

The Broadest Shoulders? Disabled People and “Welfare Reform”

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Inclusion Scotland has been actively opposing the current drift of “welfare reforms” since well before the Coalition Government took power. It was the last Labour Government who introduced the Work Capability Assessment regime and gave ATOS (a private sector firm specialising in IT) the contract to carry out the assessments. It was they too who first indulged in the “strivers v skivers” rhetoric that has done so much to poison public debate and stigmatise **all** benefit recipients as “skivers”.

Why have we been so opposed to “reforms” when their stated aim is to improve and simplify the complex benefit system? Because they do nothing of the sort and are instead a cover for cuts to the living standards of unemployed, low paid and disabled people.

The reforms also apply a “one size fits all” approach to service delivery that does not take into account the barriers experienced by those with learning difficulties, mental health issues, sensory or physical impairments. Instead it would hardly be hyperbole to claim that current welfare reforms may represent the single greatest threat to disabled people’s right and ability to live independently in over a generation.

When the Coalition Government introduced its austerity agenda they claimed that the ‘deepest cuts would fall on the broadest shoulders’. Instead most cuts (other than tax cuts for high earners!) are falling on those already poor and excluded. Disabled people, along with women, seem to have been singled out for the most savage cuts.

Scale of the Cuts: Households containing a disabled person are being subjected to over half of the total of £22 billion of benefit cuts already announced (Grant & Wood

2010). That means over half of the cuts are falling on the 3% of the population with the most severe impairments.

Even what it means to be a “disabled person” is being re-defined through a bureaucratic stroke of the pen - disabled people are being moved off Employment Support Allowance (ESA) and onto Job Seekers Allowance by the simple expedient of being found “fit for work”. They are also losing their Disability Living Allowance (DLA) entitlement even though there has been no improvement in the impairment or condition that originally qualified them.

Benefits paid solely to disabled people – ESA, DLA and the Independent Living Fund, have been singled out for cuts. But because disabled people are also more likely to be reliant on benefits for some or all of their income (because they are much less likely to be in employment) cuts to other benefits disproportionately impact on them. Therefore the freeze in Child Benefit and reducing entitlement to Housing Benefit are felt most strongly in households containing a disabled person.

Universal Credit: The introduction of the new Universal Credit is also being used as an opportunity to cut the Disabled Child’s Premium in half (from £57 to £28 a week), to abolish the Severe Disability Premium (worth £58 a week) and to cut the support available to disabled people in work. Up to 450,000 disabled people and their families could eventually lose out due to the introduction of Universal Credit¹.

Bedroom Tax: One Housing Benefit cut in particular has a massively disproportionate impact on disabled people and their families. That is the Under-Occupancy Rule, otherwise known as the “Bedroom Tax”. This penalises households who are deemed to have one or more bedrooms more than they “need” by reducing their Housing Benefit by 14% (one “extra” room) or 25% (two or more “extra” rooms”).

² Private Eye, 11/11/11 . See also meassociation.org.uk/2011/11/private-eye-piece-on-unum-the-american-insurance-company-and-income-protection-cover-11-november-2011/

³ All Westminster Bills which impinge on policy areas devolved to the Scottish Parliament must be approved by a vote on a Legislative Consent Motion. Until December 2011 by

The Department of Work and Pensions' (DWP 2012 & Children's Society 2012) Equality Impact Assessment of this proposal stated that two-thirds of the households affected (420,000 out of 660,000) would contain a disabled person. Yet the proposal was implemented unchanged. The Scottish Government estimates that 79% of the Scottish households affected by this measure will contain a disabled person and that 11% of those affected may be evicted as they fall into rent arrears. At a UK level that would mean over 45,000 households containing a disabled person would be evicted.

So, cumulatively, what do all these changes mean for disabled people? The Centre for Welfare Reform estimates that in **England** the combination of cuts in benefits and services provided by local authorities means that:

- Disabled people will lose an average of **£4,410** per person - **9 times** more than the burden placed on the average citizen.
- People with severe disabilities will lose an average of **£8,832** per person - **19 times** more than the average person.

These figures are likely to be slightly lower in Scotland where the cuts to Local Authority Grant funding are not quite as severe.

Why disabled people?

Why has this been happening and what has been the reaction of Disabled People's Organisations (DPOs)? One reason is that successive governments of different political shades have identified benefits paid to sick and disabled people as a growing proportion of the welfare budget. Another is that the American health insurance industry has been busy trying to open up new markets in the UK – a task made more difficult if benefits paid to sick and disabled people are relatively generous. The private health insurance firm Unum placed advisors in the offices of leading members of all three main UK parties in the mid-90s and continues to advise the DWP on the format of both the Work Capability and Personal Independence Payment assessments. Unum is banned in six different American states due to their calculated and consistent

failure to pay out on claims when people need medical treatment or lose their work due to ill health².

