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Covid-19: Adults with learning disabilities should have priority access to vaccination, say lawyers

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Lawyers are threatening to take the UK government to court for failing to include those with learning disabilities in the groups with high priority access to covid-19 vaccines.

The law firm Bindmans, acting for a teenager with learning disabilities, has sent health and social care secretary Matt Hancock a letter before claim, the first step towards launching a judicial review case in the High Court. The letter asks for adults with learning disabilities to be given the same priority for access to the vaccine as other highly vulnerable groups.

The lawyers point to a report last month from Public Health England which showed that people with learning disabilities were three to six times more likely to die from covid-19 than the general population during the pandemic's first wave.¹ In younger age groups the disparity was much greater and those aged between 18 and 34 had 30 times the death rate of the general population.

Bindmans say their 19 year old client, referred to as Y, who lives in a care home, is particularly vulnerable because of the difficulty of social distancing. Yet those living in homes for older adults are the only group in a care setting so far chosen for priority access to the vaccine.

The legal challenge is supported by the charity Access Social Care. Other organisations, including Mencap and Learning Disability England, have also called for priority access to covid-19 vaccines for those with learning disabilities.

Sally Davies, former chief medical officer for England, told the Commons science and technology committee this month that people with learning disabilities should be among those considered for early access to the vaccine. She added that it took "quite a while to understand which groups were most at risk" at the start of the pandemic.

¹ Public Health England. Deaths of people identified as having learning disabilities with covid-19 in England in the spring of 2020. November 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/933612/COVID-19__learning_disabilities_mortality_report.pdf.

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