

Legal victory for Philip after lifeline mobility benefits cut

RELIEF FOR 25-YEAR-OLD WITH CEREBRAL PALSY AS DECISION ON PERSONAL INDEPENDENCE PAYMENT IS OVERTURNED



Philip Thebridge and dad David

By **ALISON STACEY**

News Reporter

alison.stacey@trinitymirror.com

A DISABLED man born with cerebral palsy has won a challenge against the Department of Work and Pensions after his vital mobility allowance was stopped.

Philip Thebridge, who relies on the funding for his adapted car, has finally won back the personal independence payment (PIP) after a seven-month battle.

The 25-year-old, who has received disability benefits all his life, needs help with day-to-day activities such as walking, eating, preparing food and bathing.

But last summer Philip was assessed by a private sector health assessor and the DWP completely cut the mobility element of his allowance, which he described as a 'lifeline' to independence.

Without his adapted car Philip would no longer be able to run his ebay trade business or continue to volunteer at a local sixth-form with special needs students.

"I was disappointed," said Philip, from Sutton Coldfield. "The way my mobility affects my daily life was not recognised in terms of my vulnerability on public transport.

"Without my adapted car, it would be unsafe for me to travel on public transport as I cannot get on and off buses and trains without help, nor can I walk along a moving vehicle without falling over.

"Being able to travel on my own safely in my car gives me freedom which I enjoy and doesn't rely on my parents accompanying me every time I want to go out.

"The assessment from the private company was completed in one hour and did not adequately address the

effects of my cerebral palsy on my daily life.

"The criteria used to assess PIP are very narrow and do not have the flexibility to describe the effects of my disability accurately.

"My condition arose at birth and having reached adulthood is not going to change."

Philip, along with his parents Stella and David, decided to fight the ruling all the way to a tribunal.

The family instructed law firm Scott-Moncrieff and last month the decision was overturned at the Birmingham Civil Justice Centre.

Philip said: "I'm relieved the it is over, and I've now got financial support to help me pay for an adapted car to support my day-to-day mobility needs.

"I hope others in my position and their families have the resolve to take their case to court and get the right amount of PIP benefit that helps them with their personal, physical and emotional difficulties."

Specialist solicitor Prakash Ruparelia at Scott-Moncrieff added: "Many people have their benefits removed incorrectly and do not realise that if the decision is challenged they have a good chance of having them reinstated.

"My clients not only deserve but need their benefits to enable them to live a full and active life - it is a battle worth fighting."

A DWP spokesperson said: "We're committed to ensuring that disabled people get the full support that they need. Decisions are made following consideration of all the information provided by the claimant, including supporting evidence from their GP or medical specialist. Nearly 3.1 million PIP decisions have been made, and of these 9 per cent have been appealed and 4 per cent have been overturned."



A bank that
means business

Introducing... **The Business Access Savings Account**

- > Instant access to your business savings.
- > Save from £1,000 up to £1 million.
- > Interest paid monthly.

Plus

- > Enjoy free use of Virgin Money Lounges – host a client, do some work or just get away from it all.
- > Get free access to our Business Concierge service – a helping hand for busy business owners.

Variable rate of

1.20%

AER¹ (Gross² P.A.)

 virginmoney.com/business

 0330 134 7732

¹ AER stands for Annual Equivalent Rate and shows what the interest rate would be if interest was paid and added to the capital balance every year. ² Gross P.A. is the rate of interest paid without the deduction of tax. Please note that the automatic deduction of tax on savings (earned from 6th April 2016). Lines open from 9am to 9pm Monday to Friday, 9am to 4pm Saturday and 10am to 3pm Sunday. Virgin Money plc - Registered in England and Wales (Company No. 6852311). Registered Office - Jubilee House, Gosforth, Newcastle upon Tyne NE2 6PL. Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. FPC250647 (Valid from 11/03/18)