A final reason is that sick and disabled people are already stigmatised because they are “different” in a non-disabled society. In fact the stigma surrounding learning difficulties and mental health issues results in almost 90% of both impairment groups being unemployed. Add to this the physical, sensory and communication barriers that a large proportion of disabled people face and their isolation from wider society means that it is difficult for them to organise themselves and others in their own defence. They are therefore an easy target for cuts.

The Response of the Disabled People’s Movement

Whilst Inclusion Scotland are active in several of the campaigns and lobby groups opposing benefit cuts, I cannot possibly cover all the activity that has taken place over the last 3 years. I’m therefore going to concentrate mainly on the role Inclusion Scotland has played but I fully acknowledge the huge efforts made by grassroots campaigners also.

At an early stage several DPOs (organisations formed, controlled and OF disabled people – unlike disability charities such as Enable which are organisations providing services FOR disabled people) recognised that the cuts proposed in 2010 were of a different scale and order even to those previously imposed in the former Labour Government’s welfare reforms.

For example, Inclusion London carried out some of the first research into the cumulative impact of the reforms. Acting on Inclusion London’s and Demos’s alarming estimates of the impact on disabled people, Inclusion Scotland organised an Emergency Welfare Reform conference for disability activists in early 2011. We wanted to discuss the scale of the attack and how we could collectively respond.

² Private Eye, 11/11/11 . See also meassociation.org.uk/2011/11/private-eye-piece-on-unum-the-american-insurance-company-and-income-protection-cover-11-november-2011/

Independently, new grassroots disabled people's campaigning organisations were formed such as the Black Triangle Campaign, Glasgow Against Atos, We Are Spartacus and the umbrella group Disabled People Against the Cuts (DPAC). Some of the big disability charities (Enable, Capability, Scope, etc.) also began to organise to oppose against the proposed cuts via the "Hardest Hit" campaign.

Our initiative in organising a conference on welfare reform was rewarded with a huge turnout. Over 170 activists representing dozens of DPOs turned up to discuss organising how to resist the planned cuts to disabled people's benefits. One of the first things we determined was that, due to many disabled people's inability to mobilise in their own defence, we would need to seek out allies in the wider, then nascent, anti-cuts movement.

Inclusion Scotland were well placed to make these links as we already had good relations with the Scottish Trade Union Congress (STUC) and had been active members of SCoWR (the Scottish Campaign on Welfare Reform which brings together organisations such as CPAG, CAS, the Poverty Alliance, One Parent Families Scotland and Children 1st) for several years. Therefore Inclusion Scotland helped broker links and convene meetings between several DPOs (e.g. Glasgow Disability Alliance, Lothian Centre for Inclusive Living) and campaign groups (such as Black Triangle) with representatives of the STUC.

These disability activists and the STUC then decided to organise a lobby of the Scottish Liberal Democrats' Spring Conference in Perth to protest against the cuts. The Learning Disability Alliance, several local trade union councils and the STUC organised buses to transport disabled people and trade unionists to Perth. A lively and loud lobby of several hundred disabled people then let delegates to the conference know in no uncertain terms how strong was the opposition to their planned cuts in benefits. Afterwards Inclusion Scotland worked with the STUC to ensure that disabled activists made up part of the Scottish contingent going down to London to take part in the TUC's massive anti-cuts march and rally.

Later in September 2011 we took our message to another party conference. A well-attended fringe meeting was organised at the SNP's Annual Conference where the Housing Minister (Alex Neil MSP) shared a platform alongside representatives from Inclusion Scotland and Scottish Federation of Housing Associations (SFHA) in expressing outright opposition to the Coalition Government's Welfare Reform Bill.

That very same day Inclusion Scotland's Pam Duncan was chairing a several hundred-strong rally of disabled people in Edinburgh organised by the Hardest Hit campaign. Inclusion Scotland also gave evidence about the scale and negative impact of benefit cuts to the Scottish Parliament's Health Committee and issued several briefings on welfare reform to MSPs.

Inclusion Scotland then worked with the STUC and Glasgow Disability Alliance to ensure that a large contingent of disabled people could take part in the "There is a Better Way" demonstration in Glasgow in October 2011. Over 200 disabled people braved the appalling weather and huddled together in the rain to hear Tony Benn and others speak. The majority then remained behind to take part in a fringe meeting to discuss what our tactics should be when the Welfare Reform Bill came to be voted on in the Scottish Parliament³.

An emotional and angry meeting demanded that Inclusion Scotland should lobby MSPs to defeat the Legislative Consent Motion on the Welfare Reform Bill. Even though it was known that this would mainly be a symbolic victory (because it could not stop the Bill passing through Westminster), it was still felt to be worth doing.

