



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

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From the Secretary of State for ~~Social Services~~ Health

PM

Lord James Douglas-Hamilton
Minister for Home Affairs and the Environment
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105 OCT 1989

Dear James,

PERSONAL COMMUNITY CHARGE: EXEMPTION FOR THE SEVERELY MENTALLY IMPAIRED

app p 14

Thank you for your letter of 26 September.

I agree that the position concerning people with degenerative brain disorders such as Alzheimer's Disease is becoming increasingly untenable and that a way should be found to redefine the group eligible for exemption from the personal community charge on grounds of severe mental impairment. You are, of course, aware of the very considerable difficulties we have experienced in our consultations with the General Medical Services Committee of the BMA aimed at trying to ensure that the guidance issued to doctors in England and Wales should be virtually identical to that issued to doctors in Scotland.

The solution you propose seems to me the only realistic way forward. It has the merit also of removing the need for further consideration to be given to pressures that will certainly arise if exemption is not extended to severely chronically mentally ill people. The additional benefit filters of Attendance Allowance and Constant Attendance Allowance, with the dropping of the pensionable age criterion, should be effective in containing the impact of widening the statutory definition of severe mental impairment. I recognise that Tony Newton will need to consider carefully the implications for his Department but I very much hope that he will be able to agree. The paper you circulated represents the fruits of attempts by our respective officials to find a way round this problem and I agree with their conclusions.

E.R.

It seems likely that unless the exemption arrangements are modified, the dissent of the General Medical Services Committee to the interpretation that has been placed on the legislation until now, will materialise in an active form and will, in effect, result in people who suffer from degenerative brain disorders, gaining exemption by default.

It is clearly in the Government's interest to ensure that the definition of severe mental impairment is seen as defensible and that there should be no room for misunderstanding.

Copies of this letter go to members of E(LG) and to Sir Robin Butler.

A handwritten signature in black ink, consisting of a large, stylized 'K' followed by a smaller 'C' and a horizontal line underneath. There are some faint, illegible markings above the signature.

KENNETH CLARKE

LOCAL GOVT: Kaban pr 14.