

# Lambeth Equality Commission

## A Lambeth for all Residents

### Briefing paper 7: Disabled adults

## Introduction

### Lambeth Context

Lambeth is home to almost **38,700 people (12.7% of the population) who say their day-to-day activities are limited by a long-term illness or disability**, about 18,600 limited a lot (6.1%) and about 20,100 limited a little (6.6%). This is a relatively low rate across the population when compared to the rest of London (14.2%) and England (17.6%).<sup>1</sup> Similarly, of those that responded to our latest Resident's Survey, 6% classify themselves as having a long term limiting illness or infirmity, 5% say they have a disability and 2% say they have both.<sup>2</sup>

We also know that **20,477 people (6.7% of Lambeth's population) provide some level of unpaid care**, which is lower than the inner London average at 7.3% but a 10% increase since the 2001 census. There are 3,172 carers supporting people between 20 and 49 hours a week and 4,270 carers supporting people for over 50 hours or more.<sup>3</sup> And 2,400 of these were aged 24 and under (595 in the 0-15 age bracket and 1,808 in the 16-24 age bracket).<sup>4</sup>

**Lambeth has relatively high levels of pupils with Special Educational Needs and Disabilities (SEND)** 17.8% of all pupils in Lambeth have SEND – this includes all those with a statutory plan of SEND (a statement or an Education, Health and Care plan) and those receiving SEND support (previously school action and school action plus). This compares to an average of 14.6% across all London boroughs. 3.5% of all pupils in Lambeth have SEND statements or Education, Health and Care (EHC) plans, compared to an average across London boroughs of 2.8%.

**There are some groups of children who are more likely to be diagnosed with SEND** - Nationally, 21.6% of children with SEN are Black Caribbean – the third highest group after Traveller of Irish heritage (34.5%) and Gypsy / Roma (30.8%).

**More than half of Lambeth's residents claiming out of work benefits are getting an incapacity-related benefit** – Employment and Support Allowance (ESA) is a benefit specifically aimed at those who are unable to work due to incapacity and has largely replaced Incapacity Benefit (IB). There are 12,550 people of working age in Lambeth claiming incapacity-related benefits, which is well over half

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<sup>1</sup> [Table KS301EW](#), Census 2011

<sup>2</sup> [Lambeth Residents Survey 2016](#)

<sup>3</sup> [Table KS301EW - Health and provision of unpaid care](#), Census 2011

<sup>4</sup> [Table LC3304EW - Provision of unpaid care by age](#), Census 2011

(61%) of all key out-of-work benefit claimants. This is 5.2% of the population aged 16-64 in Lambeth, which is above the London average (4.9%) but below that for Great Britain as a whole (6.2%).<sup>5</sup>

## Defining disability

You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. 'Substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed, and 'long-term' means 12 months or more. There are special rules about recurring or fluctuating conditions like arthritis, and anyone with HIV, cancer or multiple sclerosis automatically meets the disability definition under the Equality Act 2010 from the day they're diagnosed.

An impairment is defined as long-term limitation of a person's physical, mental or sensory function. A disabled person may have an impairment or illness from birth, acquire one at any stage in their life or have one that is intermittent e.g. conditions like sickle cell anaemia.

According to the PANSI projections from the Department of Health,<sup>6</sup> among the working age population in Lambeth there are:

- 19,194 adults with a moderate or serious physical disability,
- 5,771 adults with a learning disability,
- 37,605 adults with a common mental disorder,
- 6149 adults with a hearing impairment,
- 152 adults with a serious visual impairment,
- 2,364 adults with an autistic spectrum disorder,
- 147 adults with Down's syndrome, and
- 5,885 adults with diabetes.

## Mental Health

The Equality Commission will focus on disabled people with all types of impairments and illnesses, but will not be looking to replicate the work of the recent Lambeth Black Health and Wellbeing Commission<sup>7</sup>, with its primary focus on mental health. This was a detailed piece of work into the inequality faced by, in particular, the black community when it comes to mental health and wellbeing. Whilst the report established that mental health issues disproportionately affect Black African and Caribbean residents in Lambeth, it also concluded that changes put forward "should benefit everyone in Lambeth regardless of their background." The recommendations are still being implemented and monitored, with a firm commitment by the council and its partners to implement those recommendations fully. The Lambeth Equality Commission will therefore pay regard to those

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<sup>5</sup> August 2016, [Nomis web, ONS](#)

<sup>6</sup> Projecting Adult Needs and Service Information (PANSI), 2014 – [www.pansi.org.uk](http://www.pansi.org.uk)

<sup>7</sup> [From Surviving to Thriving](#), June 2014

recommendations, whilst focussing in the main on understanding the impact and causes of inequality for those with physical, sensory and learning disabilities.

## Social Care

Lambeth Adult Social Care (ASC) services provide help to vulnerable adults needing physical and/or emotional support to do things most of us take for granted, including day to day activities like getting up and going to bed, having a shower, travelling, shopping and housework. The [Care Act 2014](#) consolidates the range of duties for local authorities across adult social care; this includes promotion of wellbeing, assessing needs and defining eligible need, providing information and advice, services for carers, safeguarding and the transition for children to adult services.

- Lambeth's spend on adult social care services in 2015/16 was £75.1m
- There are currently 4,064 people<sup>8</sup> receiving a service from ASC:
  - 691 adults with a learning disability,
  - 875 adults with a physical disability,
  - 373 adults with a mental health problem.