We then brought disability activists into direct contact with MSPs in face-to-face meetings so that they could hear first-hand about disabled people's fears. Prior to the crucial debate, joint briefings were issued by Inclusion and Capability Scotland and key SNP and Labour back-benchers were phoned and e-mailed. This intensive lobbying resulted in a historic victory when, for the first time in the Scottish

³ All Westminster Bills which impinge on policy areas devolved to the Scottish Parliament must be approved by a vote on a Legislative Consent Motion. Until December 2011 by Parliamentary convention all previous Legislative Consent Motions had been approved.

Parliament's history, a Legislative Consent Motion was defeated with the governing (SNP) and main opposition party (Labour) acting together to defeat the motion.

Alongside this lobbying, Inclusion Scotland worked with other SCoWR members and Scottish Council of Voluntary Organisations (SCVO) in lobbying for the establishment of a Welfare Reform Committee to ensure that MSPs and the Scottish Government were well prepared for and took steps to mitigate the effects of the planned cuts. Once the Committee was established, Inclusion Scotland presented written and oral evidence and supported disabled people in providing evidence in person.

Based on DWP figures, Inclusion Scotland presented evidence that 46,000 Scots disabled people would lose the Higher Rate Mobility component of DLA when they are re-assessed for the new Personal Independence Payment (PIP). As such under the legislation in place until last year, they would also have automatically lost entitlement to their Blue Badges (which allow disabled people to park in parts of town centres without incurring parking charges) and Concessionary Travel passes.

This evidence and that provided by colleagues in SCoWR, was key to the Committee and Scottish Government recognising that they could reduce the impact of the loss of DLA by protecting disabled people's passported benefits. Thus new legislation was adopted last year which provides transitional protection of passported benefits such as the Blue Badge and Concessionary Travel for disabled people who lose their Higher Rate Mobility. Moreover, disabled people's entitlement to free Legal Aid, enabling them to challenge discrimination, was not only protected but extended in the new legislation.

We believe that the efforts of DPOs, SCoWR, SCVO and our allies in the wider voluntary sector and trade union movement have also been successful in influencing the tenor of the political debate in Scotland. The Scottish Parliament's committees and debating chamber have been almost entirely free of the "skivers v strivers" rhetoric that epitomises all sides' contributions to such debates at Westminster. As a

consequence, extra funding to provide assistance to claimants in Scotland has been agreed without much press or public comment – totally unlike what the situation would have been in other parts of the UK.

To date, the Scottish Government and Parliament have agreed the following package of measures to mitigate the impact of Welfare Reform in Scotland:

- Over £9million in additional funding for welfare rights and money advice services
- Welfare Fund: Millions of pounds in additional funding provided when discretionary Community Care grants and Crisis Loans (now grants) transferred from DWP to Scottish Local Authorities. In addition disabled people in danger of losing their ability to live independently are to be treated as a priority group for grants
- Council Tax: additional £40 million this year and next to protect those on low incomes from large rises in Council Tax payments due to the transfer of Council Tax Benefit from DWP to Local Authorities with accompanying 10% cut in funding
- £20 million in additional funding provided this year and next to Local Authorities for Discretionary Housing Payments to protect tenants affected by the Bedroom Tax.

Inclusion Scotland have also made strenuous efforts to influence the public debate on welfare reform. For the last 3 years we have provided speakers at meetings and conferences of DPOs, voluntary sector organisations, trade unionists and community & campaign groups. On average we have spoken at 30 events a year. Most recently we have concentrated on opposition to the Bedroom Tax and were delighted to be asked to speak at the well-attended march and rally against the Bedroom Tax in Edinburgh last spring.

We have also had some success in getting the Scottish media and press to take up the issue of Atos & Work Capability Assessments by initially providing interviewees and background information to the Daily Record who have since “run” with the ongoing

story. Tribute should also be paid to groups such as our allies in the Black Triangle Campaign for the enormous work that they have put into this issue, culminating in the British Medical Association (BMA) agreeing to call for the abolition of the current ESA Assessment regime and to work with Black Triangle to achieve that end. There has also been a great deal of street level protests by groups like Disability History and DPAC against charities who are Workfare providers, outside ATOS assessment centres and even, over the Bedroom Tax outside the homes of Government Ministers.

However, we have to acknowledge that despite all our efforts we have not succeeded in halting any of the major cuts – we have only partially blunted their impact. The cuts will eventually lead to disabled people in the poorest fifth of UK households losing *on average* 18% of their cash income plus other benefits-in-kind (e.g. passport benefits) over the period 2011-2015 (see Edwards 2012). Follow-up research to the original Demos report *Destination Unknown* (See Grant & Wood, 2012) also shows that disabled people and their families are already:

- Becoming more socially isolated and less politically active
- Suffering from increased anxiety, depression and fear for the future
- Increasingly reliant on informal carers taking the strain as they lose the financial support and services they once relied on to maintain their independence.

Yet only 20% of the planned cuts have taken place to date. Much worse is to follow with many thousands of disabled people facing reduced incomes, impoverishment and homelessness. To prevent this becoming the continuing policy of successive Governments will require increased effort on the part of everyone who cares about disabled people.

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