The seven mental, cognitive and intellectual functions assessed, as quoted in a letter to Ms DE from the DWP, are: learning how to do tasks; being aware of danger; starting a task and finishing it to the end; coping with changes; coping with getting about on your own; dealing with other people; behaviour with other people. The assessment of these functions will identify some people with a mental illness who do not have a sufficient level of functioning. However, we think that there are some people with mental health conditions (such as a depressive illness) and insufficient functional ability to cope in the workplace who are not being identified by the WCA.

Ms DE's WCA "Personalised Summary Statement" contained the text: "She was timid at interview but otherwise her mental state appeared normal and despite her regular review by psychiatrist there is no evidence that she has a significant disability of mental health function." We were surprised about this statement for a person who had been seen by a consultant psychiatrist over the course of a 20 year period, was being frequently reviewed and was prescribed significant medication.

We heard many examples in our survey where individuals lost their ESA despite their psychiatrists being adamant that their patients did not have a sufficient level of functioning. In Ms DE's case her psychiatrist and GP were certain that she was not well enough to return to a workplace at that time, although they hoped that she would be well enough in the future.

We think that the Work Capability Assessment should be reviewed with expert input from specialists in occupational health and psychiatry, to increase the ability of the assessment to identify functional level in individuals with a mental illness.

The Work Capability Assessment Mental State Examination

The "Mental State Examination" contained within the Work Capability Assessment is notable for significant omissions compared to a clinical mental state examination. In a mental state examination performed in a clinical setting, there would usually be a subjective and objective assessment of mood. Biological and cognitive features of depression are also often recorded in the mental state examination.

In Ms DE's particular case, despite the fact that she was presenting with a depressive illness, there was no assessment of her mood within the WCA mental state examination. We think that a more comprehensive assessment of Ms DE's mental state would have identified factors that were highly relevant to her level of functioning.

We think that the Work Capability Assessment mental state examination should be reviewed to remedy these significant defects.

Attending the WCA as "Evidence of Functioning"

We heard that the fact that a claimant managed to attend the WCA was considered as evidence of functioning. We think that this is unfair and incorrect. Some individuals with a mental illness may somehow manage to reach the assessment despite their illness, aware that this is an appointment with "authority" and perceiving that their benefits may be at risk if they do not attend. We do not think that this one-off attendance can be extrapolated to assess the ability of a claimant to attend and function in the workplace on an ongoing regular basis.

We think that attendance at the Work Capability Assessment should not be used as evidence of being able to function in the workplace.

Information Used in the DWP Decision-Making Process

In Ms DE's case the DWP decision was made based entirely on the WCA report written by the Atos practitioner. In turn, this report was based solely on a face to face assessment lasting around one hour. This appears to be scant information on which to make such a significant decision.

We think that the DWP decision maker should consider at least two distinct sources of information when coming to the decision.

The Appeal Process

We were told that the law requires that even though Ms DE had lodged an appeal against the DWP decision, her benefit payment would still have been significantly reduced once the disallowance date of 12 January 2012 was reached. This seems to be unfair to the claimant, in that there is a substantial financial loss to the claimant even though the assessment process is ongoing.

We heard about the significant rate of successful appeals against disallowance decisions. We were told about harmful episodes experienced by individuals after initial disallowance decisions which were subsequently overturned on appeal. We think that an improved initial assessment process would lead to a reduction in the number of appeals made.

DWP Peer Review Process

The DWP peer review appears to be incorrectly titled. We would expect a peer review to be carried out by staff of the same grade as those involved in the actual assessment process. In this case the review was carried out by a Senior Executive Officer of the DWP. Consequently, it appears that the document is actually a managerial review, rather than a peer review. When we interviewed the officer who wrote the review we were in the unusual position of hearing both the opinion of the "peer reviewer" and the distinct personal opinion of that individual.

We think that the DWP should look at its Peer Review Process and examine its title and suitability as a quality assurance tool.

DWP Correspondence after Notification of Ms DE's Death

The chronology attached to the DWP Peer Review has the following entry for 13 January 2012, nine days after the DWP received notification of Ms DE's death:

"Employment & Support Allowance awarded at assessment phase rate from 12/1/12; this is payable until the appeal outcome is known. Automatic system issued notification of award sent to [Ms DE]. (Correct procedure/timescale)"

This suggests that a letter was sent to Ms DE despite the DWP having received notification of her death. This letter could possibly have been opened by relatives or friends of the late Ms DE and could have caused considerable upset.

We think that the DWP should investigate if this letter was sent. If the letter was sent then the DWP should consider how such events can be prevented.

Recommendations

We have made several recommendations to the DWP. If the DWP contracts with an agency other than Atos for Work Capability assessments, the same recommendations still apply.

We discussed these recommendations with the DWP. We have been encouraged by the DWP's willingness to engage with us. We will continue to work with them.

The Assessment Process

We recommend that:

- The DWP routinely obtain medical reports for individuals with a mental illness, learning disability or related condition who are entering the assessment process.
- The DWP and Atos jointly ensure that when claimants are invited to a face to face assessment it is fully explained to them that the Atos practitioner will not have access to their medical notes. Claimants should also be given comprehensive information describing what will take place at the assessment and advice on possible sources of help to prepare for the assessment. The DWP and Atos should ensure that when claimants meet the Atos practitioner they are told what information the Atos practitioner possesses about their case.
- The DWP decision maker consider at least two distinct sources of information when coming to the decision.
- The DWP and Atos review the Work Capability Assessment with expert input from specialists in occupational health and psychiatry to increase the ability of the assessment to identify functional level in individuals with a mental illness. The DWP and Atos should also review the Work Capability Assessment mental state examination to remedy the significant defects we identified.
- The DWP and Atos jointly ensure that attendance at the Work Capability Assessment is not used as evidence of being able to function in the workplace.

Communication

We recommend that:

- The DWP review its guidance on leaving telephone messages to ensure that its procedures are working well. Attempts to telephone a claimant to discuss a disallowance decision should be made on separate dates.
- The DWP arrange that when an individual with a mental illness, learning disability or related condition is about to undergo the assessment process a letter should be sent to the person's GP and, if applicable, the person's psychiatrist to inform the doctors of the potentially challenging situation being faced by the individual.
- Non-return of the ESA50 form should lead to suitable further enquiries being made by Atos or the DWP. If there is no ESA50 form at the Work Capability Assessment the reasons for this should be tactfully explored by the Atos assessing practitioner.
- The DWP and Atos ensure that their communication with claimants is compliant with the requirements of the Equality Act 2010.
- The DWP investigate if it sent a letter to Ms DE despite being aware of her death. If this letter was sent then the DWP should consider how such events can be prevented.

Support

We recommend that:

- The DWP examine the decision that Ms DE was not a vulnerable claimant and identify any shortcomings that led to this decision. The DWP should strengthen its vulnerable claimant guidance and audit adherence by its staff to the guidance.

DWP Processes

We recommend that:

- The DWP look at its peer review process and examine its suitability as a quality assurance tool. The peer review process should include a review by a suitably qualified medical practitioner of an assessment made by an Atos healthcare professional.

Recommendation for Scottish Government

We recommend that:

- The Scottish Government, in conjunction with user, carer and professional groups, commission a study examining the impact of the Work Capability Assessment process on people with a mental illness, learning disability or related condition, and put in place the support necessary to address this impact.

Appendix 1

The 17 "Functional Areas" of the assessment of Ms DE and the assessment result for each functional area, all scored at zero points, are quoted below:

Functional Area	Assessment result
<i>Physical Functions</i>	
Moving around	You can move more than 200 metres on flat ground (Moving could include walking, using crutches or using a wheelchair).
Standing or sitting	You can usually stay in one place (either standing or sitting) for more than an hour without having to move away.
Reaching	You can raise at least one of your arms above head height.
Picking things up and moving them	You can pick up and move objects such as an empty cardboard box or a carton of liquid.
Using your hands	You can use a computer keyboard or mouse and a pen or pencil with at least one hand.
Speaking, writing and typing	You can convey a simple message to strangers.
Hearing, or understanding messages	You can understand simple messages from a stranger.
Getting around safely	Your vision doesn't prevent you from finding your way around familiar and unfamiliar places.
Control of bladder, bowels or stoma	You do not need to change your clothes because of difficulty controlling your bladder or bowels or using a stoma.
Staying conscious when awake	Any fits, blackouts or loss of consciousness happen less than once a month.
<i>Mental, cognitive and intellectual functions</i>	
Learning how to do tasks	You can learn how to do new tasks.
Being aware of danger	You are aware of everyday dangers and can keep yourself safe.
Starting a task and finishing it to the end	You can usually manage to begin and finish daily tasks.
Coping with changes	You can cope with small unexpected changes to your daily routine.
Coping with getting about on your own	You can get to somewhere that you don't know without someone going with you.
Dealing with other people	You can deal with people you don't know.
Behaviour with other people	You behave in a way that would be acceptable at work.

Appendix 2

Glossary


Atos	Company contracted to perform WCA
DWP	Department for Work and Pensions
ESA	Employment and Support Allowance
ESA50	Self-assessment questionnaire to be completed by claimant
ESA85	ESA medical report completed by Atos Healthcare professional
ESA113	Information requested from a healthcare professional about an ESA claim
GP	General Practitioner
HCP	Atos Healthcare professional
IB	Incapacity Benefit
JSA	Jobseeker's Allowance
MED3	Statement of fitness for work, completed by a doctor
RMO	Responsible Medical Officer, a psychiatrist who has overall responsibility for the psychiatric care of their patients
ST6	In psychiatry, a doctor in the final year of training before being eligible to apply for consultant posts
WCA	Work Capability Assessment





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Man who was too ill to attend fit-for-work interview but terrified of losing benefits dies after


Feb 24, 2014 00:01


By Paul English


CHARLIE McGARVEY'S seriously ill brother Terry, 48, attended his Atos assessment and then had to be taken to hospital where he died the following day.

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David Johnstone Photography

Charley McGarvey's brother Terry was hauled into Atos assessment

A SERIOUSLY ill man died hours after he was hauled into an Atos fit-for-work assessment.

Terry McGarvey knew he wasn't well enough to attend the hearing. But he was terrified his benefits would be stopped if he didn't turn up.

He dragged himself to the assessment but had to be taken to hospital in an ambulance. Terry, 48, died the next day.

His brother Charlie, 50, said: "He said he felt terrible and didn't think he could leave the house.

"But he was worried they'd take his benefits away if he didn't go.

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“When he went in, he sat down with a young woman who started asking him questions.

“I pointed out that he needed an ambulance, not a medical.

“They put us into a room next door and lay him on a bed. We waited more than an hour for the ambulance without anyone coming in to even ask how he was.”

Terry, who had blood disorder polycytheamia, died in Glasgow’s Victoria Infirmary from pneumonia last month. His death certificate also lists liver disease.

Charlie, from Glasgow, said Atos’s trained medical assessors should have realised his brother, a former lorry driver, was dangerously ill.

He added: “I think that if they had a doctor in there, they would have got an ambulance immediately.

“The girl who was supposed to be doing the examination never brought out a stethoscope or anything. They just put him in the room next door and that was the last we saw of her.”

An Atos spokesman said: “We would like to express our condolences to Mr McGarvey and his family.

As soon as we were made aware that Mr McGarvey had taken ill, we offered our assistance and called for an ambulance.”

A spokesman for the Scottish Ambulance Service said: “The call was clinically triaged as a non-emergency based on detailed information provided by the caller.

“The caller was advised that the response to a non-emergency call at that time could take up to an hour but to call 999 again if the patient’s condition deteriorated.”

On Friday, victims of fit-to-work tests welcomed the news that Atos are ending their contract to carry out Work Capability Assesments for the Department for Work and Pensions.

Thousands of seriously ill and vulnerable people have been deemed fit to work by the tests, only for the verdicts to be overturned on appeal.

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Suicide bid of woman who feared losing her incapacity benefit

Published: 14 August 2013
Updated: 12:06, 14 August 2013



PAUL CHESTON

A seriously ill woman died two days after trying to kill herself when she was told her incapacity benefit would be stopped, an inquest heard.

But after Elaine Lowe's body was found a second, unopened, letter was discovered indicating she would not lose it after all.

Westminster coroner's court was told she had received a letter from the Department of Work and Pensions saying she should go back to work. The 53-year-old, who suffered breathlessness because of chronic obstructive pulmonary disease, was so distressed she took a cocktail of drugs.

She recovered after treatment in hospital and vowed to fight the Government's decision. But she died two days later from her existing condition without opening the second letter, the court was told. Ms Lowe, of Battersea, also suffered from long-term mild depression and was a recovering methadone addict.


After her suicide attempt on March 25, she made a full recovery and was discharged the next evening. Dr Sana Hamid, who treated Ms Lowe at St George's Hospital, Tooting, said: "She wasn't depressed when I saw her but she added how distressed she had been about the decision by the Benefits Agency. She said that she saw the letter and decided to take her own life. She felt that she couldn't go back to work and thought it was an unjust decision. She regretted trying to end her life and decided to challenge the decision and go to the Citizens Advice Bureau."

The coroner added: "Ironically after her death another letter was found that they weren't going to be stopped at all."


A suicide note had been left by Ms Lowe in a sealed envelope and some medication was around the floor, the court was told. However, a post-mortem examination revealed she only had a small amount of drugs in her system — mostly from her suicide attempt two days' previously.

"Ms Lowe's quality of life was poor due to chest disease and lung


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problems,” said the coroner. “I am satisfied the drugs found in her system are a red herring. I am going to record the cause of her death as chest disease and conclude that she died from natural causes.”

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Mark Wood: 'Sweet and gentle' 44-year-old man with mental health problems 'starved to death after benefits cut'

Wood, who weighed just 35kg when he died, was deemed to be fit for work which led to his sickness and housing benefits being cut

IAN JOHNSTON

Friday 28 February 2014

PRINT | A A A

A “sweet and gentle” 44-year-old man with mental health conditions appears to have starved to death after his benefits were cut.

Mark Wood, of Bampton, Oxfordshire, was deemed to be fit for work, which led to his sickness and housing benefits being cut about four months before his death in August last year. This had left him with £40 a week to live on.

His family, who were unaware his benefits had been reduced, said he was a “proud” man who tried to live independently. They called for the Government to change the way people with mental health problems are treated in relation to benefits, *The Guardian* reported.

Coroner Darren Salter said Mr Wood’s death was probably “caused or contributed to by Wood being markedly underweight and malnourished”, but added it was not possible to establish the cause of death conclusively.

Mr Wood weighed just 5st 8lbs — 35kg — when he died and his doctor, Nicholas Ward, said this body mass index was incompatible with life.

Dr Ward wrote a letter for Mr Wood to give to the Jobcentre, which said he was “extremely unwell and absolutely unfit for any



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work whatsoever”.

“Please do not stop or reduce his benefits as this will have ongoing, significant impact on his mental health. He simply is not well enough to cope with this extra stress. His mental and medical condition is extremely serious,” the letter added. It is not known if Mr Wood gave the letter to the Jobcentre.

Mr Wood’s sister, Cathie Wood, told *The Guardian* that her “sweet and gentle” brother had not opened many letters sent to him and had not known he had to go to the Jobcentre to reapply for benefits.

“He didn't deserve to die. He wasn't harming anyone,” she said.

“He was quite a proud person. He would have wanted to be seen as normal. He was desperate to get by as normal ... He didn't want to impose on our mother. He wanted to survive without her help.”

Mr Wood was diagnosed with Asperger syndrome and obsessive compulsive disorder in his late 20s. He later developed an eating disorder and cognitive behavioural problems.

Ms Wood said she planned to write to David Cameron, who was her brother’s MP, and to Iain Duncan Smith, the Work and Pensions Secretary.

“I would like Iain Duncan Smith to stop talking about this as a moral crusade, and admit that this whole process of reassessing people for their benefits is a cost-cutting measure ... This is not just someone being inconvenienced – this is a death,” she said.

A spokesman for the Department of Work and Pensions said: “A decision on whether someone is well enough to work is taken following a thorough assessment and after consideration of all the supporting medical evidence from the claimant’s GP or medical specialist. Our sympathy goes out to the family of Mr Wood.”

Tom Pollard, policy and campaigns manager at Mind, said they were “deeply saddened” by Mr Wood’s death.

“Unfortunately this tragic case is not an isolated incident. We hear too often how changes to benefits are negatively impacting vulnerable individuals, who struggle to navigate a complex, and increasingly punitive, system,” he said.