The Children with Disabilities (CWD) team in Lambeth currently works with around 250 disabled children and young people between the ages of 0 and 18, typically providing a range of different care packages that meet their personal care needs<sup>9</sup> or providing short breaks<sup>10</sup>. Care packages may include the provision of domiciliary carers in the home, Direct Payments (where parents and carers employ a personal assistant to support them with their disabled child) and a range of commissioned services that offer parents and carers short breaks. The majority of disabled children that will continue to require social care services into adulthood have a learning disability – of the 19 young adults currently in the 'transitions to adults' group in Lambeth, 17 have a learning disability.

## Disability and inequality – key themes

There is substantial evidence that disabled people experience inequality across every crucial aspect of their lives<sup>11</sup> (recognising that disabled people are not a homogeneous group and that depending on the nature of their disability, some issues may be more or less important).

## Education

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<sup>8</sup> This includes Older People, who themselves are disabled due to physical frailty or mental illness such as dementia.

<sup>9</sup> Pursuant to Chronically Sick and Disabled Persons Act, 1970

<sup>10</sup> Pursuant to s.17 Children Act, 1989

<sup>11</sup> [Papworth Trust - Disability Facts and Figures 2016](#)

- **Disabled young people are less likely to have formal qualifications** - A national study<sup>12</sup> showed that at the age of 19, 28% of disabled young people do not have a qualification higher than Level 2 (GCSE or equivalent) and 53% do not have a qualification higher than Level 3 (A-Level or equivalent), compared to 17% and 42% respectively, for non-disabled 19 year olds.
- **Disabled young people are more likely not to be in education, training or employment:** The same study showed that disabled young people are twice as likely as their non-disabled peers to not be in any form of education, employment or training (NEET) and then twice as likely as non-disabled people to stay in the NEET group for more than 12 months.
- **Disabled adults are significantly less likely to be qualified than their non-disabled counterparts:** Disabled adults are nearly three times as likely to have no formal qualifications as non-disabled adults, 30% and 11% respectively,<sup>13</sup> and working age adults with impairments are twice as likely as their peers to experience barriers to education and training opportunities.<sup>14</sup>

### What is Lambeth doing?

**Specialist provision** – The majority of Lambeth pupils with SEN are taught in mainstream schools, however specialist provision is available at one of six special schools or 11 Resource Bases, which are located in mainstream schools but have a separate admissions process for children and young people through the SEN admissions process. The council carried out a comprehensive needs analysis to determine specialist education capacity requirements up to 2018, and this identified the most prevalent need in Lambeth was for specialist provision to support children and young people with Autistic Spectrum Disorder (ASD). To meet some of this need, the council is also working in partnership with National Autistic Society to provide a secondary 75 place ASD school (The Vanguard School). A site has now been identified and children are expected to start attending the school from January 2018. A more detailed paper on Special Educational Needs and Disability (SEND) will be circulated separately.

**Lambeth Adult Education** - Lambeth Council's Adult Learning (LAL) service is funded by the Skills Funding Agency (SFA) to provide education and training across the borough to adults aged 19+ living and working in the borough. The service procures community based provision from providers on its framework contract. Seven providers have been subcontracted to deliver adult community learning in 2016-17: Morley College, MI ComputSolutions, Lambeth Family Learning, High Trees Community Development Trust, Independence, Spires and Tree Shepherd. The service aims to widen participation in lifelong learning and promote social inclusion in Lambeth; and, give Lambeth residents the skills and confidence to progress to further learning and/or employment and make progress in their lives.

### **Income & Employment**

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<sup>12</sup> DfE Youth Cohort Study and Longitudinal Study of Young People in England, 2011

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/219058/b01-2011v2.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/219058/b01-2011v2.pdf)

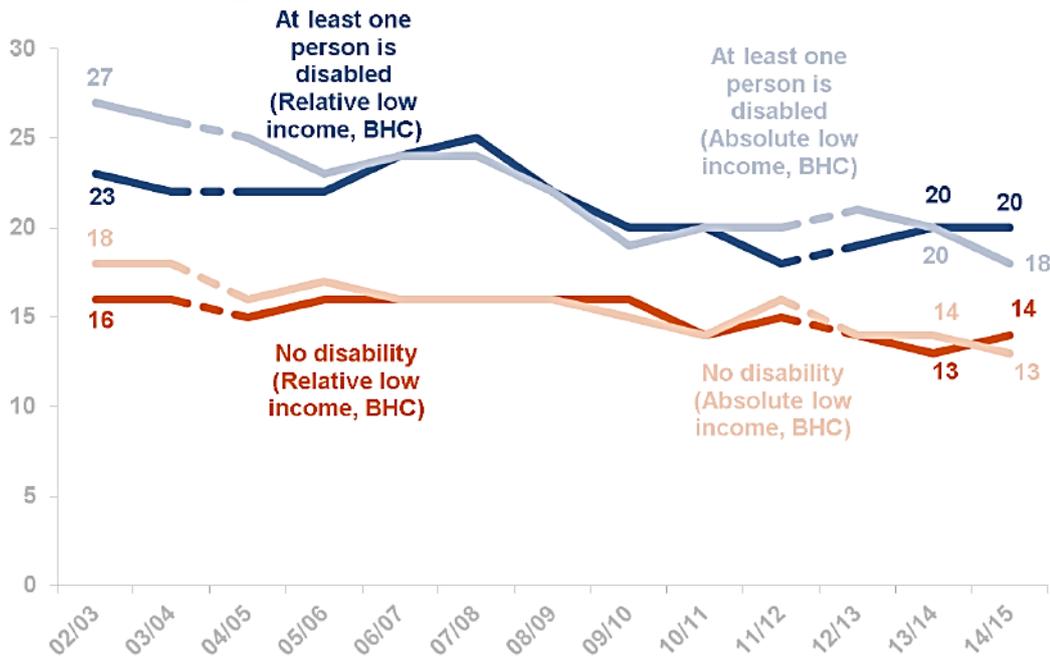
<sup>13</sup> ODI, Measuring National Well-being – Education and Skills, 2012 [www.ons.gov.uk/ons/dcp171766\\_268091.pdf](http://www.ons.gov.uk/ons/dcp171766_268091.pdf)

<sup>14</sup> ONS Life Opportunities Survey 2014, Wave 2, Part 2 results [www.gov.uk/government/statistics/life-opportunities-survey-wave-2-part-2-results](http://www.gov.uk/government/statistics/life-opportunities-survey-wave-2-part-2-results)

**Poverty and income inequality**

- **Disabled residents are more likely to be affected by higher rates of poverty and income inequality** - not only because they are more likely to be unemployed or economically inactive, but because there is a much higher cost of living for disabled people and those sharing a household with a disabled person (see Chart 1).

