

Friday April 3 2020

## Covid 19 and the rights of disabled people - statement supported by disabled people's organisations and allies

**T**he NHS is built on the principle that we are each equal in dignity and worth. It expresses our commitment to protect one another's right to life and to health, no matter who we are.

We recognise that the NHS faces unprecedented pressures. We know that its staff will have to make difficult decisions about who gets treatment and care and who doesn't. We understand that they will have to judge whether people will benefit and we know that people's existing health will be taken into account.

However, we have read about cases that have made us feel worried that the principles on which the NHS are built are sometimes not being upheld. We are concerned that the rights of disabled people, of all ages, as set out in the Human Rights Act (1998), the Mental Capacity Act (2005), the Adults with Incapacity (Scotland) Act (2000), the Equality Act (2010) and the United Nations Convention on the Rights of Persons with Disabilities (2006) and the Convention on the Rights of the Child (1989) are not always being upheld. NHS staff normally use these laws to help make decisions about people's treatment. In this crisis it's more important than ever that all NHS staff follow them.

To ensure that this happens, we believe that it is critical for everyone involved must be guided by the following principles:

- Our individual chance of benefiting from treatment should we have Covid19 must not be influenced by how our lives are valued by society.
- Where we have existing health conditions or impairments that are unrelated to our chance of benefiting from treatment, they must not play any part in decision-making regarding our equal right to access such treatment.
- The fact that we might have significant levels of social care and support needs, or that we may do so in future as a result of the pandemic, should not make health staff think that we will not benefit from treatment.
- We have the right to be fully involved in decisions about our own lives, including life and death decisions. Decisions should never be made without our involvement, or consideration of our best interests. There is no justification for policies based on age or learning disability that do not treat each of us with respect and as individuals.
- We all, and our advocates, have the right to know about decisions that may be made about us that will affect us.
- Guidelines on the assessment, provision, and evaluation of treatment and care provided to individuals during the Covid-19 pandemic must be developed in collaboration with disabled people's organisations and representatives from human rights bodies.

We cherish the NHS and the values that it represents. We stand ready to do whatever we can to support it to stay true to its founding principles in the difficult days, weeks and months ahead.

This statement is supported by:

Baroness Jane Campbell  
Baroness Tanni Grey-Thompson  
Baroness Thomas of Winchester  
Inclusion London  
Inclusion Barnet  
Reclaiming Our Futures Alliance  
Catherine Hale, Chronic Illness Inclusion Project  
Clentony Farquharson, OBE  
Marjory Broughton, EngAgeNet  
Peter Daie, Chair, SEEFA  
West of England Centre for Independent Living  
Andrew Lee, Director, People First Ltd  
People First Independent Advocacy Carlisle  
Breakthrough UK  
Cheshire Centre Independent for Independent Living

Disability Equality North West  
Lewisham Speaking Up  
Independent Lives  
Isaac Samuels  
Fleur Perry  
Jenny Morris  
Parmi Dheensa, Include Me Too  
Disability Rights UK  
Kingston Centre for Independent Living  
Disability Action NI  
Tressa Burke, Glasgow Disability Alliance  
Inclusion Scotland  
Glasgow Centre for Independent Living  
Natalya Dell, Reasonable Access  
Sarah Offley, Disability Voices for Choice  
Bristol Reclaiming Independent Living

North Yorkshire Disability Forum	Robert Shanahan, CEO Aspens
Yorkshire Coast & Ryedale Disability Forum	Jenny Edwards, Trustee, Affinity Trust
Speak Up Self Advocacy	Sarah Burslem, Macintyre
Joanne Kennedy & Will Chase, Co-Chairs, CHANGE	Tim Cooper, United Response
Alexis Quinn, Author Unbroken, Autism Campaigner	Sam Clark
Robert Punton	Alicia Wood
Mik Scarlett	Sarah McGuire, CEO Choice Support
Mike Smith, former Equality and Human Rights Commissioner	Aisling Duffy, CEO Certitude
Joanna Owen	Huw John, CEO Camphill Village Trust Shaw Trust
John Evans OBE, Disability Rights Consultant. ENIL (European Network of Independent Living)	Paul Marshall, CEO, National Development Team for Inclusion
Caroline Waugh	HfT Family Carers Support Service
Roan Dyson, POhWER	Voluntary Organisations Disability Group
Scott Watkins, Jordan Smith & Wendy Burt, Learning Disability England	Professor Tom Shakespeare, London School of Hygiene and Tropical Medicine
Jennifer Leavesey, Autistic person, advocate and campaigner	Professor Chris Hatton, Professor of Public Health and Disability
Akiko Hart, National Survivors and Users Network	Jo Ferrie, University of Glasgow
Kirsty Hoyle, Transport for All Disability Labour	Francesca Bernardi FRSA
Spinal Injuries Association	Karen Burke, Institute for Mental Health University of Birmingham
Victoria Lamb IMCA, IMHA, RPR, Care Act and Generic Advocate	Professor Nick Watson, Professor of Disability Research, University of Glasgow
Suzi Henderson (CEO) Cloverleaf Advocacy	Professor Katherine Runswick-Cole, University of Sheffield
Kate Adams, Project Art Works	Dr Lucy Series, University of Cardiff
Katie Clarke & Nadia Clarke, Bringing Us Together	Dr Ezgi Taşcıoğlu, Lecturer in Law, Keele University
Kate Mercer	Dr Christianne Pollock
Dan White	Dr Angharad Beckett FRSA, Centre for Disability Studies, University of Leeds
Paula McGowan	Dr Cheyann Heap ClinPsyD CPsychol
Caroline Kelly, Southwest Carers and Families	Dr Alison Kay
Debs Aspland, Parent & Director LifeAsPland	Dr Marc Bush, Visiting Professor in Public Health, University of Nottingham
Nicola Bartziz, EbE	Dr Janet Hoskin
Mark Brown and Julie Newcombe, Rightful Lives	Steph Hannnan-Swain, University of Sheffield
Jeremy 'Bethany's Dad'	Alice Lyford, University of Leeds
Susan Crowe BTM	Dr Miro Griffiths, Teaching Fellow in Disability Studies, University of Leeds
Stepping Forward	Dr Nell Munro, University of Nottingham
Engine Shed	Dr Emma Sheppard, Lecturer in Sociology, Coventry University
Perth Community Centre	Dr Sara Ryan, University of Oxford, Nuffield Department of Primary Health Care
Worsley Hall	Dr Kirsty Liddard
Impecto CIC	Dr Lucy Burke
Stephen Unwin, parent	Schona Jolly QC
Jarlath O'Brien, Teacher	Robin Allen QC
Jess Plant, Self Advocate and Carer	Catherine Casserley, Barrister
Megan Elizabeth Knight, Girlguiding UK	Steve Broach, Barrister
Emma Cooper Our Family, Our Needs	Victoria Butler Cole QC
Noele Blackman, CEO, Respond	Oliver Lewis, Barrister
Sam Sly, Time4Change	Sophy Miles, Barrister
Dr Simon Duffy, Centre for Welfare Reform	Aswini Weeraratne QC
Jenny Edwards CBE, Trustee Affinity Trust	Catherine Meredith, Barrister
Francine Bates	Chris Fry
Jon Hyslop, Community Glue	Simon Lancaster
Sam Leonard, Blue Ribbon Health and Wellbeing	
Sian Lockwood, CEO Community Catalysts	