“We know the assessment process for those applying for employment and support allowance is very stressful, and too crude to accurately assess the impact a mental health problem has on someone’s ability to work. This leads to people not getting the right support and being put under excessive pressure which can make their health worse and push them further from the workplace.

“We urgently need to see a complete overhaul of the system, to ensure nobody else falls through the cracks.”

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This lost genius: The legacy of the late Scottish poet Paul Reekie

Though not a household name, poet Paul Reekie inspired many big names in the 1990s Scottish literary scene. Now, a year after Reekie took his own life, they tell Peter Ross of plans to preserve his remarkable legacy

Paul Reekie in 2008 at Easter Road

ON Sunday 6 June last year, at the tail-end of the final weekend of his life, the poet Paul Reekie walked into the Artisan, an old-fashioned pub on Edinburgh's London Road, one of his favoured locals. Reekie was, according to those who met him that evening, his usual gregarious self. He had a few pints and went home at around half-ten to his Waverley Park flat, where – at some point over the next few days – he killed himself. He was 48.

Reekie's body was discovered on 10 June. He did not leave a note. He laid out on a table two letters from the Department of Work and Pensions. One notified him that his housing benefit was being stopped. The other announced the end of his incapacity benefit. It would be a sad end for anyone, but perhaps especially so for a man Irvine Welsh calls a "lost genius" and who, though largely unknown, embodied and shaped the mischievous, cussed, antic, libertine spirit of Scottish literature in the late 20th century.

"The guy was the very definition of an important writer," says Barry Graham, who in 1992 appeared alongside Reekie in the poetry collection Three Edinburgh Writers. "He was a phenomenon, which is why everyone's still talking about him."

He was a Fifer who adopted Scotland's capital, and in particular Leith, as his personal fiefdom and

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pleasure garden. "I see him as the poet laureate of Leith," says Irvine Welsh, a friend for many years. "He had this amazing flat at 374 Leith Walk, which was a legendary stop-off place. Everybody ended up there at some point."

Reekie referred to the flat, which he shared with his then partner Rosie Savin, as The Original Anything Goes Joint. During the 1990s, after a session in the pubs and clubs, it wasn't unusual for anyone from poets and painters to Mani from Primal Scream to be sprawled asleep on the sofa. "If you went for a night out in Edinburgh and you didn't end up there, you've never really had a night out in Edinburgh," Welsh says.

"It's still very sad," says Rosie Savin. Her romantic involvement with Reekie ended some years ago, though they remained close friends. "He's left a huge hole in the lives of all of us who loved him. I've never met anyone like him and I don't think I ever will again."

Remarkably, given the influence he appears to have had on other writers, notably Irvine Welsh, Reekie's own published output is minuscule. There was Three Edinburgh Writers and the next year his own limited-edition chapbook Zap – You're Pregnant. His novella, Submission, featured in the seminal short fiction anthology Children Of Albion Rovers in 1996. Probably Reekie's best known work is the poem When Caesar's Mushroom Is In Season, which appeared as a frontispiece to Welsh's book The Acid House in 1994 and was read by the actor Tam Dean Burn at the poet's funeral.

All of Reekie's work was put out by Rebel Inc, the cult publishing house founded in Edinburgh in 1992 by Kevin Williamson, the third poet in Three Edinburgh Poets. Rebel Inc started as a magazine, became an imprint of Canongate Books, and was responsible for establishing the fashionable Trainspotting-era notion of the Scottish literary scene as a druggy, dark and darkly comic underground peopled by inky-fingered, acid-tongued autodidacts. Yet according to Kevin Williamson, "Rebel Inc wouldn't have gone beyond being a magazine if Paul's influence hadn't been there. He opened up my eyes to so many things. Irvine and I were both familiar with the counterculture and the avant-garde, but not like Paul. He lived and breathed it 24/7. There was nothing he didn't know."

Through Rebel Inc, Reekie has had an influence over the present generation of Scottish writers including Ewan Morrison, Alan Bissett and Doug Johnstone. At the time, he was the tastemaker to a scene which was itself shaping public taste. He introduced Kevin Williamson to the then obscure Scottish beat of Alexander Trocchi, whose novel Young Adam was subsequently reissued by Rebel Inc and made into a highly regarded film. He turned Irvine Welsh on to Shakespeare and Wilde. Tam Dean Burn recalls "trying to discuss Nol Coward at six o'clock in the morning when you were both off your heads on E". There didn't seem to be a poet, no matter how arcane, whose work he did not know.

"He would never compromise," Welsh recalls. "If he wanted to talk about obscure Czechoslovakian poets to a pub full of jaikies, he would just wax on. Real hard men who would punch a pretentious student for coming out with that crap actually loved Paul because they knew he was being completely genuine; there was no affectation. You could be in the stand at Easter Road watching a Hibs game and suddenly he's f***ing rabbiting on about Proust."

Reekie was born on 23 January, 1962, and grew up in Leslie, near Glenrothes in Fife, the eldest of four children. His father Mick worked at the paper mill. The family home was a council house at 8 Paterson Park, a part of town which today feels calm and quiet, all lawnmowers and roughcasting and birdsong. Back in the 1970s, however, it had a reputation as being a bit wild but vivid and full of characters.

One near neighbour was known as The Pink Panther. He had a beard, long hair, 27 televisions and had wallpapered his front room with centrefolds from porno mags; one evening, while busy pleasuring himself, he was knocked unconscious by a turnip thrown through an open window from the street. Another local was reputed to keep a leprechaun in a bottle. For a fledgling writer, exposure to these locals, to these crazy stories, must have laid a bedrock in the imagination.

Innes Reekie, head of the record label Mayakovsky Produkts which last year put out the Spectorbullets album on which Paul Reekie features, was no relation but a close friend during their teenage years. He first became aware of him around 1974 when his nickname – "Peekie" – was spray-painted on what seemed like every wall in the area of Glenrothes where Innes lived. Reekie was, according to Innes, involved in the gang culture of the time – "These were the days when you



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He found schoolwork easy and did well in his O-Grades, but left before sitting his Highers to become a butcher's apprentice. This was a short-lived career move which Innes Reekie says ended when Paul threatened the butcher with a meat cleaver. Though he is remembered as being generous, charming and deadpan funny, there is no question that Reekie could also be challenging company. Tam Dean Burn shakes his head at the memory of introducing him to his partner. "He f***ing bit her. I let him away with it, really, and I couldn't grasp why I let him away with it, except that he was intimidating in some way."

Everyone who knew Reekie well talks about him having demons. Barry Graham remembers seeing him cursing at and exposing himself to a nightclub bouncer. "Sometimes you would run into him and he would be absolutely exuberant, but at other times he would have this field of blackness about him."

Reekie moved to Edinburgh in 1978, keen to get closer to the punk scene, and found a job working in the city's first sex shop. He played bass and sang in a band called The Thursdays. Their cover of Otis Redding's Sittin' On The Dock Of The Bay was played at his funeral. "It's gorgeous," says Burn. "He was only 17 at the time, but he sounds so world-weary and wise."

It was during the punk period that Reekie met many of the friends with whom he would remain close for the rest of his life. "You would see these mad bulging eyes," Irvine Welsh recalls of their earliest encounters. "His eyes kind of walked into the room ten minutes before the rest of him." In the early 1980s, he got married, but the marriage did not last long.

A decade on from punk, Reekie embraced acid house with the same abandon. He also built a strong reputation as a performance poet, appearing at Edinburgh venues including The Antiquary Bar and the Unemployed Workers Centre. Sometimes he'd turn up wearing a flying helmet, goggles and a kimono, or some other motley outfit. The popular memory of his theatrical appearance, and the unavailability of published poetry, have meant he is often misremembered as a rather goofy and marginal figure, the joker in the Rebel Inc pack. He was, however, deeply serious about his work and approached it with academic rigour.

"He was an absolute master of classical form," says Barry Graham. "In Scottish poetry, where he belongs is alongside Edwin Morgan, who thought he was great. If you wrote something in classical meter, he would be able to say to you, after hearing it, that there was one beat too many in the second line."

The great mystery around Paul Reekie is why he did not publish more work. He had a bruising experience in 1996 when Submission, his novella in Children Of Albion Rovers, attracted a lawsuit from his ex-wife. Canongate was forced to pulp 10,000 copies of the book, withdraw others from sale, and pay damages. It would be unsurprising if this put him off the business side of the books industry. However, those close to him speculate that the real reason he didn't submit work to publishers was a strange mixture of fear of success, fear of failure, fear of rejection and fear, perhaps, of losing part of his soul. This was real psychological complexity which made him appear thrawn. As Innes Reekie puts it, "Paul did almost everything he could to derail his own writing career."

He never stopped writing, though. In his flat, following his death, a large box was discovered to contain unpublished poetry and prose, mainly handwritten in block capitals. Williamson intends to go through it with Welsh and Rosie Savin. Between them they will decide what might be suitable for publication. "Paul lived for his poetry," says Williamson, "and I don't want to see it die with him."



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The thinking is that Reekie desired posthumous publication and would have destroyed any work he didn't want in the public domain. It is likely that an announcement about the discovered manuscripts will be made during this year's Edinburgh International Book Festival; a Paul Reekie event is scheduled to take place at the Spiegeltent on 28 August. "I think he will be regarded as this lost genius," says Welsh. "The cult of Reekie, which is a local cult, will go national and even global once that stuff comes out."

The question of why Paul Reekie chose to take his own life is not answered easily. The information that his benefits were being stopped, and that he had laid out the DWP letters, appeared on Williamson's website Bella Caledonia. Since then, Reekie has become something of a welfare cuts martyr and his suicide inspired the formation of the Black Triangle campaign against work capability assessments.

"I don't think Paul killed himself because he had his benefits cut," Williamson says. "It may have been something that tipped him over the edge, but it was more complex than that."

Reekie suffered from poor health, having undergone heart surgery in recent years. He was recovering from an attack outside a pub which friends speculate had left him feeling vulnerable. He is also said to have felt terribly lonely at times despite a wide social circle. He was sick, he was sad, he was skint. His own favourite poet was John Berryman who killed himself in 1972. It sounds like a combination of factors.

"I'm sure from Paul's point of view he took a very pragmatic decision," says Welsh. "I think it was the wrong one. He's a very dear friend and I miss him terribly and I just wish he was here for us. But there's something very brave about it as well. I don't want to glorify or glamorize that kind of act because it leaves such an emotional mess behind, but I think there is a tremendous mental courage required to do something like that."

One of the last people to spend time with Reekie before his death was Mark Hay, a friend and fellow Hibee, one of a crowd of pals who would go to most of the matches, always standing in the Dunbar end of the East Terrace at Easter Road. Hay didn't know Reekie as an artist, really; it was all about the football, the pub and the craic.

In the week before Reekie died, Hay had him down to his place in Leith for mince'n'tatties and a few beers. Reekie had asked if he could visit, which was unusual, and he had hugged Hay on the way out the door at 2am, which again wasn't like him. Looking back, Hay believes his friend was saying goodbye. "I wish he'd said he was struggling. There's so many people that would have dropped everything and done something to help. But he didn't want to bother you that way. He would just thole it on his own to give folk peace."

That was Paul Reekie. He would talk and talk but he wouldn't talk about himself. He was enigmatic, a closed book, a blurred persona with undefined edges akin to one of the mobile phone photos of him posted on Facebook. Almost a year he's been gone now, and in his absence his presence continues to grow.

Though almost unknown by the public at large, he touched many lives on a personal level and had a cultural influence which continues to be felt in Edinburgh and far beyond. "He really is," says Barry Graham, "this ghost that haunts us all."

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Body found in River Wear is Chambers

Aug 05, 2010 12:15

By **Sophie Doughty**

HEARTBROKEN loved ones of missing Leanne Chambers are today waking up to the news that she is never coming home again.

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HEARTBROKEN loved ones of missing Leanne Chambers are today waking up to the news that she is never coming home again.

Police have confirmed a body found in the River Wear five weeks ago is that of the 30-year-old, who disappeared five months ago.

Leanne had slipped out of the house she shared with boyfriend Steven Crossland, in Chester-le-Street late on February 23.

The sales coordinator, who had battled depression for a number of years, had taken a turn for the worse after receiving a letter telling her she had to be assessed by a doctor to see if she was fit to return to work.

But when Steven, 35, went to bed that Tuesday night, leaving Leanne watching television with a bottle of wine, he had no idea it would be the last time he saw his partner.

Leanne walked out of their home some time after midnight.

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And when she failed to return Steven reported her missing, and a huge search operation was launched.

Leanne’s mobile phone was found discarded on a bench in Chester-le-Street’s Riverside Park.

And divers from Northumbria Police’s Marine Unit, found her purse and coat in the River Wear.

But Steven, who met Leanne three years ago at car parts supplier Calsonic Kansei, in Washington, where they both worked, never gave up hope that his girlfriend would be found alive.

And even when the body was recovered, at Cox Green, between Penshaw and Sunderland, he told the Chronicle, he was hoping and praying it was not her.

But results from DNA tests have now confirmed Leanne’s family’s worst fears.

Her mum, Val Chambers, said although she was heartbroken the news would at least allow the family, who have been living in limbo since Leanne disappeared, to move on.

“Knowing that Leanne has now been found we can put her to rest,” she said. “Ever since she went missing we have lived with the agony of wondering what had happened to her, reacting to every knock on the door, every phone call or every car which pulled up outside.

“We will always remember her as the life and soul of any party, whose smile lit up the room when she walked in. Wherever she worked Leanne had a group of friends, she loved socialising and was such a bubbly person.”

Leanne was born in Shildon, County Durham, and went to the local Sunnydale Comprehensive School, before getting a degree in business studies from Teesside University.

Mrs Chambers added: “We are absolutely heartbroken to have lost Leanne, but we are a large family who all support each other. I would also like to thank both Calsonic Kansei and Formica Ltd, who I work for. They have both been brilliant in terms of their help and support, as have the police officers involved.” Described by her mother as a “fitness fanatic”, Leanne was also a keen karaoke singer and had even applied to take part in the auditions for the X Factor which were held in Manchester in April. She leaves an older sister, Michelle and younger brother,

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David.

Her aunt Christine Toase said: “It’s been awful not knowing all this time, we’ve been on a constant roller-coaster of emotions. But now that we know Leanne has been found at least we have some form of closure.”

A Facebook group set-up to help find Leanne has turned into a memorial page overnight.

Alison Lye Bradshaw wrote: “My heart goes out to all Leanne’s family you will be dearly missed by everyone who had the pleasure of knowing you .”

An inquest will be held at a later date.

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My ill wife had to fight for benefits up until she died

A WOMAN who spent two years fighting to stop her disability benefits from being taken away has died just

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By: **James Murray** Published: Sun, June 17, 2012

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Karen Sherlock, 44, was declared fit to work in 2010 even though



Karen Sherlock []

her eyesight was failing and she needed a kidney transplant.

Her husband Nigel said it

was a disgrace she was refused benefits and said her battle finally took its toll on her health.

Although she struggled to get out of bed, it was deemed she could work by officials at Atos Healthcare, which assesses benefits claimants on behalf of the Department of Work and Pensions.

Last year she lost an appeal against the decision but continued her campaign. In April her £96-a-week benefits were stopped, plunging her into despair as her health deteriorated.

Although the decision was effectively overturned a few weeks ago when she was granted Employment and Support Allowance, she died on June 8.

Nigel, speaking from their home in Portsmouth, said: "Battling for her rights took a real toll. She was in very poor health for a long time and was certainly not well enough to work, although she wanted to get a job. It was just too much for her.

Battling for her rights took a real toll. She was in very poor health for a long time and was certainly not well enough to work, although she wanted to get a job. It was just too much for her






Husband Nigel

"It was an absolute disgrace for someone to suggest she was capable of working and it caused her terrible anxiety in the final years of her life. It should have been plain to anybody that my wonderful wife was not capable of work. Just getting through the day at home was becoming a struggle.

"She should not have been put through the indignity of having to justify her benefits, which she wouldn't have claimed if it was not justified."

Sue Marsh, a friend who campaigns for the rights of the disabled, said: "She lived her last months desperately scared that her family would not survive the onslaught it faced. The system failed her and she spent her last precious moments in this world fighting for herself, for her family and others.

