

Disability Law Service

Fighting injustice for disabled people

AUTUMN 2024 QUARTERLY NEWSLETTER

Welcome to Disability Law Service's quarterly newsletter.

Disability Law Service – also known as DLS – is a user-led Disabled Persons' Organisation which provides a free and vital service covering the areas of housing, community care, employment and welfare benefits to some 4,000 Disabled people each year. With almost half of people in poverty in the UK being a Disabled person or living in a household with a Disabled person, our free service improves access to justice and the protection of legal rights for Disabled people over the course of many years.

This issue contains updates from DLS, successful outcomes we've achieved for our clients and key developments in the sector.

Updates from DLS

1. DLS is pleased to announce that our new CEO is Andrew MacKay.

Message from Andrew "Hello, my name is Andrew MacKay, and I am delighted to introduce myself as the new Chief Executive of the Disability Law Service. The important work of DLS reflects my own long-standing, passionate commitment to providing free legal advice, representation, and access to justice for disadvantaged and disabled people.

I qualified as a solicitor in Scotland, England & Wales 15 years ago, and after working in commercial practice I have for many years now worked and volunteered with a range of charities tackling poverty, inequality, and injustice, including those providing free legal advice and support in the UK and worldwide.

My own lived experience of hidden disability also fuels my passion for this work, having navigated the challenges of ADHD mitigations and medications since childhood. I am truly honored to work alongside such a dedicated team of staff, volunteers, and supporters, and together I believe that we can continue to make a lasting difference for disabled people across the UK".

2. Our team will be participating on the Great Legal Bake on Wednesday 6th November. We will share baked treats at the Foundry to raise funds for free legal advice charities You can sponsor us by [clicking here](#)

Housing Success Stories

We opened a housing legal aid case for a client in February 2023. The case is in relation to our client's homelessness application. Our client lives with their spouse and one of their parents, who both have several impairments. As part of the case, the client applied to the local authority's housing register. It was deemed that our client could bid on 2- bedroom properties. This was not suitable for our client. We challenged the local authority's decision through a 2-stage review process. Following this, the local authority accepted that our client should be able to bid on 3-bedroom wheelchair accessible properties, meeting the needs of our client and their family.



Benefits Update

There will be changes to the majority of welfare rights policy since the new Labour government were elected in July, there has been one significant (and controversial) change which will come into effect this year – entitlement to the Winter Fuel Payment.

In force from 16 September 2024, the new regulations provide that a person will be entitled to Winter Fuel Payment where, in the week beginning on the third Monday in September in any year, they have reached pensionable age, are ordinarily resident in England and Wales, and are entitled to –

- income support;**
- income-based jobseeker's allowance;**
- state pension credit;**
- income-related employment and support allowance;**
- universal credit; or**
- an award of child tax credit or working tax credit of not less than £26 (in respect of the tax year 2024/2025).**

Therefore, the Winter Fuel Payment, which was previously universal, is now subject to the above means test – and claimants will also need to have been getting a benefit during the qualifying week of 16 to 22 September 2024.

The Scottish Government has also since confirmed that it has been 'left with no choice' but to follow the UK Government's decision, while the Northern Ireland Assembly has yet to announce its intentions.

Benefits Update

DWP Fraud, Error and Debt Bill

The Government will bring forward a new Fraud, Error and Debt Bill in this Parliamentary session to be tough on criminals, fair for claimants and provide confidence to the taxpayer.

Liz Kendall the Secretary of State for Work and Pensions said on 8th October 2024:

“The Eligibility Verification measure will not give DWP access to any bank accounts, nor any information on how claimants spend their money. The proposed new power instead helps verify benefit eligibility, using very limited information from banks and financial institutions. A human being will always be involved in any investigations and any decisions taken afterwards that affect eligibility or benefit awards, as they do now. This measure will not be used on the State Pension”.

Further details on the legislation will be set out when the Bill is introduced to Parliament shortly.

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Call us on 0207 791 9800

Get Involved

You can make a vital contribution to the work we do at DLS by [volunteering](#), [donating](#), or by [receiving training from us](#).