



Department
for Work &
Pensions

THE RT HON THERESE COFFEY MP
Secretary of State for Work & Pensions

Caxton House
Tothill Street
London, SW1H 9AJ

Caroline Nokes MP
Chair of the Women & Equalities Select Committee

18th July 2022

Dear Caroline,

RE: Submission of evidence from DWP Secretary of State to the Women and Equalities Select Committee's inquiry into the National Disability Strategy

I write to you in regards to the Committee's inquiry into the National Disability Strategy. In July 2021 we published the Strategy, which set out our ambition to improve the lives of millions of disabled people. It was a turning point in government commitment to coordinate disability policy, setting out in a high-level framework document over 100 cross-government initiatives driving change in all parts of society.

However, as you will no doubt be aware, the Strategy was the subject of a judicial review last year. In January 2022, the High Court declared the Strategy was unlawful because the UK Disability Survey, which informed it, was held to be a voluntary consultation that failed to comply with the legal requirements on public consultations. I strongly disagree with this finding and have therefore sought permission to appeal this decision from the Court of Appeal.

Whilst awaiting a decision on permission to appeal from the Court of Appeal, we are required to take steps to comply with the Court's declaration. To minimise the risk of acting inconsistently with the Court's declaration, without compromising on the ambitious agenda we are delivering for disabled people, we have paused a limited number of policies. We remain committed to improving opportunities and outcomes for disabled people as we await the outcome of the appeal.

It is possible that I will receive a decision on permission from the Court of Appeal before the Court's summer recess (29 July 2022). Should the Court of Appeal refuse my application for permission to appeal, I will be in a position to submit evidence to the Committee. Should the Court of Appeal grant permission to appeal, the appeal will proceed to a substantive hearing, which is likely to take place around Spring-Summer 2023 with

judgment possible at the end of 2023. I will be in a position to submit evidence to the Committee upon the conclusion of that process.

I agree to this approach in the interests of efficiency and transparency, in that responding to the Inquiry upon conclusion of the litigation in either scenario will enable me to submit a submission across the full range of issues included in the Terms of Reference.

I thank the Committee for their understanding of these circumstances.

Yours sincerely,

A handwritten signature in blue ink, reading 'Therese Coffey' in a cursive script.

THE RT HON THERESE COFFEY MP
Secretary of State for Work & Pensions