

Mencap Briefing: Summary of the debate on 'Abuse of people with learning disabilities'

06 September 2012

Summary

Tom Clarke MP secured an '*adjournment debate*' on 3rd September 2012 called 'Abuse of people with learning disabilities.'

An adjournment debate is a debate at the end of the day's parliamentary business. They are secured by backbench MPs through a ballot. The MP who has secured the debate can make a 15 minute speech and the Minister in the relevant Government department must respond.

Tom raised many of the issues that were discussed at the afternoon tea on 3rd September and pushed on the recommendations in our report 'Out of sight.'

While the Minister, Paul Burstow acknowledged the problems we still do not have the strong commitment to national direction that we want to see and so our work to influence the parliamentarians and the Department of Health will continue.

Key points made by Tom Clarke

It is a national scandal that we have allowed people with a learning disability to become marginalised and mistreated. He also gave a number of harrowing examples of where people had suffered abuse and described it as a human crisis.

He was clear that the government must begin closing large assessment centres and set a timescale and local commissioners must develop services locally.

He described how Castlebeck Care Ltd who operated Winterbourne View saw a turnover of £3.7 million but in no way had been accountable for the public money spent. The Department of Health should look further into this to see if such service providers are putting profit before care.

He went on to say that the funding for such services should be reviewed to ensure there is no incentive in keeping people for long periods of time in large centres.

He described how the Care Quality Commission (CQC) had failed through 'light touch regulation' and that it was presiding over '*a shambolic and chaotic delivery of vital care services.*' Instead the CQC should carry out more unannounced inspections and increase the pressure on underperforming services.

Key points made by other MPs

Jack Lopresti, Conservative MP for Filton and Bradley Stoke, whose constituency Winterbourne View was located in, criticised South Gloucestershire council and that local authorities needed to take action.

Fiona Mactaggart, Labour MP for Slough, described the events at Winterbourne as torture and said that something similar had happened in a care home on the border of her constituency. She asked that national data be collected on the numbers of people being sent to large institutions far from home.

Kerry McCarthy, Labour MP for Bristol East, described how constituents of hers had lost faith in the system on account of the Winterbourne scandal. A constituent had also talked to her about how they were concerned about what would happen to their son when they pass away.

Response from the Minister

The Care Services Minister, and Liberal Democrat MP Paul Burstow thanked Tom for securing the debate and speaking on the issue. He joined Tom in condemning the events at Winterbourne and recognising the importance of the stories from families contained in the Mencap and Challenging Behaviour Foundation report *'Out of sight.'*

He agreed that people should be supported to live in the community, and only in strictly limited cases should they go to large assessment and treatment centres. He said this was clear in government guidance and it was important to examine why the number of people being sent away had increased.

He described a number of things that the Government had done in response to Winterbourne or were in the process of implementing. Principally this concerned the publication of an 'interim report' in June which set 14 national actions. These included

- promoting open access for families and visitors and ensuring that people are involved in reviewing the care that they receive;
- encouraging the CQC to carry out more unannounced inspections;
- working with the CQC and the Department for Education to promote best practice and positive behavioural support to ensure physical restraint is only ever a last resort,
- improving integration between the NHS and social care by setting up health and wellbeing boards to agree joined-up ways of improving services;
- getting national organisations, including the Association of Directors of Adult Social Services, the Royal College of General Practitioners and other royal colleges, the NHS Confederation and the NHS Commissioning Board, to sign up to a concordant setting out the actions that each will be committed to taking forward to deliver the right care for people with learning disabilities.
- working with NHS Commissioning Board to improve the use of NHS contracts.

The Minister also described how the new Draft Care and Support Bill (introduced in July) would also bring in a code of conduct for social care workers.

Next steps

Paul Burstow has now been replaced in the reshuffle by fellow Lib Dem MP Norman Lamb. We have written to Norman setting out the issues, providing a copy of Out of Sight and asking to meet with him. We are hopeful that we can influence him to make the final report into Winterbourne which is due this autumn is as robust as possible.

Principally we want the government to show strong leadership on this matter and commit to a plan, with timescales to close large assessment and treatment centres and develop local provision. Paul Burstow did not commit to this in the debate and so we need to keep pushing.

We also hope to secure a similar but longer debate in the House of Lords and if successful we would like to invite families again to share their experiences with Peers who might attend the debate. There may well be other opportunities for you to support us on this campaign and we will be in touch with ideas.

We will also explore other opportunities in parliament such as asking questions of the Minister and meeting with MPs and Peers of all parties.

We will also shortly begin local action by supporting people to meet locally with their MPs to raise the issue up their agenda.

Further information

You can read a full transcript of the debate in *Hansard* on the parliament website here: <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120903/debtext/120903-0003.htm#1209041000001>

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