"She spent her last months fighting for the 'security' of £96 a

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week and the reassurance that it couldn't be taken away. She won her battle."

A spokesman for the DWP said: "We cannot comment on the individual case but our condolences go out to the family."

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INQUEST HEARS OF CUMBRIAN DAD'S
HEALTH BENEFITS WORRIES

By Staff Reporter

Last updated at 12:33, Tuesday, 19 June 2012

Fears over losing his incapacity benefits and concerns about his health led a Whitehaven father-of-two to take his own life, an inquest has ruled.

Carl Payne, 42, was found dead in remote woodland in Ennerdale on August 7 last year having taken a fatal overdose.

A message saying "sorry, I love you" to his family was found in his pocket.

An inquest heard yesterday that Mr Payne, of Hilltop Road, Kells, was struggling with various medical conditions which prevented him from working.

He was also anxious at having received a letter from Jobcentre Plus to inform him that the government was to carry out a national review of the benefits system.

These matters gave him cause for concern, his parents David and Francis told the inquest, but they added that he had "never said or done anything whatsoever" about harming himself.

Mr Payne's brother, Raymond, said: "He was a little down when I saw him two days before, but nothing really out of the ordinary."

Coroner David Roberts concluded: "It is clear that he was worried that his benefits would be affected, and although he had no immediate

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Mr Roberts said: "He has deliberately taken the tablets that caused his death.

"He was fully conscious of what he was doing at the time, and I am satisfied that he intended to end his life."

Mr Payne, who was divorced from the mother of his children, had suffered ill health for a number of years, the inquest heard.

After leaving school, Mr Payne – a lover of cars and motorbikes – took up a job as a mechanic at Pondfield Garage, Whitehaven.

However, a combination of arthritic knees, a debilitating stomach condition (colitis) and injuries suffered in a motorbike accident eventually forced him to leave his job. However, when he was well enough, he helped his long-time friend Leonard Pears – the owner of L&G Taxis – with the maintenance of his vehicles.

Mr Pears, who last saw Mr Payne the day before he was found dead, said: "He was like a son to me and I thought a lot of him.

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“He was his usual self and didn’t seem depressed.”

Francis Payne described her son as “just normal” in the days before he died.

“He was very quiet, but Carl had been like that all his life,” she said.

David Payne added: “His illness would put him in a bit of a depression, but he was a shy lad for talking about things. He bottled things up.”

First published at 11:26, Tuesday, 19 June 2012
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Benefit cuts blind man committed suicide after Atos ruled work


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Dec 28, 2013
00:00

By **Luke Traynor**

Desperate agoraphobe Tim Salter was left penniless when his benefits were slashed despite his failing eyesight and he faced eviction

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Desperate: Tim Salter killed himself after his benefits were slashed following an Atos fitness to work test

A depressed blind man killed himself after he was left penniless because his benefits were slashed, an inquest heard

Desperate Tim Salter struggled to even feed himself when **controversial private firm Atos** ruled he was fit for work, despite his failing eyesight.

The 53-year-old, who also suffered agoraphobia, was about to be kicked out of his housing association home when he hanged himself in the hall.

A coroner ruled the Government’s decision to axe Tim’s meagre incapacity benefit contributed to his death.

And the former assistant store manager’s sister Linda Cooksey told how **his fitness to work test** was carried out by a physiotherapist with no experience of mental health issues or knowledge of his blindness.



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TUMOUR



Sister: Linda Cooksey

The 60-year-old said his family never even knew about his **money problems** until after his death.

She added: “Stopping his benefits sent him over the edge. When his small savings ran out he got in trouble with his rent, and his £30 disability allowance a week just wasn’t enough.

“Tim ran out of money. He was a proud man and never let on to anybody. It’s so sad. I want everyone to know what this government is doing to vulnerable people on benefits.

“He had a certificate to say he was blind. When we got into his house there was no food, he practically starved in the last weeks.”

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South Staffordshire coroner Andrew Haigh said: “A major factor in his death was that his benefits had been greatly reduced leaving him almost destitute.”

Tim died on September 25.

An eviction letter from South Staffordshire Housing Association was found in the bin

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by his family.

He was registered partially-blind in 1994. His eyes were damaged when he tried to kill himself in 1989 after losing his job.

His family has written to David Cameron about his Atos treatment.


The housing association insisted help was available for those struggling to pay rent.

And the Department for Work and Pensions said Tim had the right to appeal its decision.

Verdict: Suicide.

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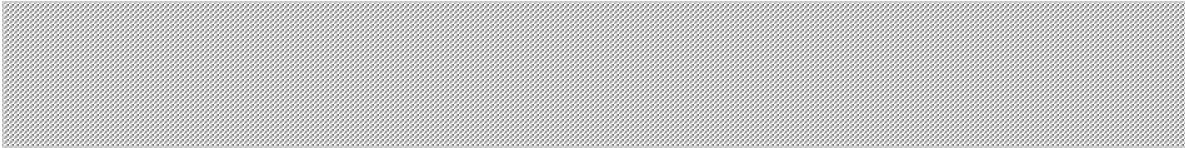
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Sneinton man overdoses after benefits stopped

By [Nottingham Post](#) | Posted: October 09, 2013

By Dominic Howell



Tragedy: Edward Jacques was found dead in his house in Sneinton, on September 25 last year. He had a history of self harm and depression.

[Comments \(12\)](#)

A 47-YEAR-OLD man overdosed on a cocktail of drugs after he had his benefits stopped because he was not given a proper medical assessment by the Department for Work and Pensions, an inquest heard.

Edward Jacques was found dead in his house in Loughborough Avenue, Sneinton, on September 25 last year. He had a history of self harm and depression, which stemmed from physical and

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emotional abuse as a child, the inquest was told.

Mr Jacques' family told the Post they considered the decision to stop his benefits was a "major trigger" in a spiral which led him to overdose on heroin, cocaine and alcohol.

Mr Jacques was told his benefits of £90-a-week would be stopped on September 18 last year, the same day he took to social networking site Facebook to vent his frustration at Prime Minister David Cameron and Atos – the company which carries out medical assessments on behalf of the Department for Work and Pensions.

The assessments determine whether a person is eligible for employment and support allowance.

After writing of his disapproval of the system he wrote on Facebook: "It's time to say goodbye, goodbye."

At his inquest, which lasted two days, the court heard that Mr Jacques' medical assessment took just 23 minutes and his allowance was stopped despite him suffering from HIV, hepatitis C, sciatica, severe depression, insomnia and dental pain. The Nottinghamshire coroner, Miss Mairin Casey, branded it a "crude assessment". She said: "I find the assessment process in Edward's case did not fully or properly reflect Edward's physical and mental health at that time.

"It is conceded by those involved in the [assessment] process that if the information as to Edward's physical and mental health as shared by his GP had been known at the time of the assessment, the outcome would have been very different. It is desperately sad that such evidence was not available either to the nurse or to the decision maker."

Mr Jacques's GP at Sneinton Dale Surgery, Dr Prit Chahal, said that the assessor arrived at a conclusion which was "not in line with his professional view" of his patient.

Giving evidence on behalf of the Department for Work and Pensions, Jag Sanghera, said: "The more evidence that is sought the easier the decision maker's job."

Mr Jacques's elder brother, Richard Jacques, 58, and his twin sister Margaret Hudson, 48, said: "We have no doubt that the decision to stop his allowance was a major trigger which led him on to a severe depression and desperate action.

"We do not believe that Edward is an isolated case and we think thousands of assessments have been made like this across the country."

Miss Casey recorded a narrative verdict.


She said: "Edward Jacques died as a result of central nervous system depression following a drug overdose and alcohol consumption. It is not possible for me to say if he intended that this action would result in his death."

A DWP spokesman said: "Our sympathy goes out to the family of Mr Jacques. A decision on whether someone is well enough to work is taken following a thorough assessment and after consideration of all supporting medical evidence from the claimant's GP or medical specialist. The percentage of people entitled to employment and support allowance is now at its highest level with over half of people completing a work capability assessment eligible for the benefit."


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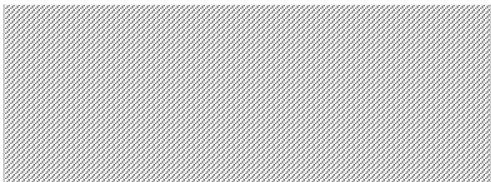
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dresdenskin | October 11 2013, 9:42AM

"Typical hysteria from the anti-business looney left. ATOS hold a contract whereby they employ medically trained staff to interview claimants and fill in a form. That's it." - EggyEggCup Many ATOS 'trained staff' are little more than registered nurses and GPs. If someone walked into a GP's surgery with a condition such as M.E., cancer or other more complex problem, the VERY FIRST THING the doctor or nurse would do is refer the patient to a specialist. In other words THEY ARE NOT TRAINED to assess these people. In one conversation I had with ATOS I was told that the medical practitioners are not there to diagnose a condition, they are there simply to assess a person's capability for work. One of my specialists then threatened to have the ATOS GP who told me this struck off for malpractice, using the argument that "you cannot assess a person's capability for work WITHOUT diagnosing and understanding the condition they are suffering from". "The real villains here are the hundreds and hundreds of thousands of shirkers who fleece the system and have made the exercise necessary in the first place. Tragedies such as the case of Edward Jacques would not have happened if the widespread abuse of our benefit system had not been allowed to happen in the first place. In fact if it were not for the abuse the state could afford to treat genuine claimants better" - EggyEggCup Fact: People worry about the huge drain on public money that benefits cause. Truth is that a huge percentage of the welfare budget is actually spent on paying pensions. Fact: Despite the hilarious propaganda spouted by Iain Duncan-Smith, the percentage of benefit fraud is actually minute, and vastly overshadowed by the percentage of mistakes made by the DWP themselves. As for your statement claiming that tragedies like this man's death would not happen if the widespread abuse of the benefit system had not been allowed, you are effectively stating that the Government is clamping down on EVERYONE, because of a minority who abuse the system, and that is akin to punishing an entire classroom of students all because one of them is acting up. Hardly fair, hardly reasonable, and completely disproportionate. The truth is that the sick and vulnerable in society are easy targets, and that is why the Government Propaganda Machine comes out with phrases such as "Skiver" and "Shirker".

□ | □

11

[Report](#)

EggyEggCup | October 11 2013, 7:57AM

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-37



"This is a shameful disgrace of the British Government and their ruthless criminal genocidal policies. The only thing that seems to separate them from the Third Reich is they are doing it in plain clothes and a little more furtively."...samspruce Blimey, get some sense of proportion. Typical hysteria from the anti-business looney left. ATOS hold a contract whereby they employ medically trained staff to interview claimants and fill in a form. That's it. The decision to withdraw benefit is made by a unionised, public servant member of staff in the DWP based on their own set criteria against the answers given on the form and other presented evidence. The same outcomes would be apparent whoever conducted the exercise. The real villains here are the hundreds and hundreds of thousands of shirkers who fleece the system and have made the exercise necessary in the first place. Tragedies such as the case of Edward Jacques would not have happened if the widespread abuse of our benefit system had not been allowed to happen in the first place. In fact if it were not for the abuse the state could afford to treat genuine claimants better

Report



samspruce | October 11 2013, 2:59AM

□ | □

16

This is a shameful disgrace of the British Government and their ruthless criminal genocidal policies. The only thing that seems to separate them from the Third Reich is they are doing it in plain clothes and a little more furtively. This gets to the reporters but how many lives are being degraded, destroyed and terminated by this government? I am sure some think tough times require tough measures but that is always the excuse and there is no lack of money or resources in this country. Its all about distribution. Incidentally it is costing this government more than they are saving to enact this cruelty called 'austerity'. Check out the figures yourself!

Report



baz10 | October 10 2013, 11:36PM

□ | □

12

What a joke atos is ignoring medical professionals arrogant french company at its worst the statement made by the dwp is ***** too no admission of failure just a rubbish statement absolving themselves of a very ill mans death F shameful

Report



depression99 | October 10 2013, 8:47PM

□ | □

5

Sad to hear his about his self-injury and depression issues and his final outcome. Michael Silver Cutting Depression <http://tinyurl.com/n4nvjmu>

Report



dresdenskin | October 10 2013, 9:31AM

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31

"Giving evidence on behalf of the Department for Work and Pensions, Jag Sanghera, said: 'The more evidence that is sought the easier the decision maker's job.'" "A decision on whether someone is well enough to work is taken following a thorough assessment and after consideration of all supporting medical evidence from the claimant's GP or medical specialist". I'm sorry, but these statements are utter fiction. I submitted over fifty pages of information to the DWP regarding my medical conditions. These included a letter from my GP, a letter from a specialist, a letter from a registered staff nurse who regularly looks after me, medical test results and evidence of the numerous frequent medical appointments I have had to keep in the past 12 months as well as a list of the numerous upcoming appointments I had. ATOS considered NONE of that. They assessed me based on the contents of an ESA50 form and the report from a previous ATOS assessment done over three years prior. Afterwards I was incorrectly assessed and after inquiring and requesting a copy of the medical report and decision maker's report, I was told (by the DWP) there was no decision maker's report because NO DECISION MAKER HAD BEEN INVOLVED IN THE PROCESS. A DWP computer operator had received the ATOS report, looked at the recommendation, and implemented it. They claim

Report

ATOS make no decisions, but mine was clearly a case where they did. It took two further letters and a formal complaint before the DWP reversed the decision, after having been informed of all the supporting information that had been sent, but had clearly been ignored. Additionally I am told that the ATOS assessor who assessed me (a registered nurse) was subsequently investigated by the Royal College of Nursing since she was registered as working for an establishment in the Merseyside area, so why she was assessing for ATOS at the same time is anyone's guess!



GeraldU | October 10 2013, 9:30AM

[□](#) | [□](#)

27

FredR. Unless have suffered as Eddie did you are not qualified to comment in the manner that you have. I wish that you could have met Eddie and got to know the man that I knew from early childhood. How would you feel if you were given a medical assessment lasting 23 minutes that affected the rest of your life? As for ATOS' how many family's need to suffer before action is taken to stop them?

[Report](#)



MHudson | October 09 2013, 3:42PM

[□](#) | [□](#)

31

Thank you SuperGerrard Clearly not all readers can understand what chronic physical and mental pain can lead to. It is beyond the understanding of some readers how someone could grow so tired of the indignity of their situation that they would opt out permanently. Thank you for not being one of these people.

[Report](#)



SuperGerrard | October 09 2013, 1:31PM

[□](#) | [□](#)

9

I'd just like to point out that the comment below mine previously that I referenced has been deleted! I do not think MHudson is a numpty. by FredR Where does this stop? Not providing health care to those who smoke or drink?

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SuperGerrard | October 09 2013, 1:31PM

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Linda Wootton: Double heart and lung transplant dies nine days after she has benefits stopped

May 26, 2013
00:01

By **Ben Glaze**

She was told her employment and support allowance was being stopped as she lay dying in a hospital bed

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Dying transplant patient: Linda

A double heart and lung transplant patient died just NINE DAYS after the Government stopped her benefits and ordered her to go back to work.

Linda Wootton, 49, was on 10 prescription drugs a day, suffering high blood pressure, renal failure and regular blackouts.

Yet Atos – the private firm carrying out the Government’s controversial work capability assessments – ruled she was fit enough to find a job after she was interviewed.

Cost-cutting officials sent Linda a letter telling her that her £108.05 a week employment and support allowance was being stopped as she lay dying in a hospital bed.

Her husband Peter said: “I sat there and listened to my wife drown in her own body fluids. It took half an hour for her to die – and that’s a woman who’s ‘fit for work’. The last months of her life were a misery because she worried about her benefits, feeling useless, like a scrounger.

“But there was no way in a million years she could work.”

The Coalition hired Atos to carry out the assessments as part of the welfare cuts. The firm processed almost 20,000 incapacity benefit claimants a week last year... but a third of the people who appealed against its decisions were successful.

Linda also appealed but was rejected despite her history.

She had her first heart and lung transplant in 1985 and returned to her council office job. But her body began to reject her new organs and she had another transplant at Harefield Hospital, Middlesex, in 1989.

There were complications and she was given 80 pints of blood in 31 hours of surgery. Afterwards, Linda was never fit enough to go back to work and claimed benefits. Refrigeration engineer Peter, 50, said: “She would be listless, falling asleep, feeling faint... she had no stamina.”

She collapsed regularly and was in and out of the Harefield specialist heart and lung



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centre.