**Chart 1: Percentage of people in relative and absolute low income BHC\*, by family disability**



\*BHC – before housing costs

Source: [Households below average income: 1994/95 to 2014/15](#) DWP, 2016

**Children living in a household with a disabled adult are twice as likely to live in poverty** – The rate of material deprivation amongst children living with at least one disabled adult 45.1% (compared to 22.4% for children living with non-disabled adults).<sup>15</sup>

**Families with disabled children are likely to be poorer** – The average income of families with disabled children is £15,270, which is 23.5% below the UK mean income of £19,968.<sup>16</sup>

**The practical cost of disability is significant** – Income inequality for disabled people is made worse by the fact that they often face additional financial pressures. It is estimated disabled people spend on average £550 per month on extra costs related to their disability,<sup>17</sup> for things like additional heating costs, specialist equipment, taxis to get to work when there is no accessible transport and higher costs of insurance.

<sup>15</sup> [Living standards, poverty and inequality in the UK](#), Institute for Fiscal Studies, 2012

<sup>16</sup> Contact A Family, Counting the Costs 2010

<sup>17</sup> [Priced Out](#), Scope 2014

Benefits such as Disability Living Allowance (DLA) and Personal Independence Payment (PIP) are intended to help with some of the extra costs caused by long-term ill health or disability. In Lambeth:

- around 11,000 people claim DLA<sup>18</sup> and 3,995 people claim PIP,<sup>19</sup>
- the vast majority (83%) of claimants have been receiving DLA for more than five years, and
- 61% of DLA claimants are of working age<sup>20</sup>, which means they will be expected to make a new claim for support through PIP as it is rolled out across the country to replace DLA.

The rollout of PIP has not been without controversy, and there have been multiple delays in its implementation as well as widespread criticism of the assessments process, with the National Audit Office, Work and Pensions Committee and Public Accounts Committee, describing the level of service and long waiting times for assessment as unacceptable.<sup>21</sup>

- When PIP was introduced, it was expected that around 600,000 fewer people would be eligible compared to those that would have got DLA, and expenditure would be £2.5 billion a year lower than it would otherwise have been.<sup>22</sup>
- There has been a great deal of criticism about the impact of PIP<sup>23</sup> and the risk that help and support for disabled people will be restricted, with reports that people with epilepsy, learning disabilities, diabetes, anxiety and dementia likely to be hit hard by the PIP changes.
- Last year two tribunals investigated the new PIP criteria and both ruled in favour of changes that allow would more people who need this support to be able to access it.
- The Department for Work and Pensions (DWP) said these changes would cost the government £3.7 billion more by 2022 and since the rulings, the government has rewritten legislation to stop these changes from happening.

### Out-of-work benefits

- **Unemployed people are almost twice as likely as those in employment to have a limiting long-standing illness or disability (17% compared with 9%).<sup>24</sup>**

Some residents claiming ESA/IB will be included in the estimates of unemployment, but others may “economically inactive” instead, in the category of long-term sick or disabled. Of the 39,800 people aged 16-64 who are economically inactive in Lambeth (including other groups such as retired, full-time students, looking after the home), around 27% want a job<sup>25</sup>.

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<sup>18</sup> August 2016, DWP Stat-Xplore

<sup>19</sup> October 2016, DWP Stat-Xplore

<sup>20</sup> August 2016, DWP Stat-Xplore

<sup>21</sup> [Introduction of Personal Independence Payment](#), House of Commons Briefing paper - Number 06861, 15 June 2015

<sup>22</sup> [Introduction of Personal Independence Payment](#), House of Commons Briefing paper - Number 06861, 15 June 2015

<sup>23</sup> ['PIP is a disaster for disabled people'](#), The Guardian, June 2016

<sup>24</sup> ONS 2014, Adult Health in Great Britain, 2012, [www.ons.gov.uk/ons/dcp171778\\_355938.pdf](http://www.ons.gov.uk/ons/dcp171778_355938.pdf)

<sup>25</sup> [Nomis](#), ONS Annual Population Survey, Jan 2016 update

Current government policy means that many ESA/IB claimants are being required to engage in “work-related activity” and sanctions are imposed for those who do not attend specific groups or meetings. Independent research has raised concerns over the quality of ESA assessments especially for those with mental health support needs or learning difficulties. This results in high numbers of vulnerable residents been unfairly refused benefit or facing reductions in their benefit from them being sanctioned. These vulnerable residents are then left to live on very low incomes, often driving them to the choice between eating or paying essential bills. More than 40,000 people have been sanctioned since 2012 by having their benefits cut, which has often pushed vulnerable disabled people into further deprivation.<sup>26</sup>

### **The disability employment gap**

Among the working age population, 80% of people without a disability are employed compared to 50% of disabled people<sup>27</sup> and this ‘disability employment gap’ has remained at around 30% for more than a decade. In Lambeth, the employment rate for working age non-disabled residents is 82.5% and for working age disabled residents it is 47.7%, which is lower than the comparable rate for London (51.4%).

