



HOUSE OF COMMONS

LONDON SW1A 0AA

AN OPEN LETTER TO ALL LOCAL AUTHORITIES IN ENGLAND

3/8/20

Dear Colleagues

Systemic Discrimination against Autistic Children

The Disability Law Service, Leeds University, Cerebra and the BBC have today published a report highlighting systemic and widespread discrimination against autistic children by children's social services authorities. A copy of the report is available on the BBC news website.

The report identifies 41 authorities in England with policies denying autistic children appropriate care assessments and support unless they have an additional disability or an official diagnosis of autism.

Let me be clear: this is unlawful, discriminatory and unacceptable. These 'Autism Plus' policies have no place in a caring society. The case studies in the report are particularly heart-breaking – every child has one chance at childhood, and so many are being denied their chance.

At this stage, we are *not* naming the authorities. Instead, I shall be writing to each of the 41 local authorities, setting out why we believe their policies are unlawful and to offer them a chance to respond, before taking any public action. The Equality and Human Rights Commission have expressed concern to me about the potentially discriminatory impact of such 'Autism Plus' policies and have specifically asked to be kept updated about the responses I receive.

I understand that these are challenging times for councils. There are huge pressures on Local Authorities, not least as a result of appalling cuts in Central Government funding. I am absolutely clear that we need to push national government hard for extra funding - especially in education, and especially in the area of Special Education Needs and Disability.

So I am writing this letter to urge **all** Local Authorities to:

- Review their policies to ensure they do not discriminate against autistic children - and change them where necessary;
- Ensure their policies are clear and easily accessible to the public, given that over a third of local authorities have policies that are either inaccessible or so unfit for purposes as to be incapable of constituting lawful eligibility criteria.

During this troubling period, it is of vital importance that our caring instincts prevail and that we treat autistic children and their families with dignity and respect.

Yours sincerely

Ed Davey MP
Patron, Disability Law Service