Then, three months ago, her employment support allowance was withdrawn under the Government’s cuts. New rules meant she would have to prove she was ill to Atos assessors.

Peter said Linda found the process humiliating. The assessments, which have also seen some terminal cancer patients denied benefits, have been blasted as arduous and degrading.

Linda’s was at a test centre in Southend, eight miles from her home in Rayleigh, Essex, on January 3. “She couldn’t even drive herself because she kept feeling faint,” said Peter, who was not allowed in to support her.

Linda spent just 20 minutes answering questions before the assessor ended the interview.



She was judged fit for work and her benefit was stopped on February 13. Peter said Linda typed her appeal on an iPad “crying her eyes out” as she lay in hospital chronically ill with a chest infection.

But the Department for Work and Pensions rejected it – and wrote to her on April 16 as she lay dying. The letter said: “We have decided that you are not entitled to Employment and Support Allowance because you have been found to be capable of work following your recent Work Capability Assessment.”

4

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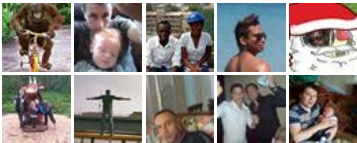


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Linda was told she would have to “score” at least 15 points from the assessment but her results were nil.

The Atos criteria for ability to work included “You can understand simple messages from a stranger” and “You can use a computer keyboard or mouse and a pen or a pencil with at least one hand.”

On April 22 Peter was called to Harefield. “I was told Linda’s condition was unsurvivable and she would be dead within two or three weeks,” he said.

“On April 24 they put her on palliative care. I sat all night with her and her breathing changed next morning.” Linda died 30 minutes later. More than 100 mourners attended her funeral earlier this month.

While the Atos assessment failed to pinpoint any of Linda’s health issues, her death certificate listed lung and heart problems, hypertension and chronic renal failure as causes.

Peter cannot grieve properly because he is so angry at how Whitehall bureaucrats ruined his wife’s precious last days. He said: “She paid her tax and national insurance – then she is treated like this. It’s disgusting.”

A Department for Work and Pensions spokesman said: “Our sympathy goes out to Mrs Wootton’s family. A decision on whether someone is well enough to work is taken following a thorough assessment and after consideration of all supporting medical evidence.”

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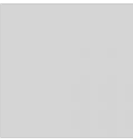
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Inquest hears of Lidget Green suicide

First published in [Bradford](#)



by [Kathie Griffiths](#), T&A Reporter

An unemployed man taken to court over debts was found hanged in his nephew's cellar, an inquest was told.

Stephen Cawthra, 55, was discovered by his nephew Liam Cawthra on October 1 last year.

Mr Cawthra found his uncle when he went to check money had been put in the electricity meter at the home they shared in Glendare Road, [Lidget Green](#).

Stephen Cawthra, who was an out-of-work engineer, had previously told family about money worries, the Bradford hearing was told yesterday.

His benefits had been stopped and he had got into debt but his situation had later been reassessed and benefits restarted.

In a statement Liam Cawthra had said his uncle “at times seemed fed up” but he had never spoken directly to him about money.

Recording a suicide verdict Bradford Coroner Roger Whittaker said: “I don’t have a note, I don’t know what his intention was but by inference I’m satisfied in doing what he did he must have intended to take his own life, all too sadly he was successful.”

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Mum-of-three was told to find a job by Atos chiefs.. weeks later she died of a brain tumour


Jul 22, 2013
07:31


By **Sally Hind**


ELENORE TATTON had been ordered to find a job by the disability assessors but just weeks later she died from the brain tumour she had had since she was a teenager.


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Elenore Tatton

A MUM-OF-THREE died of a brain tumour just weeks after ATOS told her she should be looking for a job.

Elenore Tatton, 39, had never worked after being plagued by the tumour since she was 15.

Despite telling ATOS about her serious health problems, she was told to begin the process to find employment.

A scan then showed Elenore's tumour had returned and this time was terminal. She died in a hospice within weeks.

Her dad Ian said: "Even though she told the ATOS assessor that she had the brain tumour, they started the process to get her back into work.

"She was going to appeal but then she became unwell and was admitted to the Western General.

"After two weeks we were told there was nothing they could do for her. She died at St Columba's Hospice.

"Nobody could give us a reason as to why the tumour reappeared. But it seems so coincidental that something like this happened. It was such a shock to her system."

Elenore, from Dedridge in Livingston, had 80 per cent of the tumour cut out aged 15.

Her family say she was never the same after the surgery.

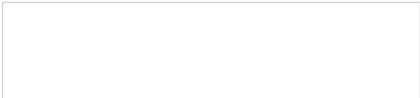
Ian, who is married to Frances, 60, said: "We lost a daughter when she had the operation. She completely changed.

"She would take absences where she would just glaze over as if she wasn't there. It could happen anytime, there was no warning.

"She had epilepsy as well. She was never capable of working.

"She would have annual scans and had been on benefits for years because the tumour did affect her greatly.

"When she was operated on we were told she would either be fine, severely brain damaged or somewhere in between. She ended up somewhere in between.



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Elenore Tatton (L) with her sister Lesley and daughter Marie

“She used to have great language skills and dreamed of being an interpreter but she had to give up school.

“It was quite a trying time but she went on to bring up three children.”

Elenore, who was receiving Employment Support Allowance when she died, was called to an ATOS Work Capability Assessment at the start of March.

There she was told she would have to attend the Work Related Activity Group to prepare her for finding work.

The group is for people on ESA who the Department of Work and Pensions believe are capable of working with support.

People referred to the group are required to attend regular interviews with an adviser and are expected to undertake relevant training and work-related activities with a view to applying for jobs.

Benefits can be reduced if they fail to attend interviews or carry out activities.

Raymond Kerr, Elenore’s partner of 20 years, said, despite struggling with grief and his own health problems, he was this week told his Employment Support Allowance would be stopped and he’d have to find work.

The 43-year-old – dad to Marie, 19, Michael, 16, and Ian, 14 – suffers from gangrene of the appendix, diabetes and has had part of his bowel removed.


He said: “I’m trying to cope but I’m not managing.

“It’s so difficult without Elenore, we did everything together.

“When she passed away it was just horrendous. I was with her, so was her mum and dad. We were with her every moment.

“It was exhausting and so difficult to watch.

“I keep collapsing all the time. I told them this at my reassessment but they said I was not unfit for work.




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Elenore's parents and her partner Raymond

“I feel like this is what happened to Elenore before she went to hospital.

“I think she was under a great deal of pressure and stress. It’s a living nightmare.”

Ian Tatton was so disgusted by his daughter’s ordeal that he contacted his MP Graeme Morrice who wrote to Iain Duncan Smith’s office.

They received a response from employment minister Mark Hoban who said a number of reviews of Work Capability Assessments were being carried out to ensure they are as fair as possible.

He added: “We are confident that the improvements we are making to the WCA will ensure that we increase the number of decisions that are right first time and improve communications to claimants.

“This will lead to a reduction in both the number of appeals and the successful appeal rate.”

Morrice said Elenore’s case highlighted the “misery” of the current system.

The MP added: “I raised Mr Tatton’s concerns with the Secretary of State for Work and Pensions, Iain Duncan Smith, to bring to his attention the real human cost and misery of the Government’s disabled benefits cuts.

“I have been contacted by a number of constituents expressing concern about the assessment centres and their treatment by them.

“The fact that many claimants win their appeals indicates a real issue.”

ATOS said: “Our sympathies go out to the friends and family of Ms Tatton at this difficult time.

“We gather information on a person’s ability to work. We pass this on to the DWP for them to decide on benefit entitlement.

“Our doctors, nurses and physios do not diagnose or treat medical conditions.

“Where there is a change in a person’s condition after a decision is made they will need to inform the department.”

The DWP said: “Since 2010 we have considerably improved the Work Capability Assessment process.

“We are committed to help thousands of people move from benefits and back into work while giving unconditional support to those who are most in need.”



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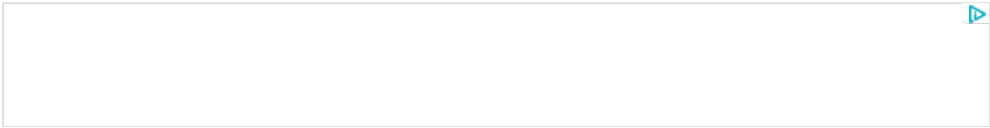
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Haunted by bedroom tax debt torment




A MAN saddled with extra debt after a hike in his rent because of the bedroom tax took his own life, an inquest heard.

Bolton Coroner's Court was told John Walker, from Marsh Green, was found hanged at his home by his former partner Susan Martin in May after she went to his home as he had sounded upset and low during their

Published on the

15 August 2013 09:41

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phone conversations.

The court heard Mr Walker, 57, had been worried about mounting financial problems with loans and his credit card due to being out of work, and had also disagreed with the JobCentre who had told him he was fit to work despite his complaints of an injury to his back.

His difficulties with money were compounded by being forced to pay extra rent on his property under the so-called "bedroom tax", which was introduced earlier this year.

The inquest was also told Mr Walker had problems with heavy drinking, and was upset when he was unable to provide presents for his daughter because he had blown money set aside on booze.

Ms Martin told the court: "In the weeks leading up to his death a few things troubled him. He was out of work and struggling to pay a loan, and he was also still trying to pay for a place in Torquay which had been repossessed and sold for less than we bought it for.

"He didn't really express his feelings but things upset him. I still tried to see him regularly because he had distanced himself from a lot of his friends and his family back in Birmingham."

Mr Walker came to Wigan in 2001 and later moved into the property in Hampden Place where he was living at the time of his death. Born in the West Midlands he had previously moved to Weymouth, where he worked in holiday camps, and to Torquay, where he found work in a hotel.

Police quickly ruled out foul play and officers also found a note in the property.

A post-mortem investigation revealed the only system in his body at the time of his death were low levels of paracetamol consistent with medicinal use and could not have impaired his judgement.

Recording a suicide verdict, deputy coroner Alan Walsh said: "To some extent, his life was ruined by his inability to stop drinking."

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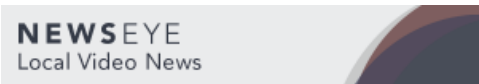
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CALLS for the Government to improve work capability assessments have been made – after a man declared ‘fit to work’ died a month later.

Stephen Hill, 53, of Duckmanton, died in December of a heart attack.

The dad-of-two had suffered heart problems for around two years and was awaiting major heart surgery but following a ten-minute medical examination on November 17 he was deemed well enough to work.

Mr Hill’s brother Anthony, 52, said: “I think the worry put so much pressure on him.

“He knew he didn’t have any energy and was getting out of breath easily but because he had been told by a medical expert he was well he thought he should be all right.

“He said to me he couldn’t wait to have the operation and get things sorted as he wanted to get back to work.”

The assessment was carried out by Atos – which is responsible for carrying out the Government’s drive to assess people claiming incapacity benefit.

But Mr Hill’s family – and Chesterfield MP Toby Perkins – are now calling for Atos’ ‘tick box’ system to be overhauled.

Mr Perkins said: “Whilst we all acknowledge that there needs to be reform of the welfare system, the cost of failing to properly identify genuine claimants when they are not fit for work is wrong and the

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consequences can be disastrous.

“I am calling on the Government to improve the WCA from the ‘tick box’ exercise it is now so that more families aren’t put through the anguish and loss that Mr Hill’s family are experiencing.”

Mr Hill added: “For people that are really ill, like Stephen was, the system is wrong. We want to see it changed so a report from a GP and specialist should be good enough.

“Stephen should have been enjoying time with his grandchildren. For this to happen was just terrible.”

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Sick nurse killed herself after disability benefits were cut and she was ruled 'fit to work'

Nov 26, 2013
07:15

By **Richard Smith**

Jacqueline Harris was partially sighted, required walking sticks, had a bad back and was in constant pain due to arthritis in her neck



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In pain: Former nurse Jacqueline Harris

A former nurse who was unable to work killed herself after her **disability benefits** were stopped.

The family of Jacqueline Harris has slammed the government's assessment of the 53-year-old, who was partially sighted, required walking sticks, had a bad back and was in constant pain due to arthritis in her neck.

Despite this, the widow's benefits were cut in January after a ruling said she was fit to work.

Jacqueline lost her appeal against the decision.

On November 2 she died from a suspected overdose – 13 days before her second appeal was to be heard.

Her sister Christine Norman, 57, also a nurse, said yesterday: "They asked her one question, 'Did you get here by bus?'.

"Jacqueline replied with one fateful word, 'Yes'. She hadn't even had the chance

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to take her coat off.

“She said she couldn’t do it any more and that no one was listening to her and that nobody believed that she couldn’t work.

“She just wanted her benefit – it wasn’t a massive amount of money.”

Jacqueline, from Kingswood, Bristol, was also unable to use one wrist properly after being savaged by a dog. Her sister added: “If she was addicted to alcohol or drugs, she would have been given a sick note. Anyone could see she wasn’t fit to work.

“How much pain and anguish must you go through before they realise?”

A Department for Work and Pensions spokeswoman said: “Our sympathies go out to the family. A decision on whether someone is well enough to work is taken following a thorough assessment and consideration of supporting medical evidence.”

A spokeswoman for Atos Healthcare, **who do the assessments**, said: “We operate under DWP guidelines. We don’t decide on benefit entitlement.”

An inquest into Jacqueline’s death has been opened and adjourned.

For confidential support call the Samaritans in the UK on 08457 90 90 90, visit a local Samaritans branch or [click here](#) for details.

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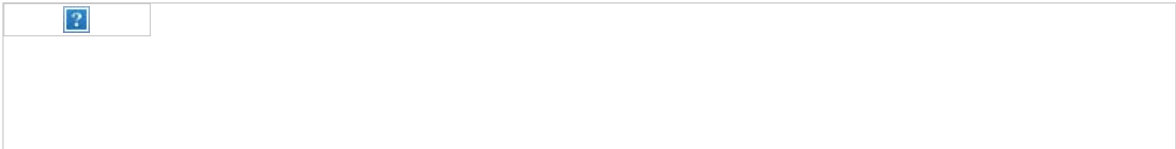
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Heartbroken dad blames benefits axemen for driving his ill son to commit suicide

Sep 22, 2013
08:23

By **Craig McDonald**

DAVID Barr, 28, threw himself from the Forth Road Bridge just weeks after finding out that his employment and support allowance would be withdrawn because assessor ruled that he was fit to work.

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Dad David Barr misses his son David.

A HEARTBROKEN dad has blamed benefits axemen for driving his ill son to suicide weeks after being told his money was being stopped.

David Barr, 28, threw himself from the Forth Road Bridge after learning the decision to stop his benefit had been upheld.

An Atos assessor had ruled David was fit to work despite being on anti-psychotic sedatives, sleeping tablets and antidepressants. His condition was recorded on a medical assessment as “anxiety and depression”.

But his dad David snr, 57, said he had a host of problems including sleeplessness, memory loss and paranoia – and believes he may have been a schizophrenic.

David was assessed in May. In June, the Department of Work and Pensions told him he was fit to work – and his employment and support allowance was being withdrawn.

In an appeal letter, David wrote: “I disagree with your decision that I am fit for work. I have serious mental health problems that prevent me from doing everyday tasks which means I cannot work at this moment in time.

“I did try and explain this to the medical examiner.”

He was informed on July 17 of the DWP’s final say – they backed the Atos recommendation.

On the evening of Friday, August 23, he got a bus to the bridge, walked to the middle and jumped. He was recovered from the water but died in hospital that night.

David snr, of Leven, Fife, said: “He needed 15 points to ‘pass’ the test and get his benefits but he only got six. I know the difficulties he had – he should have got 106 points.

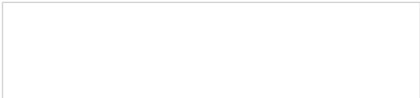
“The assessment is ridiculous. They said David was fit for work but, in fact, he was fit for hospital.

“I’m in no doubt this matter was the final straw. I would say they are 90 per cent to blame for him taking his life. He’d just had enough.

“I wish we could have got him checked out, even sectioned if necessary, and placed in a hospital where he could have received proper assessment and care.”

“I just hope something can be done so no one else has to go through this.