The government has committed to halving the disability employability gap and the Work and Pensions Committee recently published a Disability Employment Gap Inquiry report,<sup>28</sup> concluding that a bold and ambitious approach would be needed to achieve this. Among the series of recommendations they have called on the government to:

- produce a Disability Employment Strategy with support from business, health and education;
- carry out a proper evaluation of the [Disability Confident scheme](#);
- improve the information and support available for employers;
- test a range incentives for employers to take on more disabled employees;
- reform ESA Work Capability Assessments, which are fundamentally flawed, and introduce a senior disability specialist role for Work Coaches;
- reconsider the introduction of a lower ESA rate for new claimants, given the well documented pressures of higher living costs for disabled people; and
- tackle the lack of awareness about the [Access to Work scheme](#), which offers disabled people grants for practical support to start working, stay in work, move into self-employment or start a business.

### **Inequality in employment**

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<sup>26</sup> [www.independent.co.uk/news/uk/politics/disabled-esa-claimants-more-than-40000-benefits-docked-2012-dwp-work-and-pensions-welfare-a7584161.html](http://www.independent.co.uk/news/uk/politics/disabled-esa-claimants-more-than-40000-benefits-docked-2012-dwp-work-and-pensions-welfare-a7584161.html)

<sup>27</sup> [ONS, Table A08: Labour market status of disabled people, Feb 2017](#)

<sup>28</sup> [Disability employment gap inquiry - committee report, February 2017](#)

- **In the workplace, disabled people are more likely to say they have experienced unequal treatment compared to non-disabled people.** The top three types of workplace discrimination identified by employed adults with a health condition, illness, impairment or disability are: being given fewer responsibilities (17%), not being promoted (11%), and being refused a job (8%). 53% of working-age adults with impairments experienced barriers to work compared with 30% of adults without impairments, and the two most common barriers are a lack of job opportunities (43%) and difficulty with transport (29%). The two most commonly stated enablers for employment among this group are modified hours or days or reduced working hours, and access to transport.<sup>29</sup> Findings of a recent poll conducted by Scope revealed that 58% of disabled people have felt at risk of losing their job because of their impairment and 53% have experienced bullying or harassment at work, with 21% reporting they had been bullied by colleagues and 27% by an employer. One in five of the people surveyed (18%) had requested support or an adjustment that their employer didn't provide them with.
- **Disabled people in work are also likely to earn less than non-disabled people** and pay gap between disabled people and non-disabled people has increased by 35% since 2010.<sup>30</sup> Disabled men experience a pay gap of 11% compared to non-disabled men, while the gap between disabled women and non-disabled women is double this at 22%.<sup>31</sup>

### What is Lambeth doing?

**Every Pound Counts (EPC)** – EPC offers an end to end legal advice service for vulnerable people needing specialist support to maximize their benefits and is a service for the most vulnerable; those unable to access mainstream advice services for a variety of reasons: their mental health, physical health, cognitive impairment or learning difficulties, substance misuse, caring responsibilities, or because the advice they need is complex legally. Due to the complexity of the benefit system, it is estimated that only half of those entitled to additional support due to ill health or disability receive the correct benefits. EPC identifies those missing out as well as providing advice to those who present with specific benefit issues and helps reduce the impact of welfare reform changes by ensuring people are fairly assessed and are not wrongly denied key sickness and disability benefits. Over 90% of the tribunal appeals EPC supported are resolved in favour of the claimant (compared to less than 30% where claimants are unrepresented).

EPC gets around 3,000 referrals a year and last year supported around 1,600 vulnerable people to achieve individual income gains worth around £7m per year or £3,800 per person.

**Financial Resilience Strategy** – A refreshed Financial Resilience strategy was agreed for 2016-19, reaffirming our commitment to mitigate the impact of welfare reform by working with partners and stakeholders to support residents cope in difficult times. The strategy is a framework for helping people to help themselves, by enabling them to access and use resources to succeed in the long-term. The key priorities are increasing people's incomes – by accessing the right benefits, getting into work

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<sup>29</sup> ODI Life Opportunities Survey 2011, Wave One results, [www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011](http://www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011)

<sup>30</sup> [Priced Out](#), Scope 2014

<sup>31</sup> [How fair is Britain?](#), Equality and Human Rights Commission, 2010

and progressing in work – and increasing people’s financial capability – by being able to manage and plan finances, deal with debt and pay rent. Those with physical and mental health needs are one of the target groups the strategy intends to help get into work.

**Lambeth Working** – The council’s directly delivered and locally-focused employment support project offers end-to-end employment support to residents facing barriers to entering work. It identifies opportunities through development sites, supply chain contracts, end use jobs and existing employer networks and relationships to address inequality of opportunity for residents facing barriers to employment, including people with physical and mental health issues and the long-term unemployed people. For example, Lambeth Working worked closely with Sainsbury’s at Nine Elms on a programme to support residents into job created through the development – the successful candidates included one with a mental health condition, one with a learning disability, and one who had not worked for 35 years.

**Pathways to Employment** – This is a partnership between Lambeth, Lewisham and Southwark to offer person-centred employment support for residents with complex needs to ensure they do not end up becoming, or staying, long-term unemployed. Pathways is about trying to break through the silos that our most vulnerable residents get caught in all too often, and bringing together the work of multiple agencies and partners around the needs of an individual.

**Working Capital** – This also offers a person-centred approach to employment support, combined with a health assessment and health-related support, for those people who are long-term unemployed and on ESA. It is a 5-year pilot programme funded through the DWP, but delivered by local authorities across the central London area. It has been operating in Lambeth for just over a year, through a small team based in the Lambeth Living Well hub in Streatham Jobcentre. To date the job outcomes have been modest, but many of the residents on this programme have been out of work for many years (often over 20 years), and require a considerable amount of support before they are ready to access employment.

