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28<sup>th</sup> May 2021

Dear Secretary of State,

We are writing to you following the recent publication of the BBC's investigation of benefit related deaths and the DWP's handling of such cases.

The BBC found that cases where benefit claimants died or came to serious harm have led to more than 150 government reviews since 2012. It has collated press reports naming 82 individuals to have died after some alleged DWP activity such as termination of benefits. Mental health vulnerabilities were a contributing factor in 35 of those people's deaths.

A 2020 National Audit Office report concluded that it is highly unlikely that the 69 suicides the DWP had investigated represented the number of cases it could have investigated in the past six years as it does not have a robust record of all contact from coroners.

The DWP is currently facing at least three court actions relating to the deaths of benefits claimants. Philippa Day's family are suing the DWP and Capita for breaches of her human rights and the harm both Philippa and her family suffered as the result of the way her PIP claim was dealt with. The Coroner investigating Philippa's death held that the predominant factor affecting her decision to take an overdose was the financial distress caused by the administration of welfare benefits which led to acute distress and exacerbated the other stresses. As a result he issued a prevention of future deaths report.

The High Court is to hear an application for a fresh inquest into the death of Jodey Whiting. Jodey, who had multiple physical and mental health conditions, was wrongly told to attend a work capability assessment, which she was unable to do. Jodey took her own life shortly after receiving letters telling her that her benefits would stop.

The family of Errol Graham have submitted an application to the Court of Appeal in an attempt to overturn the High Court decision that the DWP's safeguarding policy is lawful. Errol starved to death in June 2018 after his employment and support allowance and housing benefit were stopped after he failed to attend a work capability assessment. This was done without checking on his mental or physical wellbeing, even though he was known to have serious mental health issues.

Considering the BBC investigation, the NAO report and the current court cases we would ask that you consider the following three requests.

1) In October 2020 we wrote to you (copy enclosed) to express concern at your expressed view that DWP has no statutory responsibility for safeguarding vulnerable claimants. We did not receive a reply to this letter.

Your evidence to the Work and Pensions Select Committee, that the statutory safeguarding responsibility to vulnerable claimants falls to councils, social services, doctors and others but not the DWP, was deeply shocking.

We submitted to you that whether or not the DWP has a statutory responsibility, it is right that all public servants have a duty of care in relation to safeguarding vulnerable customers. We believe the DWP should have a statutory duty to safeguard vulnerable claimants and asked that you confirm if you will consider making this legal change.

We would ask that you reply to us on this point now.

2) Since 2015, the DWP has held around 100 "internal process reviews" with respect to the deaths of benefit claimants and other serious incidents. However, these reviews are not routinely published and bereaved families are not routinely informed when they begin.

We would ask that in the name of transparency that you agree in future that the findings of all such reviews are publicly published.

3) At DWP meetings we have attended to discuss the awaited Health and Disability Green Paper the Department has acknowledged that there is a significant lack of trust by claimants in its role and activities. This is particularly true of Disabled claimants who suffer fear and anxiety due to the medical assessments for benefits.

Given the deaths of Disabled claimants we have highlighted vulnerable over recent years there is genuine concern as to the DWP's safeguarding policies and procedures. We submit that the Department should recognise the need for it to be open and transparent on this issue.

In addition, we submit that you agree to instigate an independent inquiry investigating why these deaths are happening and ensure the Department make necessary changes so that they no longer occur.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Kamran Mallick', written in a cursive style.

Kamran Mallick, CEO Disability Rights UK