“We are devastated by our son’s death. David’s mum is in hospital and hasn’t



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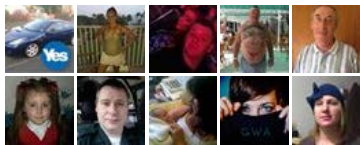
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eaten since David died. She is completely broken by this."

David jnr worked cleaning buses for three years until 2011. His dad says his son could not cope with the routine of holding down a job.

He said his son was placed on strong medication last year but said his mental health had worsened.

David snr added: "He would claim people were trying to poison him but it was all in his head. He thought the police were following him."

David's assessment summary states: "Mr Barr has a mental health problem. He takes triple medication...He reports self harm in the past.

"He reports he attempted an overdose six weeks ago but he would not say what he took. He reports he has had no thoughts of suicide since.

"The evidence overall suggests that he is not at substantial risk."

David snr is in the process of complaining to the DWP.

The DWP and Atos sent their sympathies to David's family. A DWP spokeswoman said: "Through a series of independent reviews and by working with medical experts and charities, we have considerably improved the work capability assessment process since 2010."

An Atos spokeswoman said: "We do everything we can to minimise people's anxiety during the work capability assessment process and will continue to strive for improvement in this area."

Scottish Labour welfare spokeswoman Jackie Baillie said: "It's not the first time vulnerable people with health issues have been incorrectly assessed by Atos and it's clear that the system needs reformed."

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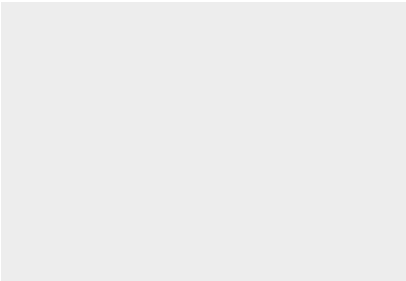
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DAVID Barr took his own life after the decision to stop his benefit was upheld but the DWP have now admitted that decision has been overturned as there were gaps in the medical history they had for David.

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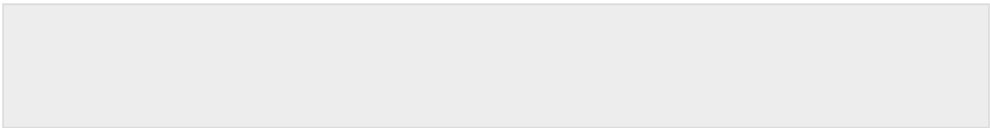
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Stress of Tory benefits tests killed our dad, family claims

May 22, 2011 00:01

By **Mirror.co.uk**



A DAD-of-two was killed by the stress of facing the Government's tough new medical test for benefit claimants, say his grieving family.

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David Groves (pic: Roland Leon, SM)

A dad-of-two was killed by the stress of facing the Government’s tough new medical test for benefit claimants, say his grieving family.

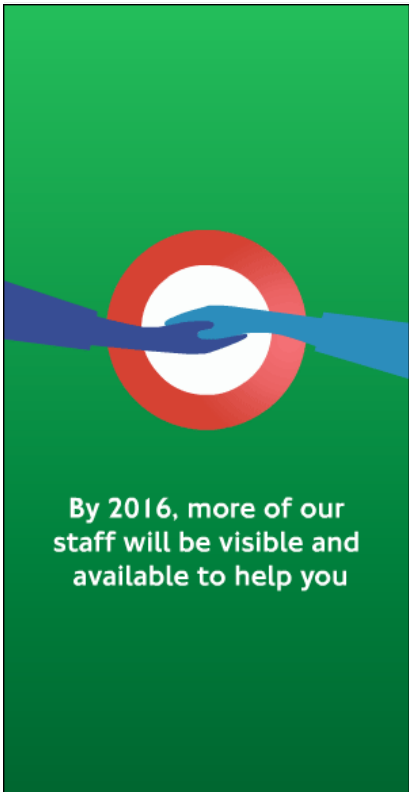
David Groves, 56, died of a massive heart attack the night before his medical as he scoured the internet for ways to raise cash in case he lost his entitlement.

He had claimed incapacity benefit for three years after doctors ordered him to stop working following a heart attack and several strokes.

His widow Sandra, 57, said being lumped in with “dole scroungers” and the fear of financial hardship had a devastating effect.

David – who worked for 40 years as a miner and telecoms engineer – had already gone through a stressful eight-month appeal process to keep his £91-a-week benefits.

But when Tory Work and Pensions Secretary Iain Duncan Smith ordered a crackdown on “spongers” he was ordered to undergo a medical test with French private health giant Atos.



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Family selling home to fund



Sandra, of Staveley, Derbyshire, said: “When the Government said they were going to get all these benefit cheats and Dave was called in for a medical, he felt like he was back to square one. It built up and he was in a terrible state by the day he died. It was the stress that killed him, I’m sure.

“He had already had to sell our caravan and he was on the computer looking online to sell our car as well.”

His son Paul, 38, added: “He could hardly walk any distance without needing help from his angina spray.

“I don’t know why they could not ask the consultants who had told him his heart was too weak to have an elbow operation he needed. They would have made it clear how ill he was.”

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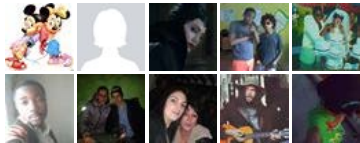
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Benefits withdrawal led to man’s suicide

First published in News

by Karen Darley

A FORMER farm labourer shot himself after learning that his benefits were being stopped, an inquest heard.

Nicholas Peter Barker, of Bridge Farm Close, Helmsley, was found dead in his front garden with a shotgun at his feet by his neighbour on December 10 last year.

In a statement, Keith Howes said he had known Mr Barker for 11 years and described him as a “nice chap who got on with everyone”.

“I saw him that morning as he was putting out his bin and he seemed to be happy and his normal self, not depressed or sad,” Mr Howes told the inquest at Scarborough Magistrates’ Court.

“That evening I was in my front room watching the television, when at about 6pm I heard a long bang. It was so loud I nearly shot out of my skin, but it was very dark outside and I couldn’t see anything.”

Mr Howes said he went outside and saw Mr Barker slumped in a chair.

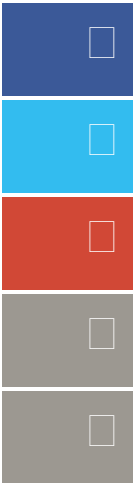
“I also saw that there was a gun on the floor. I ran inside and phoned 999,” he said.

A post mortem examination revealed that Mr Barker, who was 51, had died from a massive head injury due to a gunshot wound.

The report added that no drugs or alcohol had been detected.

Mr Barker’s former wife, Linda Barker, who gave evidence at the inquest, said they had been married for 12 years and separated in 1995, although they still saw each other on a regular basis.

“During the first half of our marriage he suffered a brain



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haemorrhage and although he was ok and could still do things, one side was quite paralysed and he was not able to work,” Mrs Barker told the inquest. “I know he had been on some sort of benefit for a number of years.”

Mrs Barker said she had last seen Mr Barker on December 8 when he had called to see her at work.

“He was going for a drink and seemed happy but he wanted me to help him go through his benefit papers because he was worried that he was going to be sent back to work,” she added.

“I told him not to worry as he wasn’t able to work and I said I would come and see him.”

Mrs Barker said he was due to attend an appeal hearing on December 18 against a decision to stop his benefits.

“He was always a happy man and never spoke about private matters in public, so I knew this was worrying him as he had talked about it in front of other people,” she said.

A statement from Mr Barker’s doctor said they had spoken on the phone on December 4 and he had been upset because his benefits were being stopped after an annual assessment as he did not have the required number of points to qualify.

Coroner Michael Oakley said that Mr Barker’s death had been a deliberate act and that he had killed himself.

“The main factor worrying him was that his benefits had been stopped and had he attended the appeal he may have been successful, but it did not get that far,” he said. “It is evident that the matter was concerning him greatly.”

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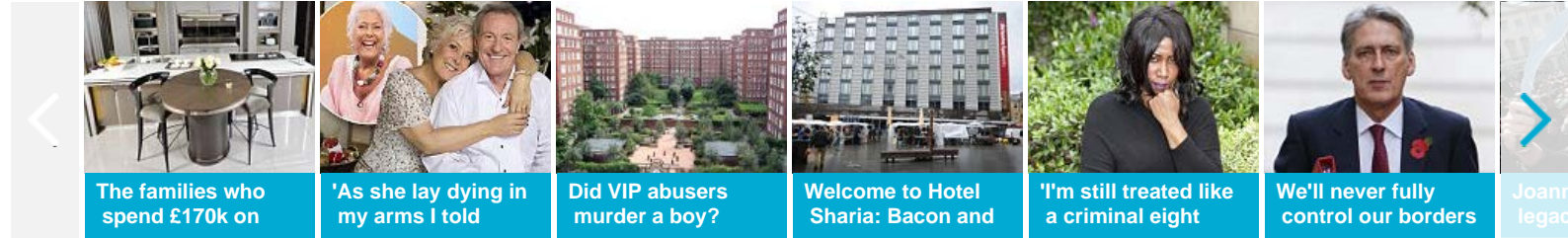
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Army veteran and his wife die in tragic 'suicide pact' after becoming 'too poor to live through the winter'

- Every month the couple walked 12 miles to a soup kitchen to get free food
- Charity said they 'slipped through the net'
- Mark and Helen Mullins kept food in plastic bags in their garden because they couldn't afford a fridge
- Driven to despair at having to live off £57.50 a week
- Poverty-stricken pair found dead at home last Friday

By [ANDY DOLAN FOR THE DAILY MAIL](#)
UPDATED: 23:33, 9 November 2011

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A newly married couple forced to live on £57 a week killed themselves in despair after being 'abandoned' by social services, their friends claimed yesterday.

The bodies of Mark and Helen Mullins were found lying side by side at their run-down home in an apparent suicide pact.

News of the tragedy emerged yesterday as friends told how they had been forced to live 'hand to mouth', making a weekly 12-mile trip to a soup kitchen on foot after Mrs Mullins' benefits were stopped 18 months ago.

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► Kim Kardashian posts snaps of North West raising a rare smile ...as she enjoys a day out at



Mark and Helen Mullins: Lived in just one room of their run-down home



Tragic: Mark and Helen Mullins could not face another freezing winter on the poverty line, according to neighbours

The couple were given free vegetables at the soup kitchen in Coventry each Sunday, which they boiled into a broth on a camping stove.

They lived in just one room of their terraced house to save on heating

the zoo and tries her very first hot chocolate

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Spent the day with 'a fellow Brit'

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► Good luck girl! Cheryl Fernandez-Versini works hard to ensure her last remaining X Factor contestant Lauren Platt makes it through this week

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► Keira Knightley is angelic in white smock dress as she leads red carpet arrivals for first televised Hollywood Film Awards

costs and could not afford a fridge so kept their food in plastic bags in the garden.

They are believed to have killed themselves after 18 months of struggling to survive on the £57.50 Jobseeker's Allowance payment Mr Mullins, a 48-year-old former Army physical training instructor, was able to claim.

Their heart-breaking plight was revealed yesterday, five days after their bodies were discovered at their council house in Bedworth, Warwickshire.

Charity workers who befriended the couple said society had allowed them to 'slip through the net'.

Mrs Mullins, 59, suffered from learning difficulties and social services are understood to have taken her 12-year-old daughter away last year after she was considered to be incapable of looking after her.

As a result, her child benefits were stopped but she was ineligible to claim Jobseeker's Allowance because she was not deemed fit to work.

She was also told she did not qualify for incapacity benefit because she had not been officially diagnosed with a medical condition.

Mr Mullins was his wife's full-time carer. He fought to get a carer's allowance but was told he could not claim until she was diagnosed with a disorder.



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Military man: Mr Mullins served as a PE teacher in the Army but fell on hard times after leaving the service

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► **Albert Square is the word! EastEnders cast** perform a live Grease medley on BBC Children In Need



Run-down: The property that Mark and Helen Mullins shared as they lived on £57.50 per week

Officers discovered their bodies after neighbours reported they had not been seen for some days. Kervin Julien, who runs the Salvation Army soup kitchen in Coventry used by the couple, said: 'The question needs to be asked – why was it they felt they had no one else to turn to?'

'It's sad that in this day and age we have still got prehistoric services that are not meeting the needs of the people who need them.'

Mr Julien, who appeared in TV programme The Secret Millionaire, added: 'They walked everywhere hand in hand, like young lovers.'

'Mark talked about the authorities taking Helen's daughter away from her but not acknowledging her mental health problems.'

'They had been staying with relatives and friends to try and avoid the authorities, as they believed they wanted to section Helen. They just wanted support.'

It is understood the couple married in July last year, shortly after they appeared in an online documentary about people living below the poverty line in Warwickshire.

Mr Mullins said in the interview: 'The job centre decided Helen couldn't sign on as she was incapable of employment as she has no literacy and numeracy skills.'

WHY THEY WERE LEFT ON £57.50 PER WEEK

Mark and Helen Mullins were left living on a measly £57.50 per week in a run-down property which has now been boarded up.

They would have received an additional £20.30 per week in child benefit before their 12-year-old was taken off them.

Helen was not eligible for disability benefit despite having learning difficulties because they feared she would be put into care if the full extent of her problems were known, friends said.

Mark had not been in the forces for long enough to claim a pension.

Viewers were transported to Rydell High School



► **Gone with the Wind!** Jenny Frost battles the elements as her dress reveals thigh-high split and cleavage at the Celebration of Style in Liverpool



► **MTV star Diem Brown has died aged 32 after long cancer battle** Had asked for prayers and support on Twitter just a few days ago



► **I used to think she was a chap called Anton Dec!** As Dec's new fiancée shows off her ring, her delighted mum makes a very endearing admission



► **Ballroom bonding!** Pixie Lott cosies up to Caroline Flack as the Strictly crew cheer the Blackpool Lights ahead of their dance at the Tower





Mr and Mrs Mullins were forced to walk ten miles each week into Coventry city centre to a soup kitchen where they could get free vegetables

'However, the incapacity people wouldn't recognise her disabilities. We're in a catch 22 situation. We're living hand to mouth.'

One neighbour said: 'The authorities turned their back on them.'

'They obviously couldn't face another freezing winter and felt they had no other choice but to kill themselves.'

Police said they were not looking for anyone else in connection with the deaths. Warwickshire County Council refused to comment because the couple are yet to be formally identified.

A spokesman for the Department for Work and Pensions said: 'The couple in question had been receiving weekly benefits from the department since February 2010 - these included money for disability and caring responsibilities as well as out of work support.'


'We had not received any complaint from them about their benefit claim.'

- For confidential support call the Samaritans on 08457 90 90 90 or visit a local Samaritans branch, see www.samaritans.org for details


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Star went a bit 'scissor-happy'!



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Got their son to announce the news



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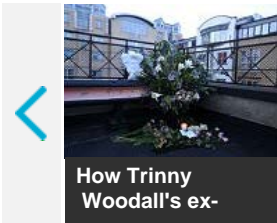
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Just a big softy at heart



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► **Khloe Kardashian**

heads to the gym for another gruelling workout ...as she shows off her pert derriere

Hasn't forgotten about her own behind!



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Showcased her new do on Instagram



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New role as a fashion model.



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Displayed her fashionista credentials



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Josh Duhamel kicked off his birthday celebrations in style




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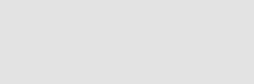
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Suffers from insomnia



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Rehearsals going well then?



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Revealed new collection



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Fabulous at 40



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Alfonso and his partner, Witney, were ranked first



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Love, actually



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Turned heads




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Everything rosy?




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Solo trip




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Royally inspirational




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Regular at the gym




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Happy with the reaction then?




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line with the help of sisters Khloe and Kim... and 'boyfriend' Tyga
Calling the brand Kylie Hair Kouture




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Focusing on modelling




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He's a fur-m friend




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Married last year




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Mum to son Ethan




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Cool mum-to-be



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Needed a caffeine fix



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Still cringing 10 years on



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Teamed up for new line



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WAG-gled her hips



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Put on quite a show



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► **On tour! Mel B flatters her enviable curves in chic sky blue skirt and fitted black blouse as she goofs around with X Factor's Andrea Faustini on London bus**




► **Woman with tiny size TWO feet who found it impossible to walk in heels finally struts her stuff in girly shoes thanks to specialist who works with Olympians**




► **It's a girl! Pregnant model Coco Rocha reveals she is expecting a daughter with husband James Conran**



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Expecting second child



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Showstealing gown



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Innocent character




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Won major acting prize




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Swapping modelling for motherhood



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Feud is over



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Switched up styles



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It's a small world



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fashion designer Elie Saab

Brought some old fashion glamour



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Another spoof



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Dressed down flightwear



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Ditched her glamorous gear



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Title of track not revealed



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Put her urban flair on display



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Rocked the red carpet in a daring frock




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No stranger to nudity



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Just 40 days to go



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Just a tantrum




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Creature of habit



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Trying for their first




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The family is well known for having many canine companions




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Going strong for ten months




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Is it worth it?