**The Camden Society** – Lambeth Council and the Camden Society through a DWP funded Flexible Support Fund programme, to deliver a project to support residents with learning disabilities and learning difficulties into appropriate employment opportunities. The project employs a full time employment advisor, and a part time employer engagement worker who work on a peripatetic basis, including co-location with Jobcentre Plus and with Lambeth Working at Brixton Library. From project commencement in July 2016, the project has supported 11 individuals into employment, including 3 into opportunities secured through relationships with Lambeth Working – two from S106 end use opportunities and one within the Council supply chain.

**Disability Confident scheme** – The council has promoted the government scheme by working alongside The Camden Society, DWP and Lambeth Working, to host a successful event with disabled people and 40 local employers in May 2016 at the Kia Oval. There was an opportunity for networking and for local employers to find out about support available to help them take on more disabled employees.

## Participation, Representation & Leadership

There is less available evidence on representation of disabled people in all sectors (including the local public sector), and the data that is available is less clear and straightforward than that for ethnicity. Disability data can also fluctuate wildly between years due to changes in the number of people who report it and there is concern that disability is vastly underreported, partly due to the fact that disabled staff may be concerned about being targeted in cuts due to their impairment. In addition, the definition of what constitutes a disability may vary according to the individual and employer collecting the data.<sup>32</sup>

Although there are gaps in the data, all available data suggests that:

- **Disabled people are underrepresented in public life**  
In 2013/14, 1 in 5 people were disabled, but only about 7.3% of public appointments and reappointments were filled by disabled people.<sup>33</sup> In the UK judiciary proportion of magistrates who have declared a disability is 4% and this has remained stable for the last 5 years. As of January 2016, there were no disabled British MEPs; five disabled MPs with a physical disability/sensory impairment and four who have self-identified as having mental ill health; 21 disabled peers and two disabled council leaders. The Local Government Association launched an ongoing programme in 2013 to encourage more disabled people to become councillors. The success of this programme is still being evaluated and there is little data available on the number of disabled councillors across the country.
- **Adults with an impairment from black or black British ethnic backgrounds report the highest number of life areas (for example, education or leisure) in which participation is restricted, while adults from white ethnic backgrounds report the lowest.**<sup>34</sup>

## Crime & Justice

- **Disabled people are significantly more likely to be victims of crime than non-disabled people**  
– This gap is largest amongst 16-34 year-olds, with 38% of disabled people reporting being victims of crime, compared to 30% of non-disabled people<sup>35</sup>. Furthermore, 56% of disabled people say they have experienced hostility, aggression or violence from a stranger because of their condition or impairment.<sup>36</sup>
- **Disabled people are more fearful of crime** – 46% disabled adults are 'very' or 'fairly' worried about being a victim of crime compared to 39% of non-disabled adults and disabled adults are

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<sup>32</sup> BBC, (2012) 'Doubts affect inconsistent police disability statistics'

<sup>33</sup> [Papworth Trust - Disability Facts and Figures 2016](#)

<sup>34</sup> ODI Life Opportunities Survey 2011, Wave 1 results [www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011](http://www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011)

<sup>35</sup> [EHRC analysis of British Crime Survey 2007-08, 2008-09 and 2009-10](#)

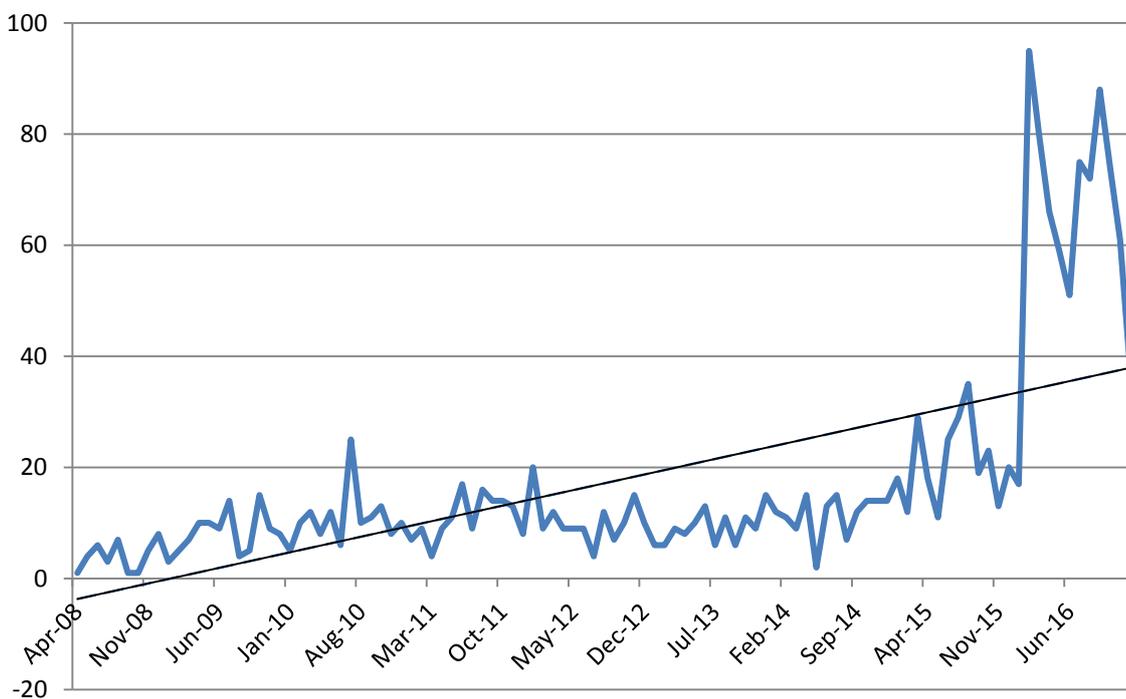
<sup>36</sup> [Scope, 2011](#)

also more likely to report feeling unsafe when walking alone after dark, worried about being physically attacked by strangers, and worried about being insulted or pestered by anybody.<sup>37</sup>

### Disability hate crime and 'mate crime'

The Metropolitan Police Service (MPS) defines a 'Hate Incident' as "any incident that is perceived by the victim or any other person to be racist, homophobic, transphobic, or due to a person's religion, belief, gender identity or disability." Chart 2 shows the number of disability hate crime victims has steadily increased since 2008 and the spike in recent months was explained by the MPS as due to increased police activity in some boroughs.

