

“He should never have been found fit to work in a million years!”

UK advice worker Terry Craven speaks on the terrible death of Stephen Smith

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The WSWWS recently spoke to retired UK advice worker Terry Craven about the tragic case of Stephen Smith. Smith, from Liverpool, died on April 15 aged 64, after suffering years of chronic ill health, yet was still declared fit for work by the Department for Work and Pensions (DWP).

Stephen turned to the Community Advice Service Association (CASA) for help after the DWP denied his claim for Employment Support Allowance (ESA)—a benefit for those too sick to work. In March 2017, Smith failed a DWP Work Capability Assessment, losing his right to ESA. He then had to sign on each week as available for work to receive Job Seeker’s Allowance of just £67 a week and prove he was actively seeking work.

Terry met Stephen at CASA.

Margot Miller [MM]: Can you tell me about your work at CASA?

Terry Craven [TC]: I’m an employment law and benefits advisor. I retired early from Liverpool City Council in 2005, where I was their rights officer. There was nowhere people could go to get someone to represent them in tribunals—the independent advice centres had all been closed.

MM: What was your relationship with Stephen Smith?

TC: I was his benefits advisor, but inside 10 minutes of talking to him it was obvious that it was tribunal assistance he needed. He’d come to me three or four months out of the allotted time to make an appeal. The DWP accepted the late appeal, but his tribunal wasn’t heard until January 15, 2019—close to two years after he was denied ESA.

Before March 2017, he was on just over £100 a week

[ESA]. Then he was sent to an assessment, conducted by [IT services corporation] ATOS, the Independent Assessment Services. Labour brought ATOS in to carry out work capability assessments, under Tony Blair. But the Tories have made it much harder to pass the tests.

They’re getting paid millions of pounds to carry out these assessments, giving people points. I have a 94/95 percent success rate on appeal.

All that stress for people already living in poverty! A nurse scored Stephen fit for work. He went to the assessment on his Zimmer frame and he was obviously struggling to breathe. Lambs to the slaughter! He had a colostomy bag, chronic obstruction pulmonary disease, probably emphysema. He should never have been found fit for work in a million years.

The Independent Assessment Service are getting seven out of 10 assessments incorrect. If that was me doing my job or you doing your job, we wouldn’t have that job for long.

MM: What was Stephen living on between March 2017 and the Tribunal in 2019?

TC: I was able to get him a personal independence payment [PIP], but they underpaid him. He was refused the mobility component and only got standard care. I submitted an appeal and his mobility payment was upped. This was a man who was using a Zimmer and could only walk five, six steps and loses his breath!

I had been able to get him a private medical and a letter from his doctor that says Stephen’s health would deteriorate substantially if he was found fit for work. The DWP ignored that.

MM: How did Stephen manage at home?

TC: He was telling me that his niece was going in to help him, but I think he was just coping on his own. He

was very reluctant to let people help him. He was a proud man.

I asked my wife, a retired nurse, to visit Steve just before Christmas on the pretext that he had to sign something for his appeal. When she came back, she said you're going to have to keep an eye on him because he's not long for this world. I asked social services in Liverpool to go in.

We met with Steve on December 21 and you wouldn't believe the circumstances he was living in. He couldn't look after himself. The place was infested with rats. He could only live in one room. He couldn't get to the tap in the kitchen to get cold water, so he was relying on his neighbours, or his niece, to bring bottled water in. He had a colostomy bag and he suffered from incontinence. He was coping by buying new sheets and mattresses. He was living in terrible conditions.

A private landlord in Birmingham was getting the money in, but not doing anything for him. The house had a hole in the roof. He didn't have proper heating and he was just deteriorating.

He was diagnosed with pneumonia. One of his lungs was more or less completely drowned in his own fluid, the other one was half way drowned. The hospital told me he wasn't going to see Christmas.

At the time of the tribunal, Stephen Smith was still seriously ill in hospital with pneumonia.

TC: They carted him out of hospital in a bloody dressing gown and no underwear on. They had to get him in a taxi to get him down. He's been lying in that bed in the Royal Hospital from the week before Christmas to January 19. He should've been out looking for work! I thought, 'that's the DWP'!

Terry explained the lengths the DWP went to at the tribunal to try and deny Terry his appropriate benefits.

TC: This doctor was more interested in Steve's history from 20 years ago and asked him question after question. 'It's got written down here you were a heavy drinker' and he said, 'No I've never been a hard drinker.'

At the conclusion of the Tribunal, the judge decided to reinstate Stephen's ESA because he was so obviously sick and incapable of working.

TC: Steve was going into sheltered accommodation. We had to go to the housing association and the DWP and say he'd got no furniture. When they discharged him, it was into a nursing home, waiting for the flat to

be ready. He was going out in the day picking stuff that he would need in the flat.

He was awarded the tenancy from February 18 and he only was able to stay one night. That says it all. I spoke to him a week or 10 days before he died. He said things were coming on. From what I could gather, he was in the nursing home and felt the need to ring 999 and when they got him into the hospital, they got the family round and said there was nothing they could do for him. He died on the 15th April.

The irony is that the money he was awarded by the DWP is going to be used to pay for his funeral, saving them money! He would have been entitled to a funeral payment!

Steve was a plumber, then opened a shop in Pickton road, a second-hand washing machine and fridge place. He became an engineer fixing them. He had a great reputation in the area, he was very respected. He worked all his life. He'd worked years ago with asbestos, toxic substances, dangerous environments. I think that's where he got his chest condition. He'd worked from when he was 14. The only time he claimed benefits was when he became sick, around 2006/7.



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