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Kim nude photo shoot making the rounds




▶ **Photographer who took THOSE Kim Kardashian photos insists 'they are art' and he's 'very proud of them'**
French photographer Jean-Paul Goude



▶ **Wait, there's more! Now Kim Kardashian poses full frontal in her relentless attempt to 'break the internet'**
MailOnline reveals extra images from THAT shoot



▶ **Baby Got Back! Model Montana Cox parodies Kim Kardashian's famous magazine shot which 'broke the internet'**
Everyone has an opinion



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Still a golden girl



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Prince Harry comes to the aid of a lady whose hat blew off as he made a speech praising the 'determination' of RAF counter-terrorism unit



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Lauren Silverman wears long ball gown to accompany a suited Simon Cowell to Royal Variety Awards
A smart duo



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Set to leave after 8 years



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String of legal woes



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Time for a change



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Was in hospital last week



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First trek in 12 years



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Latest in the Nativity franchise is the worst



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Admits to smoking up to 20 joints a day



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The Modern Family star getting down and dirty



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Married Christopher French in September




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Feeling broody?



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on stage and win the hearts of the New Zealand crowd as Monroe calls brother Moroccan 'stinky' in adorable video




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Sister act




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Now she's face of Dior



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Rolls-Royce VIP preview in London - where she looked incredible




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Promoting her new show State Of Affairs




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Mates at nail salon




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Scientific proof




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Died in September




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Split in January




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Powerful collection of images




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Not red carpet ready




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Supermodel turned chef




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Royal tumble




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Worked on Diamonds Are Forever and recent Casino Royale




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The bar is used as the venue for clandestine deposits of illegal cash




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Gave birth in September









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FATHER KILLED HIMSELF AFTER BENEFITS CUT

An unemployed dad stabbed himself twice through the heart when his family faced losing their home to housing benefit cuts, an inquest heard.

Desperate Richard Sanderson, 44, drew up meticulous suicide plans after learning he could no longer afford the flat he shared with his wife and nine-year-old son.

The family had received a letter stating their housing benefit would be cut by £30 a month, leaving them with 'nowhere to go', Westminster Coroners Court heard.

Mr Sanderson was found dead in the bath by wife Petra on Sunday, May 29 with three stab wounds to his chest and abdomen.

A diagram showing the position of the heart in the body had been mounted on one wall and three kitchen knives were on a folding table next to the bath.

Suicide notes addressed to his family and the police had been placed on his bed, along with more anatomical diagrams.

Recording a verdict of suicide, coroner Fiona Wilcox described the case as 'particularly tragic.'

She added: 'This appears to have been done by a man who was fully compos mentis and was not suffering from a depressive illness.

'He carried out a considered act in response to his inability to find employment and the fact that his housing benefit was about to be cut and the family would have faced having no-where to live.

'It does appear to be especially poignant and tragic.'

Mr Sanderson, of Southfields, south west London, had waited until his wife was at work and son Matthew was away at a Scout camp to carry out his plans.

When Mrs Sanderson returned to their flat on Roosevelt Court, Augustus Road, she found a note warning her not to go into the bathroom.

Finding her husband in the bath, she called an ambulance and paramedics pronounced him dead at about 4.30pm.

Ms Wilcox read out a statement on behalf of Mrs Sanderson, who had been 'too upset' to attend the hearing.

In it, she said: 'We received a letter from the council saying our housing benefit would be cut by £30, forcing us to move but leaving us with nowhere to go.

'Despite this, I hadn't noticed any major change in Richard's mood. I don't know why he killed himself. We had planned to go to Wimbledon Common the next day.'

Mrs Sanderson, who recently found out she was being made redundant, had already saved her husband from one suicide attempt in June 2010.

He spent two days in intensive care after she found him unconscious on the kitchen floor, having taken a potentially-lethal dose of tranquillizers.

Afterwards, Mr Sanderson was sectioned under the Mental Health Act but psychiatrists found he had 'no treatable mental illness.'

Having been unemployed for several years, he wanted his wife and son to be able to cash in on his life insurance policy.

In a note to police, read out by Ms Wilcox, he explained his motives for suicide.

He said: 'My wife has no knowledge of my intended plan to take my life this weekend.

'The event is a cut and dried case of an individual who has the right to determine his own existence.'

Born in County Durham, Mr Sanderson took on a range of jobs from helicopter pilot to window cleaner

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before moving to South Africa in the early 90s.

There he met his wife and they married in 1995, returning to England in 2007 when they both faced unemployment.

He tried to train as an electrician in London, but had to give up his course because the Jobcentre required him to be available for interviews at all times.

Verdict: suicide.


Ends


Memo

No family present


Ends memo


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Norwich man killed himself ‘over back-to-work fears’

 **Mark Shields**
Tuesday, April 24, 2012
2:22 PM

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A schizophrenic city man who was turning his life around killed himself after becoming worried at having to return to work, an inquest heard.

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Martin Rust, 36, was declared fit to work following a Department of Work and Pensions assessment in September, two months before he was found dead at his home in Parmentergate Court in the city centre on November 21.

Mr Rust, who suffered with hearing voices in his head, left a note saying: “To those I love, I’m sorry. Goodbye.”

Yesterday, his mother and health professionals told an inquest in Norwich the prospect of having to take a job before he felt ready had piled pressure on Mr Rust.

He had been receiving mental health services support since being diagnosed with

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said he was a “very placid, very caring person”, but that he had attempted suicide before because he feared being “a burden”.

“They were the sort of things that the voices would tell him to do,” she said, adding that returning to work had been “extremely” worrying for

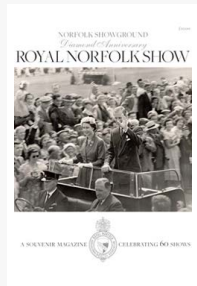
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him.

"I tried to tell him that he
wouldn't be put somewhere where he couldn't cope."

Coroner William Armstrong said the DWP's decision "caused distress and may well
have had an adverse effect", recording that Mr Rust had committed suicide while
suffering from a treatment-resistant mental illness.

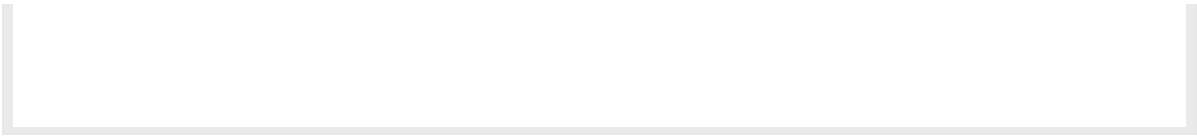
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NEWS

Benefits man found hanged, inquest heard

First published in [News](#)

A MAN who had “significant worries” was found hanging in his home by a neighbour, a Burnley inquest heard.

Craig Monk, 43, of Curlew Gardens, Burnley, was found dead on October 3.

Ken Morphet, Mr Monks’ half brother, told the hearing that four years ago Mr Morphet finished work when an accident left him needing a partial amputation of his leg.

Mr Monk who was described by his family as “vulnerable” had previously taken overdoses of anti-depressants and painkillers.

Neighbour Kevin Martin said the last time he saw Mr Monk he wasworried that his benefits had been cut.

The cause of death was hanging.

Coroner Richard Taylor recorded that he took his own life.

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(Viral Nova)

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annana says...

6:33pm Thu 23 Feb 12

sadly not the first,
<http://calumslis.or>
g/
also see
<http://dwpexaminatio>
ns.blacktrianglecamp
aign.org/phpBB3/

Score: **3** ☐ ☐

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everywhere is sh1t says...

8:59pm Thu 23 Feb 12

this country is trying to push people back into the dark ages me and my partner are like a lot of others and really struggling,yet 2 people we know are both on the dole have a 3 year old audi a 4 year old mercedes van holidays to spain 3 times a year and money in the bank ,we work for a living it makes me sick

Score: **-6** ☐ ☐

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hunter3062 says...

1:29am Fri 24 Feb 12

everywhere is sh1t wrote:
this country is trying to push people back into the dark ages me and my partner are like a lot of others and really struggling,yet 2 people we know are both on the dole have a 3 year old audi a 4 year old mercedes van holidays to spain 3 times a year and money in the bank ,we work for a living it makes me sick

on 64 quid a week dont think so try a little detective work,sounds to me they are moonlighting.

Score: 11

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living the end times in BB1 says...

10:27am Fri 24 Feb 12

hunter3062 wrote:

everywhere is sh1t wrote:
this country is trying to push people back into the dark
ages me and my partner are like a lot of others and
really struggling,yet 2 people we know are both on the
dole have a 3 year old audi a 4 year old mercedes
van holidays to spain 3 times a year and money in the
bank ,we work for a living it makes me sick

on 64 quid a week dont think so try a little detective
work,sounds to me they are moonlighting.

RIP.Craig.

Or they maybe exploiting the governments position to illegal drugs..?

Score: 5

Report this post

Legal Beagle Here says...

10:54am Fri 24 Feb 12

To the poster above Everywhere is sh1t- you make me sick. You have
swallowed the propaganda of the current ConDem Government hook,
line and sinker. Yes there are people who cheat the system. If you have
HARD evidence instead of your 1939 Germany prejudiced assumption,
go report your neighbours to the police. As for the rest of your post, you
have blood on your hands. Go look at the list of 19 Welfare Reform
Deaths on the Calums List website. Better still read what is about to
befall those in Government with blood on their hands. You think Chris
Huhne is in trouble over his speeding points. Do you know what the
penalties are for multiple manslaughter upon conviction? So stop
believing the Government propaganda demonising the disabled and
show some compasion.

Score: 22

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Michael@ClitheroeSince58 says...

5:08pm Fri 24 Feb 12

<http://calumslis.org/>
g/

I found reading some of the deaths on calumslis very shocking,
something has gone horribly wrong.

Score: 11

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RAYzer says...

7:30pm Sat 25 Feb 12

all job agency's using immigrants now,applied for loads of work,and knocked back,good work record and reference's,yet immigrants get all the jobs....happening all over uk

Score: 4

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MPs to probe Government's savage benefit cuts following campaign backed by Daily Mirror

Oct 23, 2014
09:45

By **Ros Wynne Jones**

The Mirror reported how diabetic ex-soldier David Clapson died destitute at 59 without benefits after being sanctioned by the Job Centre for missing one meeting

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Killed by cuts: Soldier David Clapson

MPs are to hold a new inquiry into the government's brutal benefit sanctions regime – following a campaign backed by the Daily Mirror.

It has been triggered by Labour MP Debbie Abrahams, who called on the Work and Pensions Select Committee to investigate after the Government refused an inquiry.

The move follows a 200,000-strong petition set up by Gill Thompson in July following the death of her diabetic brother David Clapson at the age of 59. David, a former soldier who served in Northern Ireland, died destitute after being sanctioned by the Job Centre for missing a single meeting.

Abrahams said she had been inspired by Gill's bravery to keep fighting for an investigation. "Gill has shown great courage, in the wake of her brother's appalling death, to take on this cruel government and their inhuman policy of targeting vulnerable people who are reliant on social security," Abrahams, MP for Oldham East and Saddleworth, said.

"The huge response to the Mirror's reporting on how claimants are being stitched up and sanctioned, and over 200,000 signatures on Gill's petition, is proof that the British people will not stand by and do nothing when they see vulnerable people suffering."



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Gill Thompson with a collect picture of her brother David Clapson

Last night Gill said she was hoping to be called to give evidence. "This has been a huge battle, but it isn't just for my David who died penniless, it's for all the people who have been sanctioned and who have written to me telling their stories," she said last night. "It's an absolute scandal."

Organisations including the Trussell Trust have repeatedly linked the sanctions regime to the soaring number of people going to foodbanks.

"Ministers in the DWP have used every trick in the book to avoid being held to account," Abrahams said. "This inquiry will leave them nowhere to hide and that's why they've fought so hard to avoid one."

The battle for an inquiry dates back to November 2013, when Abrahams got Employment minister Esther McVey to agree to one – only for her to backtrack.

In July 2014, the government instead published the Matthew Oakley Report into sanctioning – on the day the House of Commons rose for summer.

Oakley highlighted systematic problems with the sanctions regime – but did not look into whether they are being unfairly applied. Critics condemned it as a "whitewash".

Last month, Gill spoke at the Daily Mirror fringe at Labour Party conference.

"David had no electricity on his key and the coroner said he had no food in his stomach," Gill said. "He died alone and hungry. He wasn't a scrounger – he worked for 29 years and served in Northern Ireland in the Army."

He died surrounded by job applications. "But he missed one meeting and he was sanctioned," Gill said.

To sign the petition, visit change.org/benefitsanctions

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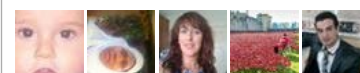
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Aug 2014

UK 'is first country to face UN inquiry into disability rights violations'

By [john pring](#)

Baroness (Jane)

Campbell "I

welcome John Pring's weekly news update every Friday. His detailed, and above all accurate, line-up of current disability issues is a reliable source of information that I use to enhance – even at times to inspire – the work I do to champion disabled people and to combat discrimination in all of its forms. Long may it continue!"

Stephen Brookes, coordinator, Disability Hate Crime Network:

"We are living in very tough times, and it is important that disabled people and those DPOs who support them get fair and open representation and

The UK government appears to have become the first country to face a high-level inquiry by a United Nations committee, as a result of "grave or systemic violations" of the rights of disabled people.

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The committee has the power to launch an inquiry if it receives "reliable information" that such violations have been committed by a country signed up to the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and its optional protocol.

These investigations are conducted "confidentially", so the UN's Committee on the Rights of Persons with Disabilities (CRPD) – which is carrying out the inquiry – has refused to confirm or deny that the UK is being investigated.

But [a recording has emerged](#) [watch from one hour and four minutes] of a former CRPD member revealing that the inquiry has been launched.

Professor Gabor Gombos, co-founder of Voice of Soul, Hungary's first organisation for ex-users and survivors of mental health institutions, and co-chair of the World Network of Users and Survivors of Psychiatry, tells the audience on the recording that CRPD has "started its first inquiry procedure against the United Kingdom".

He tells the Sixth International Disability Law Summer School at the National University of Ireland in Galway in June that inquiries are only used where there are suspicions of "grave" violations of human rights in a country.

He says: "Where the issue has been raised and the government did not really make effective actions to fix the situation... it is a very high threshold thing; the violations should really be grave and very systemic."

Only last month, a new report, [Dignity and Opportunity for All: Securing the](#)

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Leigh Day Specialist in education and discrimination law

THE BLOG—DENISE MCKENNA

accurate, informed media coverage. John's work through DNS is an absolute must in that aim."

Anna Borthwick-Martin, head of business development and marketing,

DisabledGo: "We have worked with John and DNS for several years now and have been thoroughly impressed with the service. The stories John provides are relevant and important to our audience and as a result are well received and popular"

Steve Donnison, Benefits and Work website: "The weekly round-up of news from DNS is now an established and vital part of the service we offer our members... We couldn't be without DNS now – our members would never forgive us."

Phil Friend, director, Phil & Friends Ltd: "My professional work means that I need to stay in touch with developments regarding disability issues. I've come to rely on the unique services provided by DNS. It is reliable, comprehensive and accurate. I can't think of another news service that provides me with the professional support I need to ensure that I'm up-to-date and kept well

[Rights of Disabled People in the Austerity Era](#), laid bare the coalition's failure to meet its international human rights obligations under both UNCRPD and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

That report – published by [the Just Fair coalition](#), which includes Disabled People Against Cuts and Inclusion London – suggested that the UK had gone from being an international leader in disability rights to risking becoming a "systematic violator of these same rights".

Last week, Disability News Service (DNS) reported that CRPD appeared to have postponed its public examination of how the UK has been implementing the disability convention until after next year's general election.