**Chart 2: Disability Hate Crime victims across London**



**Source:** MPS Recorded Crime Figures and Associated Data<sup>38</sup>

Mencap suggest that 9 out of 10 people with a learning disability have been a victim of hate crime and bullying<sup>39</sup> however many incidents of disability hate crime go unreported. The most common reasons given for not reporting incidents were: the police could not have done anything (36%); the police would not have been interested (31%); or the incident was too trivial to report (17%).

'Mate crime' is a hidden form of disability hate crime that is rarely reported, where vulnerable people, such as those with learning disabilities, are bullied or manipulated by people they consider to be friends. This can include being manipulated to engage in criminal activity and means that vulnerable individuals are drawn into the criminal justice system.

<sup>37</sup> [EHRC analysis of British Crime Survey 2007-08, 2008-09 and 2009-10](#)

<sup>38</sup> [GLA Datastore](#)

<sup>39</sup> Mencap, 'Living in Fear', 2000

## Learning disability in the criminal justice system

There is evidence to suggest that people with learning disabilities are also over represented in the criminal justice system as perpetrators. A lack of understanding around mental illness, learning disability and hidden disabilities and conditions, like Autistic Spectrum Disorder conditions and Asperger's Syndrome, means disabled people face discrimination and inequality at every stage of the criminal justice system.

Although there are no Lambeth specific statistics available, but a literature review conducted by No One Knows<sup>40</sup> showed that 20-30% of prisoners have learning disabilities or difficulties that interfere with their ability to cope within the criminal justice system.

According to the ARC charity:<sup>41</sup>

- people with ASD conditions are seven times more likely to come into contact with the police than the general population,
- 15% of young people in custody are on the autistic spectrum (even though they make up just over 1% of the population),
- young people with learning disabilities are ten times more likely to find themselves in custody than the general population and represent 30% of people in custody.

The Lord Bradley review in 2009<sup>42</sup> suggested 'the police stage in the offender pathway provides the greatest opportunity to effect change'. However, the Criminal Justice Joint Inspection in 2014<sup>43</sup> concluded little had changed to introduce a more effective screening process on arrest for detainees with a learning disability. This means there remains a missed opportunity to divert offenders with learning disabilities to more appropriate services, or at least to ensure they are dealt with appropriately as they progress through the system. The inquiry's key criticism is that as there is no agreed definition across criminal justice and health organisations about what constitutes learning difficulties or disabilities, there is no way of knowing the number of people with such conditions in the system or of tracking progress to improve the support available to them.

## What is Lambeth doing?

**Hate Crime** – The Safer Lambeth Partnership's four main priorities for the next three years were chosen based on the volume, severity and impact of these crime types in Lambeth and these are: Serious Youth Violence, Violence Against the Person, Violence Against Women and Girls and Anti-Social Behaviour. Even so, hate crime remains one of the council's key areas for our vulnerable victims' process. This is a multi-agency case management system to tackle cases where the victim is at particular risk of harm, or that repeated offences are increasing the risk to the victim. The police, council, housing and health services all contribute and refer victims into this process, and it is our primary response to ensuring the most vulnerable residents in the borough are protected. Each

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<sup>40</sup> [Prison Reform Trust programme](#), 2008

<sup>41</sup> [Association for Real Change](#)

<sup>42</sup> [The Bradley Report 2009](#)

<sup>43</sup> ['A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system'](#), Jan 2014

neighbourhood community safety team also has one more senior officer who has additional duties based on a specialist area of expertise. Hate crime has been identified as one of those specialist areas and this ensures that community safety staff are aware of hate crime, can recognise it when it occurs and know what to do in those circumstances. This officer will be expected to advise on and potentially manage any hate crime cases that the service tackles anywhere in the borough.

Unfortunately, significant funding cuts from central government have meant the council has had to make difficult decisions around the services we offer to residents, and we no longer have a specialist hate crime prevention post or a separate hate crime strategy. This does not mean that we are ignoring hate crime, but our level of dedicated work is reduced. Lambeth Police obviously continue to tackle any hate crime where it is reported, and we encourage all residents to contact them if they are subject to or witness a hate crime. We maintain our Hate Crime blog which contains information for residents on hate crime and who you can report it to at <https://lambethhcc.wordpress.com>.

The Safer Lambeth Partnership will monitor levels of hate crime and currently the police are not reporting a significant increase in hate crime in the borough, but we are mindful of the issues around reporting hate crime and we will continue to monitor it at our partnership meetings.

**Police involvement with local Autism Support Group** – This has helped raise awareness of the issues and has given people with autism the confidence to raise their concerns with the police. Stockwell police station is a particularly good example of somewhere residents with learning disabilities feel more comfortable contacting the police, as it is a quieter and more friendly environment.

**Lambeth's Learning Disability Service User Forum** – The Forum has been working with the Hidden Voices Safeguarding project to improve the safeguarding experiences of people with a learning disability. The Learning Disability Assembly worked with Lambeth's Community Safety Team in Lambeth to put on a 'mate crime play' to raise awareness of this issue.

