

Closed for business



Annie Makoff looks at the implications of the Independent Living Fund being wound down – and talks to some who fiercely oppose the move...

Last month, five disabled claimants in receipt of the soon-to-close Independent Living Fund (ILF) took the Department for Work and Pensions to court in an unprecedented legal challenge brought by disabled people.

The claimants – Stuart Bracking, Gabriel Pepper, Paris L'amour, Anne Pridmore and John Aspinall – attended a two-day judicial hearing at the High Court, alongside a host of campaigning organisations, other disabled people and key sections of the media, including the BBC and Channel 4.

The government's announcement in December last year that the ILF was closing from 2015 came as a further blow to those dependent on additional funds to help them live independently, following on from the announcement in 2010 that the ILF would be closed to new applicants.

Simplifying the system?

In a statement released by the DWP at the time, Minister for Disabled People Esther McVeigh insisted that the ILF was closing to simplify the system, and that disabled people would continue to be supported through local authority care arrangements. She said: "How disabled people are supported to live independent lives has changed drastically over the past

20 years – and how we provide that support needs to change with it. That's why we want to make sure there's one simple and fair system – through personal budgets – that gives disabled people the control they need to make the choices right for them."

But the announcement followed what campaigners say was a flawed and vague consultation process, and it

is this process that the five claimants were challenging in the courts, rather than the closure of the ILF itself.

Tracey Lazard is the CEO of Inclusion London, an organisation for deaf and disabled people. She

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described the government's consultation as a 'sham consultation', which 'completely ignored the views of disabled people and the majority of local authorities'. She told us, "We have a slogan at Inclusion London, which is 'No ILF, no life'. Without ILF we're going to see a whole generation of people with higher support needs shut away from society, unable to participate, isolated in their homes or incarcerated in residential care institutions. It's absolutely devastating for ILF users, but it's also devastating for society. What kind of society do we want to live in that shuts away our disabled citizens?"

During the hearing, the prosecution barrister told the court that the Secretary of State had failed to take into account the impact the closure of ILF would have



Juliet Marlow, who has been receiving ILF since 1992 – "Without my PAs my life would be unbearable."



on disabled people, and that the consultation itself was 'deeply flawed' and 'unlawful'. The lack of clarity, he argued, meant that those responding to the consultation were unable to do so in a meaningful way.

"My case is that they failed to do what our laws told them to do," he said. "It was also not public knowledge – until now – that the decision to close the Independent Living Fund was a foregone conclusion."

Gabriel Pepper, one of the claimants involved in the judicial hearing, told us that disabled people's human rights are being violated, and holding the Secretary of State to account by taking them to court was 'absolutely necessary'. "Our case was supported legally by the Equality and Human Rights Commission," he said. "Closing ILF will destroy the lives of every disabled person who relies on it."

"I won't be able to do anything at all"

To find out more about the impact the closure of the ILF will have on disabled people, I spoke to ILF recipient and wheelchair-user Sophie Partridge, who attended the hearing and who has been on ILF since it first began in 1988.

"I need somebody around pretty much all the time," she explains. "I need help with all aspects of personal care – domestic duties like cooking and cleaning, and someone to help me when I'm out and about. Without ILF I have no independence. I won't be able to do anything at all, and that's the truth of it."

The ILF Sophie receives enables her to employ full-time personal assistants so that she can live an independent life and get out to work every day. But like other disabled people on ILF, she is concerned about what will happen in 2015 when the scheme closes, because, she says, "No one has any idea. It's all so vague."

Hampshire-based Juliet Marlow agrees. Having been on ILF since 1992, she is worried how she will cope when ILF is closed. "I employ two personal care assistants thanks to ILF. They help me with everything, from cleaning and cooking to taking medication, opening post and going to the doctor," she says. "Without my PAs my life would be unbearable, and I don't use that word lightly."

For both Juliet and Sophie, a life without ILF would be nigh on impossible. Both fear that the decision to close it and transfer responsibility over to local authorities and already stretched social services will result in a postcode lottery and a system collapse.

'Fair process'

"The big thing that came out of the judicial hearing was the bombshell that there isn't going to be any money to ring fence – once ILF is closed, that's it," Sophie explains. "It's pitting people against each other. People with moderate needs are going to lose out most because the local authorities can't afford to help everyone; there just isn't the money. I don't want someone with moderate needs to lose out because of my needs. Who is to say what is moderate and what is critical, anyway?"

She recalls a comment made recently by Ester McVeigh to a disability campaigner, where she queried the amount of money currently given to



Image courtesy of Pete Riches (via Flickr)

disabled people on ILF. "She said 'isn't that a bit much?' McVeigh is putting a price on disabled people's lives and she's saying 'you're not worth it.'"

The government insists that its decision to close ILF was based on a fair process and was done to simplify the system, reduce bureaucracy and cut down on 'unnecessary' duplicate payments. Yet regardless of motives, stopping a payment which is a lifeline for thousands of disabled

people is going to have dire consequences. Sophie and Juliet fear local authorities and social services won't be able to cope with the added pressures on them, and disability organisations like Disabled People Against Cuts (DPAC) and Inclusion London fear it will force more people in residential care, denying them independent lives.

"The ILF was the single most important thing for disability independence. To take it away is just cruel," says Juliet. "It's a step backwards for our human rights. I just can't put into words the feeling of dread I wake up with every day. Carers employed by disabled people will lose their jobs and disabled people will lose their dignity and independence. Disabled people will lose all the things we hold dear – our self-esteem, our dignity, our mental health, our ability to participate and contribute to society. Without being able to pay for decent care, we have no access to these things. Who knows what will happen to us come 2015?"

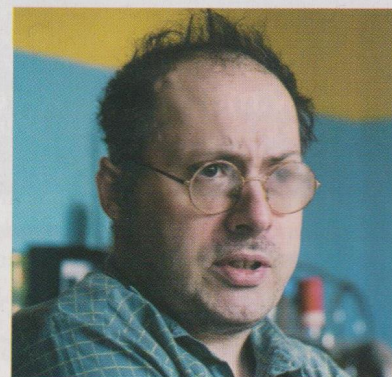


Image courtesy of Charles Shearer.
<http://photos.snaptoughts.com>

Gabriel Pepper was among the five ILF claimants bringing a legal challenge against the DWP in a High Court judicial hearing

Further information

To find out more about the work of Inclusion London, contact **020 7237 3181** or visit **www.inclusionlondon.co.uk**