Some activists were unhappy that the committee's decision to postpone the examination would allow the UK government to avoid having to justify a clear regression in disability rights since the 2010 election.

But it now appears that the committee may have taken this decision because it had launched the much more serious – and so far unprecedented – inquiry into the UK's violation of disabled people's rights.

A DPAC spokeswoman said: "DPAC is not in a position to comment on the UN inquiry on the UK's breaches of the UNCRPD, but we would share the view that there have been grave and systematic violations of disabled people's rights especially, but not exclusively, articles 19 [on living independently and being included in the community] and 28 [on providing an adequate standard of living and social protection]."

Jorge Araya, CRPD's secretary, told DNS in a statement: "Inquiry proceedings regulated in article six and seven [which relate to the inquiry procedure] of the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities, are confidential.

"So, for this very reason, stated in this treaty, I apologise but I cannot respond to your queries."

So far, the Conservative minister for disabled people, Mark Harper, has failed to comment on the CRPD inquiry.

14 August 2014

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QUOTE OF THE WEEK



"Two years on from the Paralympics and I am seriously in fear for my career. The severe cuts in my Access to Work provisions mean I simply cannot fulfil my job description as chief executive and artistic director of Graeae."

Jenny Sealey, chief executive and artistic director of Graeae Theatre Company, and co-director of the London 2012 Paralympics opening ceremony

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informed.".

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Article 31 - Statistics and data collection

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:

- a) Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
- b) Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.

2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.

3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

[Next: Article 32 - International cooperation](#)

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The DWP has seriously breached its duty of care by ignoring benefit-related deaths; at minimum, a suicide should automatically trigger an internal case review. A public inquiry into benefit claimant suicides is also urgently needed, and the Labour Party must call for one.

See DWP's confession: 'We ignore benefit-related deaths' <http://disabilitynewsservice.com/2014/09/dwps-confession-we-ignore-benefit-related-deaths/>

In addition, the DWP needs to re-examine its policy which puts the onus on benefit claimants to procure medical evidence from doctors attesting that they are not fit for work, and the Department must be less inflexible when circumstances warrant. The DWP must also recognize that this responsibility of medical evidence procurement is beyond the capability of some claimants, especially those living with mental health conditions.

In the tragic Mark Wood case, his GP Nicolas Ward was not contacted by Atos or the Department for Work and Pensions about his patient's medical history. Dr. Ward told the court that, had he been asked, he would have ruled him unfit for work.

In the tragic case of epileptic Trevor Drakard, his family struggled to gain detailed medical records of his multiple hospital visits down the years to make a second appeal. He was given a month to get the information, and, as the deadline approached, Trevor became more and more worried. His GP had just retired and so had his consultant in Sunderland, making it hard to get his history.

See also: <http://twishort.com/Nxvgc> for further comments and recommendations, and the below news stories:

Disabled Mark Wood starved to death after benefits cut when Atos declared him fit for work - Mirror Online <http://www.mirror.co.uk/news/uk-news/disabled-mark-wood-starved-death-3194250>

Man with brain damage and 'uncontrolled' epilepsy hanged himself when DWP threatened to cut benefits - Mirror Online <http://www.mirror.co.uk/news/uk-news/man-brain-damage-uncontrolled-epilepsy-4305508>

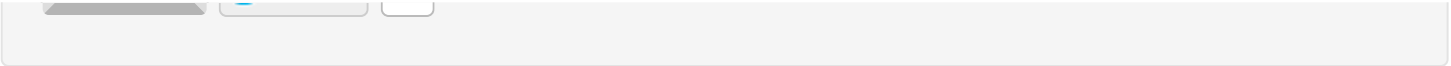
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Case proven? Government stays away from benefit deaths tribunal

POSTED BY MIKE SIVIER IN BENEFITS, DEMOCRACY, DISABILITY, EMPLOYMENT AND SUPPORT ALLOWANCE, HEALTH, JUSTICE, LAW, PEOPLE, POLITICS, POVERTY, UK

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— Seen to be done: The tribunal took Cardiff (pictured), in public – which Vox Political to hear the case.

The Information Commissioner's Office for Work and Pensions have highlighted their own case for hiding the number of people who died while claiming sickness and failing to turn up at a tribunal on

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- August 2012
- July 2012
- June 2012
- May 2012
- March 2012
- February 2012
- January 2012
- December 2011

TOPICS

- Austerity
- Banks

language, Liberal, Mike Sivier, mikesivier, mortality, number, obsessive, Pensions, people, politics, protracted, Russell Brand, Samuel Miller, serious purpose, sick, social security, statistic, support, Tories, Tory, tribunal, vexatious, Vox Political, WCA, welfare, work, work capability assessment

They had the opportunity to explain why mortality statistics for people claiming Employment and Support Allowance since November 2011 have been suppressed, at a tribunal in the Law Courts, Cardiff, yesterday (April 23).

But, rather than be grilled on the reasons for their decision by a judge, a specialist in this area of law, and a ‘lay’ person (representing the opinions of right-thinking members of the public), they chose to stay away.

The tribunal had been requested by *Vox Political*’s Mike Sivier, after he made a Freedom of Information request for access to the information – and it was refused on the grounds that it was “vexatious”.

The Department for Work and Pensions said he had written an article about his request on the blog, containing the line, “I strongly urge you to do the same. There is strength in numbers.” According to the DWP, this line constituted a co-ordinated, obsessive and protracted campaign of harassment against the department.

One line in a blog article, added as an afterthought – an obsessive campaign designed to “disrupt” the workings of the DWP. It’s ludicrous.

The DWP claimed it had received 23 requests that were similar or identical to Mike’s, in the days following his own, and inferred from this that they were from other members of this fictional campaign. Mike has only been able to track down evidence of seven such requests and, of them, only one mentions him by name. Without a tangible connection to Mike or *Vox Political*, the case is not made out – and one connected request does not constitute a campaign.

In fact, Mike’s own request was made after he read that a previous request had been refused – that of disability researcher and campaigner Samuel Miller. Mr Miller had published this fact in the social media and expressed that he was “furious” about it, and this inspired Mike to write his own request. Who knows how many other people did the same in response to Mr Miller? Yet he has (rightly) not been accused of starting any conspiracy.

Mr Miller’s original request has now received a reply, after the Information Commissioner’s office ruled that it had been mishandled by the DWP. This reply contained the wrong information and Mike urged Mr Miller to point this out. Clearly Mr Miller’s claim is not being treated as vexatious, even though it has inspired others to follow his example – as Mike’s article shows that he did. The contrast in treatment betrays a clear double-standard at the DWP (and the Information Commissioner’s office, after appeals were made to it in both cases).

Perhaps it is because of this fatal flaw in their logic that neither the ICO nor the DWP saw fit to send representatives to the tribunal. This left the floor free for Mike to make his own case, with nobody to speak against him or cross-examine him.

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■ Business
■ Children
■ Comedy
■ Conservative Party
■ Corruption
■ Cost of living
■ council tax
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■ Defence
■ Democracy
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■ Discrimination
■ Doctor Who
■ Drugs
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■ Employment and Support Allowance
■ Environment
■ European Union
■ Flood Defence
■ Food Banks
■ Foreign Affairs
■ Fracking
■ Health
■ Housing
■ Human rights
■ Humour
■ Immigration
■ International Aid
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■ Maternity
■ Media
■ Movies
■ Neoliberalism
■ pensions

Tribunal members asked questions, but these were entirely helpful in nature – allowing Mike to clarify or expand on his argument.

So the claim that the number of similar requests, received soon after the blog article appeared, indicated a campaign against the DWP was refuted with the simple observation that the subject was of topical interest at the time, because of what had happened to Mr Miller. Mike said an appropriate comparison would be with complaints to the BBC over the now-infamous radio show involving Jonathan Ross and Russell Brand. The corporation received only a couple of complaints from people who listened to the show at the time, followed by thousands from people who heard about it later. Mike asked: “Were all those thousands of complaints vexatious in nature? Were they the result of organised campaigns against Messrs Ross and Brand? Or were they genuine expressions of horror at behaviour they considered to have gone beyond the pale? The BBC accepted the latter choice because logic mitigates in its favour.”

The claim that abusive or aggressive language exhibited by blog commenters indicated harassment that was likely to cause distress to members of the DWP was batted away with the argument that nobody from the department would have seen it if they had not gone looking for it (after reading the FOI request from a *Vox Political* reader who referenced the blog).

Mike said it would be “like a social landlord gatecrashing a residents’ association meeting, listening to the grievances of the tenants and then saying they are harassing him and he’s not going to service any of their requests for repairs. That is not reasonable”.

The DWP had claimed that actioning the 24 requests it insisted on connecting with Mike’s “could impose a burden in terms of time and resources, distracting the DWP from its main functions”, but Mike showed that this was not true, as an email to the ICO, dated October 21, 2013, makes clear: **“We can confirm that the Department does hold, and could provide within the cost limit, some of the information requested.”**

Nevertheless, the ICO had upheld the claim, saying on November 27, 2013: “For the DWP to respond to all of the requests, it is not simply a matter of sending an email to 24 people. There is a requirement to collate the information, consider exemptions under the Act which may apply, provide a formal response and then, if necessary refer the decision to an internal review.... The Commissioner considers that 24 requests on the same topic in a few days could represent... a disproportionate use of the FOIA.”

In his speech to the tribunal, Mike responded: “It is reminiscent of the line in the TV sitcom *Blackadder The Third*, when the title character, butler to the Prince Regent in Georgian times, demands a fortune in order to buy votes in a by-election for a ‘tupenny-ha’penny place’. Challenged on the amount, he responds: ‘There are many other factors to be considered: Stamp duty, window tax,

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swamp insurance, hen food, dog biscuits, cow ointment – the expenses are endless.’” He said the ICO’s claim “smacks of desperation”.

One aspect that worked in Mike’s favour from the start was the fact that both the DWP and the ICO have accepted that there is a serious purpose to his request – publication of figures showing how many people have died while claiming ESA. This is important because the assessment regime for this benefit has been heavily criticised as harmful to claimants and the government has claimed that it has made changes to decrease any such effect. **The only way the public can judge whether this has worked, or whether more must be done to prevent unnecessary deaths, is by examining the mortality statistics, but these have been withheld.** This is the matter at the heart of the request and the fact that the ICO and DWP acknowledge this is a major element in Mike’s favour.

Perhaps realising this, the ICO tried to claim that the intention was changed by the volume of requests submitted: “The purpose of the totality of the requests as a whole may have gone beyond the point of simply obtaining the information requested and may now be intended to disrupt the main functions of the DWP.”

It is not reasonable to suggest that the purpose of an action changes, just because other people carry out the same action within a similar time-frame. Mike put it this way: **“Millions of people make a cup of tea in the advertising break after Coronation Street; would the Information Commissioner suggest that this was a campaign to overload the national grid?”**

With nobody on hand to provide the ICO/DWP side of the case, the hearing ended at around midday, after Mike had been speaking for two hours. He was grateful to be supported by his McKenzie friend, Glynis Millward, who provided help and advice, and by a group of *Vox Political* readers who attended to hear the case.

Now the bad news: **No decision was handed down on the day. The tribunal judge explained that the panel must now think about the issues raised and discuss their findings. He said they would aim to provide a full, written decision within 21 days.**

It is interesting to note that Mr Miller has acted on Mike’s advice and has been advised that a revised response to his request should be with him soon.

If this response contains updated information under the same headings as the original ‘ad hoc’ statistical release provided by the DWP in July 2012 (and from which we derived the 73-deaths-per-week figure that shocked so many people at the time), then a decision by the tribunal to release the same information may seem redundant. In fact, it is possible that the DWP may provide the information to Mr Miller, simply to spite Mike.

But this would be yet another misunderstanding of what this case is about. Mike doesn't care who gets the mortality statistics first; for him, it is not about who gets to say they were the one who forced the government into submission - **this is about getting the information out to the public, so the people can decide whether ESA does more harm than good.**

The tribunal's decision will still be important as it will establish whether the DWP – and other government departments – will be able to manipulate the principles behind the Freedom of Information Act to avoid providing politically inconvenient information in the future.

In Mike's opinion, a decision in the government's favour would effectively turn the Act into a dead letter.

So – for now – the long wait continues.

But it is nearly over.

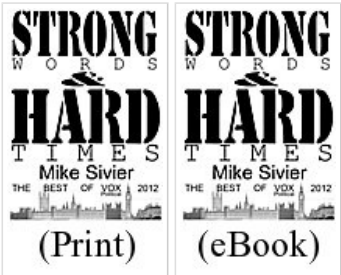
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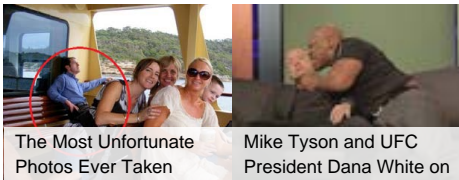
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THOUGHTS ON “CASE PROVEN? GOVERNMENT STAYS AWAY FROM BENEFIT DEATHS TRIBUNAL”



kittysjones said:

April 24, 2014 at 11:09 am

“The only way the public can judge whether this has worked, or whether more must be done to prevent unnecessary deaths, is by examining the mortality statistics, but these have been withheld”.

Yes . like the toxic clause 99 silences those wishing to appeal,also hiding evidence from the public eye. The Tories showing form once again.

In a so-called democracy, ALL campaigning is both essential and part of an inbuilt safeguard against authoritarianism.



Phil The Folk said:

April 24, 2014 at 11:30 am

Absolutely right Kitty!!



Mr.Angry said:

April 24, 2014 at 11:18 am

Mike many many thanks I have been trying since 4.00 a.m. this morning to get an update. You must be shattered as for the many we thank you so much for what you have done hope and pray it has the desired affect.

What one has to do to get justice in this god forsaken country is beyond beggars belief.



kittysjones said:

April 24, 2014 at 11:20 am

And Mike, thanks from all of us for the effort, determination and time put in on this crucial issue x



Lynn Dye said:

April 24, 2014 at 11:21 am

Well done, Mike. I'm sure I speak for many in thanking you for all you are doing for others. The public have a right to know these figures.



Black Triangle (@blacktriangle1) said:

April 24, 2014 at 11:25 am

With much thanks and solidarity, Mike. The truth must out! Thank you for your tenacity and all your hard work in defence of our sick and/or disabled people as we continue to demand truth and justice.



gfranklinpercival said:

April 24, 2014 at 11:33 am

I am proud to be, if not on the same team as you, at least the same side. Courage, my friend for persistence generally repays the effort.



JK said:

April 24, 2014 at 11:33 am

I once went to an Employment Tribunal after my employer had made me redundant and not paid me for several weeks of work I had completed. On the appointed day no representative from my previous employer turned up to dispute my claim and no written (or other) response had been made previously by my employer in respect to my complaint. The judge therefore found in my favour and, eventually, I received the monies owed.

To be honest if the DWP didn't even bother to send a civil servant to explain the department's case, I really cannot see how on earth any judge could rule in favour of keeping the requested statistics and data private in perpetuity.

Surely now we will all learn the truth of this matter, as bad as it undoubtedly will be.



Phil The Folk said:

April 24, 2014 at 11:33 am

Well done Mike!! We are all grateful to you for all your efforts in this matter, and sincerely hope it results in a positive conclusion. The non-attendance of the other parties speaks volumes. I think we should be pushing for figures up to the end of 2013 now also. Has Samuel Miller submitted to the UN human rights officer as yet?



Mike Sivier *said:*

April 24, 2014 at 11:37 am

I would wait until after we get the tribunal's judgement, before asking for the 2013 figures. It will be much easier to secure those figures if the tribunal has returned a favourable decision, because the DWP will not be able to say it is planning to publish the figures in the future (as it did in this case – inaccurately, in my opinion) and there will be no opportunity to claim that it does not hold the figures (you can see from the article that it does).



Samuel Miller (@Hephaestus7) *said:*

April 24, 2014 at 1:25 pm

Thank you, Mike, for your outstanding efforts in this matter. I agree that it is best to wait for the tribunal's judgement before requesting the 2013 figures.



Phil The Folk *said:*

April 24, 2014 at 3:02 pm

Yes that makes sense. I was just thinking a larger figure might have a greater impact, although i hope to God it's not too large..One is enough. I remember raising the issue with my MP back in 2007 about how many had died going through the WCA, and warned her then, that there would be an increase in self harm if they kept this policy going, but never did get a response.