**Learning Disability Assembly (LDA)** – The co-chair of the Lambeth LDA is working with the police as part of a project group. They have met with the Detective Constable Safeguarding Unit TP Capability and Support to get an idea of what is happening across London and the Chief Inspector, Strategic Engagement & Partnership in Lambeth to increase police awareness of the issues facing disabled people when they try and report crime. The group is planning to survey people with a learning disability and autism about their experiences of the police and reporting crimes, and help with learning disability / autism awareness training for new Police Officers and Police Community Support Officers. The group is also meeting with the Crown Prosecution Service (CPS) to look at how evidence is collected and how the whole court process works with people with a learning disability / autism.

## **Other key issues**

As well as the four main themes the Commission is focussing on, initial feedback from the meetings we have held so far tells us there a number of issues that disabled residents are concerned about. These include:

## Health & wellbeing

The proportion of Lambeth residents who rate their general health as bad or very bad is notably higher among those who have a disability (31%) or a longstanding illness or infirmity (22%), are retired (20%) and are aged 65 or over (15%). Residents who have a disability are significantly the most likely to report their general health as very bad (10% doing so compared to 1% overall).<sup>44</sup>

People with learning disabilities or long term mental ill health on average die 5 to 10 years earlier than the general population, often from preventable illnesses, which is why accessible healthcare services and raising awareness of maintaining good health is a key priority to help adults with learning disabilities in particular.

### What is Lambeth doing?

**Learning disability health checks** – NHS Lambeth CCG has a target to ensure that 95% of people with learning disabilities in the borough get a health check with a GP and that 50% have a resulting care plan to support them. At the moment, around 54% of people eligible for the Learning Disabilities Health Check in Lambeth are receiving it.<sup>45</sup> To promote this work, information leaflets in easy read format have been produced as well as raising awareness through the Lambeth Learning Disability Assembly by organising Big Health Days.

**Right for Everyone** – This programme is being led by Healthwatch Lambeth, in partnership with the Lambeth Learning Disability Assembly, Lambeth Mencap and Lambeth CCG and supports people with learning disabilities to visit a range of health services in the borough to assess whether they are 'right for everyone' and to test if they are able to effectively meet the needs of people with learning disabilities.

## Housing

Lambeth, like the rest of London, is facing a growing housing crisis with increasing demand for additional housing of all types and tenures. However, this is felt more acutely by disabled residents as there is a shortage of housing that is specifically designed to meet disabled people's needs.

Disabled people face a disproportionate likelihood of living in a deprived area, are more likely than non-disabled people to live in poor housing<sup>46</sup> and are twice as likely as non-disabled people to be social housing tenants.<sup>47</sup> The majority of people with a learning disability (76%) either live with family and friends, or in a registered care home or supported accommodation. Of those living with family and

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<sup>44</sup> [Lambeth Residents Survey 2016](#)

<sup>45</sup> <http://www.lambethccg.nhs.uk/Practice-Portal/resources/Pages/Learning-Disability-Health-Checks.aspx>

<sup>46</sup> [English Housing Condition Survey 2007](#), DCLG 2009

<sup>47</sup> [English Housing Survey Headline Report 2011-12](#), DCLG, 2013

friends, most want greater independence, with around 70% wanting to change their current housing arrangements to achieve this.<sup>48</sup>

### What is Lambeth doing?

**Sheltered housing** – Lambeth’s older people’s housing programme started in November 2013, to modernise and improve sheltered housing schemes across the borough, which are especially for older and older disabled people. So far 550 homes have been refurbished, including new kitchens, bathrooms, windows and heating. A new sheltered housing service, funded from service changes, has been co-produced with tenants and the Sheltered Tenants’ Forum; and tenants from the first schemes to close for redevelopment or disposal are due to move into their new purpose built extra care homes in the next few weeks; with plans underway with a wide range of partners to deliver more new specialist homes for older people and older disabled people.

**Coburg Crescent** – The council is currently developing plans for a fit-for-purpose resource hub and specialist housing provision for service users with a Profound and Multiple Learning Disability at Coburg Crescent. It will offer much-needed flexible space for a wide variety of person-centred services, better joined-up standard of care, and a wider range of activities and meeting service users’ increasingly complex support needs day services provision. There will also be community space and a café that will employ people with disabilities, short term accommodation offering much needed breaks for family carers, a shop and long term accommodation for adults with learning disabilities and physical disabilities.

**Housing and wellbeing pilots** – Housing and Adult Social Care are working together to move small numbers of people with mental health problems or learning disabilities/difficulties from residential to community settings with the appropriate level support to help them sustain their tenancies. The aim is to help these individuals improve their wellbeing by enjoying more independence and reducing their social isolation and exclusion, at the same time as reducing reliance on more expensive types of housing that might not be necessary or serving the best interests of that individual. If individuals are assessed and thought not to be able to sustain a tenancy in the private rented sector, they will be offered social housing where available. For those with learning disabilities, we are considering the kinds of tenancy so that two clients are able share a property supported by live-in workers. The first offers are being made now and tenancies will be monitored closely to see if they can be sustained over time (every 6 months) and what the savings realised are. More importantly, we will measure clients’ wellbeing before and after our intervention to ensure any moves are about enhancing people’s independence and autonomy, whilst improving their wellbeing.

**Aids and adaptations** – The council has recently pooled together funding from the Disabilities Facilities Grant (DFG), the Integrated Disabilities team and the Aids and Adaptation budgets within the Lambeth Housing Standard (LHS) programme to enter into a framework agreement for bathroom adaptation works. The framework contract will offer the council more flexibility to do this work and provide a faster turnaround time for works that are required often at short notice to enable residents to leave hospital and move back into their own homes.

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<sup>48</sup> [Housing for people with a learning disability](#), Mencap

**Planning for future needs** – The council’s housing and social care teams are working together to producing a Joint Service Needs Assessment, to improve our understanding around specialist housing requirements. This will help us make the best use of our existing housing portfolio and determine who we need to build housing for and to ensure that future developments, particularly council-led developments, can provide the range and type of housing needed to meet the needs of disabled residents and their families in Lambeth.

## Public realm and transport

Disabled people travel less often due to accessibility issues, which can increase social isolation and exclusion, and puts them at a disadvantage compared to non-disabled people. Transport is often the biggest concern for disabled people in their local area – with pavement/road maintenance, access, and frequency of public transport being reported as the biggest issues – and 75% of disabled adults saying they experience barriers to using transport, compared to 60% of adults without an impairment.<sup>49</sup>

Mobility impairments tend to affect older people more than younger people – 31% of those aged 70 or over have problems walking or using a bus, compared with 3% of those aged 16 to 49. Those reporting mobility impairments make fewer trips on average, across all age groups. This is largely due to fewer trips as a car/van driver or by walking. The proportion of disabled people experiencing difficulties using public transport has fallen in recent years.<sup>50</sup>

In London, all buses are wheelchair accessible, all black cabs are wheelchair accessible, and access to all trams is step free. There are now 197 London Underground, London Overground, Docklands Light Railway (DLR) and Tramlink stations and stops with step-free access, with another 40 stations being made step-free in the next 10 years.<sup>51</sup>

## What is Lambeth doing?

**Accessible Transport support** – Disabled Person’s Freedom Passes offer disabled residents access to free travel across London and most national rail networks. The council processes applications from Lambeth residents and issued 1,450 Passes last year, including 96 organisation badges. Lambeth is one of the boroughs also running a Discretionary Disabled Person’s Freedom Pass, for people that do not qualify under the statutory eligibility criteria, but fall into certain categories of mental health service users. There were 31 Discretionary Freedom Passes issued last year. The council also administers the disabled parking permit (Blue Badge) scheme, which allowing Blue Badge holders as drivers or passengers to park close to their destination. There were 1,992 Blue Badges issued in the last year and Lambeth is one of the only boroughs to waive all charges for Blue Badge holders renting a garages on one of Lambeth’s estates.

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<sup>49</sup> Office for Disability Issues, 2011, ODI Life Opportunities Survey Wave One results [www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011](http://www.gov.uk/government/statistics/life-opportunities-survey-wave-one-results-2009-to-2011)

<sup>50</sup> Department for Transport, July 2014, National Transport Survey: England 2013, [www.gov.uk/government/statistics/national-travel-survey-2013](http://www.gov.uk/government/statistics/national-travel-survey-2013)

<sup>51</sup> [TfL - Your accessible transport network, May 2015](#)

**DisabledGo** – The council has worked with DisabledGo to have all council buildings, schools, libraries, leisure centres and pharmacies audited, with the information used to create a web-based Accessibility Checker for disabled people, their carers, friends and family. This searchable database helps disabled people plan their trips more effectively and to find out what help and facilities will be available when they arrive. There is an intention to build on this by encouraging more businesses and community facilities to be audited.

**Changing Places toilet** – Lambeth Town Hall is currently being refurbished as part of the council's Your New Town Hall programme and when it reopens more of the space will be available for use by local community groups. To make the facilities accessible to all of the community and to meet the needs of all people with a disability, a Changing Places toilet is being installed, which offers more space and the right equipment, including a height adjustable changing bench and a hoist.

## Carers

The Care Act 2014 consolidated local authorities' duties towards carers, giving carers the right to a carer's support needs assessment and setting out national eligibility criteria for support.

Most carers (40%) care for their parents or parents-in-law, 26% for their spouse or partner, 8% for their disabled children under 18, 5% for their adult children, 4% for their grandparents and 7% care for another relative. While the majority care for relatives, 1 in 10 carers (9%) care for a friend or neighbour.<sup>52</sup> Seven out of ten families caring for someone with profound and multiple learning disabilities have reached or come close to 'breaking point' because of a lack of short break services.<sup>53</sup>

### What is Lambeth doing?

**Independent Living and Carers Partnership (ILCP)** – ILCP is a new service commissioned in 2015 by the council and co-produced with partners, bringing together Age UK, Disability Advice Service Lambeth (DASL), Lambeth Carers Hub and Lambeth Mencap. The partner organisations in the ILCP work cooperatively to improve the quality of life of disabled people and carers in Lambeth; offering information and advice, support for carers including young carers, professional advocacy, direct payments support, volunteer befriending and community development work.

**New Carers Strategy** – the council is currently developing a Carers Strategy, to set out how we will work with one of our largest yet often unrecognised "people" assets in our borough; unpaid or informal carers. Health services and the council will work together and take responsibility for the Strategy through the Health and Wellbeing Board and we set up a Task and Finish Group involving carers to start implementing the Strategy and to review progress against the key outcomes to develop it further.

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<sup>52</sup> [Facts About Carers](#), Carers UK, 2014

<sup>53</sup> [Learning Disability Statistics: Effects of being a Carer](#), Foundation for people with learning disabilities, 2014

## Questions for discussion

1. What prevents disabled residents from getting the best start in life and achieving more equal life outcomes?
2. What would help disabled residents find and keep suitable jobs and what support do employers need to take on more disabled people?
3. What are the things that make it hard for disabled people to have access to equal opportunities to progress in work or take up leadership positions?
4. What can be done to reduce the lack of understanding of disability in the criminal justice system?
5. What other information would you like to see?