Mo Stewart *said:*

April 25, 2014 at 12:15 am

Many congrats Mike and thanks on behalf of many for fighting for this vital info.



carl2407 *said:*

April 24, 2014 at 11:37 am

Thank you Mike, well done



Seventeen months and counting *said:*

April 24, 2014 at 11:43 am

Thanks Mike keep up the good work



Editor *said:*

April 24, 2014 at 11:49 am

Reblogged this on [kickingthecat](#).



Silentme said:

April 24, 2014 at 11:59 am

Excellent work...

We NEED this to be picked up by the main stream media, (the ones that are not on the government's pay roll), so that the rest of the country can see what is happening here and can make their own judgement. Also so the DWP can be called to account to answer the questions and be held accountable for this gross misuse of power.



Mo Stewart said:

April 25, 2014 at 12:16 am

The mainstream media have been sent the link. Time will tell if they run with this.



spirit said:

April 24, 2014 at 12:01 pm

Their failure to turn up is shameful but utterly unsurprising. Did the tribunal offer any censure to the DWP? Will they? I hope the department don't try to influence the tribunal now or be allowed any further contact with them before they deliver their findings. They've lost their opportunity. Perhaps they can be questioned on this repeated obfuscation, evasion and contempt by the select committee next time they meet (Hodge already knows what they're like!)? Oh and BTW, HUGE thanks Mike!



HomerJS said:

April 24, 2014 at 12:34 pm

You are right Mike. It doesn't matter who gets the info first, only that we do get the info. You are also right that it does matter that the government are made to comply with the FOI Act and that the ICO and tribunals support this.



aussieeh said:

April 24, 2014 at 1:02 pm

Well done Mike,

After watching the excellent New Worlds on channel 4, (I think it was the conclusion to the Devils Whore shown a couple of years ago, also an excellent drama.) In the last episode, one of the main characters held up his right hand and came out with this quote, or something similar.

"May this hand be the enemy of Tyrants and a friend to Liberty". Well Mike I offer this hand in friendship and camaraderie, Thank you on behalf of this disabled person and I am sure a few thousand more besides. The TRUTH must out, and one day it will.



Nick said:

April 24, 2014 at 1:46 pm

Thank you, Mike, for your outstanding efforts in this matter. I agree that it is best to wait for the tribunal's judgement before requesting the 2013 figures.

however if the public in general stay deaf on this topic then nothing will change on the contrary things could get much worse as it will then be

kept a secret from the public and knowing it will be kept a secret bar
just a few of us in the know i would expect more deaths to continue

the only chance of saving lives in the future would be to have a
government that cared and that with regret is not forthcoming in my
lifetime so we will be going round in circles with the sick and disabled
lives at risk on a day to day basis

at least mike you put the message across to a tribunal' who up to that
point had not a clue what you were on about and now they do so yes
you have done well just another 60 million people to convince thou



amnesiaclinic said:

April 24, 2014 at 1:46 pm

Reblogged this on [amnesiaclinic](#) and commented:
Well done!! That the DWP didn't put in an appearance speaks volumes.



psychim said:

April 24, 2014 at 1:48 pm

Reblogged this on [Psychim's Blog](#).



Thomas M said:

April 24, 2014 at 1:54 pm

This government is one of the worst governments I've had to live under,
killing the people that it should be protecting.



Nick said:

April 24, 2014 at 2:26 pm

so very true Thomas



Florence said:

April 24, 2014 at 2:24 pm

So they couldn't even wheel out an underling as IDS does so often when
under scrutiny. It speaks more loudly of a vexatious campaign by the
DWP to deny the legitimate rights to the people of this land. I hope the
Hodges & her fellow MPs are aware that the DWP treats the courts with
such contempt, and seek answers in their committees.

I know from past experience what it takes to speak at tribunals, and it is
exhausting. You must take a rest, and feel the glow of satisfaction of
bringing it this far, having done the right thing for so many who have no
voice of their own. We all owe you a debt, whatever the outcome.
Saying "well done" seems a little lacking somehow, but you know you
have our deep gratitude.



Kwarteng Samuel said:

April 24, 2014 at 2:25 pm

Good.



Steve Connolly said:

April 24, 2014 at 2:27 pm

Having made a Freedom of Information request for those very statistics, I was told by the respondent that the DWP were no longer keeping those numbers. Furthermore, I was accused of making a 'vexatious' request designed to harass WP staff and interfere with their work.

So if they truly aren't maintaining records on deaths, it seems they wouldn't have passed the information on to me anyway. It seems that the DWP have something to hide whichever way you look at it.

What a truly despicable government run by liars we have.



Pauline Vernon said:

April 24, 2014 at 2:28 pm

Well done. I share the optimism of others that the DWP's failure to attend the tribunal is a de facto acceptance of your case. We shall see. I totally admire your determination to hold this despicable Government to account while it tries to sell a 21st century version of 'Arbeit Macht Frei' to the country.



hilary772013 said:

April 24, 2014 at 2:30 pm

Well done Mike and Thank You! xx



Sandra Martin said:

April 24, 2014 at 2:59 pm

Thanks Mike, what a wonderful guy you are!



beastrabban said:

April 24, 2014 at 3:06 pm

Reblogged this on [Beastrabban's Weblog](#) and commented:
Mike here presents his account of the case he presented to the Information Tribunal against the claim of the DWP and the Information Commissioner that his FOIA request was 'vexatious'. He refutes their allegations. Neither the Information Commissioner nor the DWP turned up at the tribunal. In certain courts, if the opposing party does not turn up, then the case is awarded to the person who has. You hope the same principle will apply here, with the non-appearance of the Information Commissioner and the DWP tacit admission by them that they were wrong. However, this is Britain in the 21st Century, and so it cannot be taken for granted. We hope, however, that this will be the case, and that Mike or Samuel Miller, who originally requested the information, will receive it before too long.



foodbankhelper said:

April 24, 2014 at 3:15 pm

Well done Mike for your persistence and dedication on this, for the good of all citizens. We need more people like you.



Steve Connolly said:

April 24, 2014 at 4:03 pm

Oh and I should have said it in my previous post – well done and thank you for your tenacity Mike!



Rachel said:

April 24, 2014 at 4:56 pm

Thank you Mike for speaking out and seeing it through... Does anyone know that when the figures are revealed which we all know are through the roof...will those responsible for the Death Total be arrested .charged and sent to prison?



Sarah said:

April 24, 2014 at 5:00 pm

Thank you Mike for standing up for te more vulnerable in society!



Yosserian Hughes said:

April 24, 2014 at 5:06 pm

Well played, Mike – I'm sure you'd have tore a hole as big as the grand canyon in any case the DWP's reptiles would've made....Had they turned up, that is!

However.....

The cynic in me believes (Perhaps) that behind closed doors, there are shady deals that MIGHT be being done (Promotion of the adjudicators in the event of a favourable decision for the Govt, for example)

Or am I just being over-paranoid? I don't know.....But I'm hopeful for a positive outcome, as well as profusely grateful for all the hard graft you've put into this, good sir

It's mightily appreciated – and from someone fortunate enough to be in good health.



Mike Sivier said:

April 24, 2014 at 5:12 pm

I don't have any reason to believe undue enticements or pressure are being placed on the tribunal. It would be very much out of order to suggest that, when they haven't even announced their decision yet.



Yosserian Hughes said:

April 25, 2014 at 11:04 am

Just me being impatient/ frustrated/ highly cynical/ paranoid, I'm afraid, Mike.

As I've said, I'm hopeful of a positive outcome. I haven't said there IS any enticements/ coercion going on.

No disrespect to the court appointees or your good self, but there's been so many judgements over the years that have left me scratching my head, that my cynicism reigns prevalent.

And the judges who've made those decisions

have gone on to be 'promoted'.

Having read the post from thelovelywibblywobblyoldlady, I'm slightly more at ease, although as someone with a first-hand knowledge of tribunals & the machinations of certain processes (With a judge(s) who also seemed acquiescent during the hearing) part of me will remain sceptical until there's a (favourable) outcome.

Hopefully a decision won't take too long; as (like everyone here) I adamantly believe the DWP's case is frivolous at best – downright deceit at worst.

Once again, thanks for your sterling efforts



Yosserian Hughes said:

April 25, 2014 at 11:07 am

Oh, and thanks to Glynis' too



thelovelywibblywobblyoldlady said: April 24, 2014 at 5:42 pm

Having assisted Mike on the day, I can tell you he was superb; he stated his case eloquently and coherently. The judge and tribunal members listened intently and took copious notes. The judge (a very pleasant chap) took Mikes point that DWP/ICO's case was not made out without there being direct mention of Mike or his blog by the other 23 (alleged) requesters. There was no causal link in effect.

As Mike has mentioned, the judge focused on the "serious purpose" aspect of the request. This is important as serious purpose can have the public interest test applied to it, whereas if a public authority deems a request vexatious within the provisions of section 14 of FOIA 2000, then the authority does not need to apply the public interest test.

The fact that DWP/ICO failed to send a representative to the hearing is a gift really. Tribunals have an inquisitorial role and will ask questions of the appellant (Mike) and the respondent (ICO/DWP) Of course, with no public authority representative present, then the tribunal can only rely on Mike's oral evidence.

It's difficult to say with certainty if Mike will be successful, however, I think the fact that the tribunal did not make a decision on the day is good news, because they will now go and discuss and research and provide a full written decision in the next few weeks.

Fingers crossed!



Mo Stewart said:

April 25, 2014 at 12:28 am

I'm thinking the fact that the DWP failed to show up should surely act in Mike's favour? He had the floor, without the need to consider the DWP or any other representative and I'm confident that the Tribunal will carefully consider the evidence and the fact that there is very much a public interest in this matter.

Nick said:

April 25, 2014 at 12:36 pm



at the end of the day it will be how mike made his case as to how hundreds of people have died in going through the welfare reform process

the case with DR Harold shipman is a case in hand did he kill his patients ? The DWP might well say he helped his patients as there no longer suffering ?

The same with IDS he will say there better off no longer in pain we have done right by them and found them fit for work yes some have died yes hundreds have died but a few are back in full time work and thats a blessing

we have sacrificed the lives of many for the few the question is should IDS have that power ? and if not how can we protect the sick

if nothing is done like dr shipmen he could go on to kill many and hide saying it's only a few deaths on a monthly basis isn't that normal ?



the lovely wibbly wobbly old lady said: April 24, 2014 at 5:54 pm

Reblogged this on [glynismillward189](#).



l8in said: April 24, 2014 at 6:22 pm

Reblogged this on [l8in](#).



Damien Willey said: April 24, 2014 at 6:24 pm

Well done Mike, wish I could've been there, but its a fair old hike from Cornwall!



jaypot2012 said: April 24, 2014 at 7:04 pm

Thank you Mike! The truth will out...



jaypot2012 said: April 24, 2014 at 7:05 pm

Reblogged this on [Jay's Journal](#) and commented:
Well done Mike – everything crossed for a good outcome.



Simon Russell said: April 24, 2014 at 7:08 pm

10800 told to work or die 10800 dead this is a genocide!!



Terry Cfc Poole said:

April 24, 2014 at 7:29 pm

Thanks dave, it looks like you are backing the DWP into a corner that they are unable to get out of....there is a saying that, "LIES HAVE SPEED, BUT THE TRUTH HAS ENDURANCE.



Mike Sivier said:

April 24, 2014 at 7:50 pm

Who's Dave?



Yosserian Hughes said:

April 25, 2014 at 11:08 am

Del boy's brother innit?



Helen Carroll said:

April 24, 2014 at 8:04 pm

And this government criticises Putin!

Pingback: [Freedom of Information tribunal on benefit deaths – April 23](#)
[_j kittysjones](#)

Pingback: [A funny thing happened on the way to the tribunal.....](#)
[_glynismillward189](#)



Shaqui said:

April 25, 2014 at 5:08 am

So what is the practical upshot of this? I know it's a tribunal, not a law court, but is the Government in contempt by not even turning up?



Mike Sivier said:

April 25, 2014 at 8:18 am

It's not in contempt, but it does mean that the tribunal will only be able to use the ICO's written evidence when considering its side of the case, and will not have had the opportunity to question a representative. Written evidence carries much less weight than evidence given in person, when it *is* possible to ask questions and establish an understanding of that person's case. So non-appearance at a tribunal hugely weakens anybody's chance of success. That being said, I'm not breaking out the champagne yet; I've had too much experience of the government twisting a situation to suit itself. We must wait for the tribunal's decision.

If that decision is in my favour, then we will still have to see if the DWP actually offers up the information. If it doesn't, it will be in contempt of court – and that will be a very serious matter indeed.



Yosserian Hughes said:

April 25, 2014 at 11:13 am

"That being said, I'm not breaking out the champagne yet; I've had too much experience of the government twisting a situation to suit itself. We must wait for the tribunal's decision. If that decision is in my favour, then we will still have to see if the DWP actually offers up the information. If it doesn't, it will be in contempt of court – and that will be a very serious matter indeed.".....

One more reason why I'm sceptical.

How many times have the DWP ignored the courts since 2010?

They're almost a law unto themselves,Withdrew hope from millions, they have.



Shaqui said:

April 26, 2014 at 5:21 pm

Thanks for clarifying Mike. Reading what Yosserian Hughes wrote after me, how is it the Government is allowed to ignore the courts? What allows it to do this? Or perhaps the question is, why do not the courts enforce their rulings with more clout? What makes the Government immune to the Law of the Land?



Stuart Coney said:

April 25, 2014 at 11:56 am

Outstanding work from an extraordinary human being. Thank you, Thank you, Thank you.



Rose-Marie McGinn said:

April 25, 2014 at 12:16 pm

Well done Mike for speaking your truth. Hopefully the tribunal will rule in your favour and get the figures released. You are being brave like a knight of old. Thank you for all disabled people we need a voice and the killing has to stop. Every life is sacred. Love Rose-Marie



prayerwarriorpsychicnot said:

April 25, 2014 at 7:19 pm

If more than one person disagrees with them that is a conspiracy. Huh!



prayerwarriorpsychicnot said:

April 25, 2014 at 7:19 pm

Reblogged this on Citizens, not serfs.

carolecarrick said:

April 25, 2014 at 10:16 pm



Reblogged this on [Carole...](#)



argotina1 *said:*

April 25, 2014 at 10:38 pm

Reblogged this on [Benefit tales](#).

Pingback: [Sickness benefit death statistics – a quick update | Vox Political](#)

Pingback: [Government Stays Away From Benefit Deaths Tribunal In Cardiff | ukgovernmentwatch](#)



vicmart009 *said:*

April 26, 2014 at 6:37 pm

Hi Wonder man ! Your achieving so much for the few I am ecstatically joyous. You have made an old man very very happy . A really fantastic result on your part. You have as one member of our species triumphed against the beasts of inhumanity. For that I Thank you Mike !
I have for the first time made a small donation to enable you continue your blogging & I have also just downloaded your e book. One day I hope to meet you in person if you are ever in North Wales then a lunch & or dinner awaits you . This shall be my treat & privilege for giving to us people in the disability world a real hero.
Mike Sivier author of VoxPolitical I salute you!



Mike Sivier *said:*

April 26, 2014 at 7:00 pm

Thank you very much for the kind words, the donation, and for buying the book.

I should extend those thanks to everybody who has donated to Vox Political – you really do make a difference because I really do live on a shoestring budget.



Nina *said:*

April 27, 2014 at 12:13 pm

Hi Mike,

Late to this, but I wanted to say thank you to you for going after it, and to Mr. Miller too, of course. It's incredibly important that this information is made public. I'm just glad there are campaigners like you around. I have the will, but not the mental, emotional or physical stamina and capacity to do these things.

It speaks volumes about the mindset of the people holding the information that they consider requests by more than one individual to be "vexatious" when logically, it's just an indicator of how much public interest there is in the figures. Officials shouldn't be surprised to find that more than one person has had the idea to use the FOI act to obtain the statistics. Yes, even twenty-three people.

Perhaps, if this wasn't about seriously ill and dying people, there'd be

more than twenty-three. Most of those who need this information to go public, like me, are literally too ill to chase it.

So, thank you from the bottom of my heart for everything you do.



Kushal *said:*

May 3, 2014 at 8:39 pm

For whom the Bell tolls Eh !



stewilko *said:*

May 4, 2014 at 6:09 pm

Reblogged this on [stewilko's Blog](#).