

UK austerity policies 'amount to violations of disabled people's rights'

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11/7/2016

Austerity policies introduced into welfare and social care by the UK government amount to “systematic violations” of the rights of people with disabilities, a UN inquiry has concluded.

It says a range of measures aimed at reducing public spending since 2010, including controversial changes such as the bedroom tax, and cuts to disability benefits and social care budgets have disproportionately and adversely affected disabled people.

The **highly critical report**, published in Geneva on Monday afternoon, says the rights of disabled people to live independently, to work, and achieve an adequate standard of living have been negatively affected by austerity measures.

It makes 11 recommendations, including calling on the UK government to carry out a study of the cumulative impact of all spending cuts on disabled people, and to ensure the human rights of disabled people are upheld.

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The report was welcomed by disability campaigners. **Linda Burnip**, a founder of **Disabled People Against Cuts** (Dpac) said it “came as no surprise to anyone who has followed the stripping away of disabled people’s rights over the last six years.”

The UK government, however, rejected the UN report, saying in a formal response its findings presented an inaccurate picture of life for disabled people in the UK. “While the government continues to improve and build on the support available to disabled people, it stands by and is proud of its record.”

The report is withering about the manner in which ministers have conducted welfare and social care reforms, arguing that they pushed ahead with changes even when they knew they would have an adverse impact on disabled people.

Cuts such as those to **personal independence payments** and the **independent living fund** had “hindered various aspects of [disabled people’s] right to live independently”, it says, making them more reliant on family and carers and in some instances forcing them into institutional care.

The bedroom tax and other cuts to housing support had led disproportionately to debt and eviction, it says. “Evidence indicates that persons with disabilities affected by cuts in their housing benefits have undergone high levels of stress anxiety and depression as a consequence of the shortfalls in their budget.”

It is highly critical of what it calls the “functional assessments” of disabled people who have applied for social security benefits, noting that their experience tended to be one where they were “merely processed rather than being listened to or understood”.

Government attempts to decrease the disproportionately high levels of unemployment among disabled people have had little impact, the report notes, while notorious “fit-for-work” tests were riven with flaws.

It noted that disabled people had suffered from a climate in which they were portrayed as “lazy and putting a burden on taxpayers”. They had continued to experience “increasing hostility, aggressive behaviour and sometimes attacks to their personal integrity”.

The report, issued by the committee on the rights of persons with disabilities, concludes: “There is reliable evidence that the threshold of grave or systematic violations of the rights of persons with disabilities has been met.”

The inquiry was triggered after campaigners, including Dpac, made a formal complaint to the UN in 2012 about alleged violations of disabled people’s rights. After two years of deliberations, the UN committee on the rights of persons with disabilities gave the green light to the inquiry in May 2014.

The inquiry report is based on an [11-day inquiry tour](#) of the UK undertaken by two UN envoys in October 2015. The inquiry team met with more than 200 individuals, including officials and MPs as well as activists and academics.

The UK has been a signatory to the [UN convention on the rights of people with disabilities](#) since 2007. The convention includes the right to live independently, to work and to enjoy social protection without discrimination on the basis of disability.

The Committee	COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES	Country-specific information
<div>Introduction</div> <div>Membership</div> <div>Conference of States parties/Elections</div> <div>Upcoming elections for all treaty bodies</div>	<div>Inquiry procedure</div> <div><div>Inquiry reports</div><div>1. Report of the Inquiry Concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention</div><div>2. Observations of the Government of the United Kingdom of Great Britain and Northern Ireland on the report of the Inquiry carried out by the Committee under article 6 of the Optional Protocol to the Convention</div></div> <div><div>Description of the inquiry procedure</div><div>Upon receipt of reliable information on serious, grave or systematic violations by a State party of rights set forth in the Conventions they monitor, the Committee against Torture (article 20 CAT), the Committee on the Elimination of Discrimination against Women (article 8 of the Optional Protocol to CEDAW), the Committee on the Rights of Persons with Disabilities (article 6 Optional Protocol to CRPD), the Committee on Enforced Disappearances (article 33 of CED), the Committee on Economic, Social and Cultural Rights (article 11 of the Optional Protocol to ICESCR) and the Committee on the Rights of the Child (article 13 of the Optional Protocol (on a communications procedure) to CRC) may initiate confidential inquiries.</div><div>Which States may be subject to inquiries?</div><div>Inquiries may only be conducted with respect to States parties that have recognized the competence of the relevant Committee in this regard. States parties may opt out from the inquiry procedure, at the time of signature or ratification or accession (article 28 CAT; article 10 of the Optional Protocol to CEDAW; article 8 of the Optional Protocol to CRPD; article 13(7) of the Optional Protocol (on a communications procedure) to CRC) or anytime (article 11(8) of the Optional Protocol to ICESCR) by making a declaration that they do not recognize the competence of the Committee in question to conduct inquiries.</div><div>Inquiry Procedure</div><div>1. The procedure may be initiated if the Committee receives reliable information indicating that the rights contained in the</div></div>	<div>Select a country</div> <div>GO</div> <div>Meetings and deadlines</div> <div><div>Sessions</div><div>Calendar of country reviews by treaty bodies</div><div>Deadlines for the submission of documentation</div></div> <div>Search</div> <div><div>Treaty body database</div><div>Universal human rights index</div></div> <div>Publications</div> <div><div>Handbook for parliamentarians on the Convention on the Rights of Persons with disability</div><div>Monitoring the Convention on the Rights of Persons with disability: Guidance for HR Monitors</div></div> <div>Useful links</div> <div><div>Human Rights of persons with disabilities</div><div>Special Rapporteurs</div><div>Questions and answers</div><div>UN Enable</div></div> <div>External links</div> <div><div>Treaty Body Webcast</div><div>Disability Council International</div><div>International Disability Alliance</div></div>

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Convention it monitors are being systematically violated by the State party.

2. The Committee invites the State party to co-operate in the examination of the information by submitting observations.

3. The Committee may, on the basis of the State party's observations and other relevant information available to it, decide to designate one or more of its members to conduct an inquiry and report urgently to the Committee. Where warranted and with the consent of the State party concerned, an inquiry may include a visit to its territory.

4. The findings of the member(s) are then examined by the Committee and transmitted to the State party together with any comments and recommendations.

5. The State party is requested to submit its own observations on the Committee's findings, comments and recommendations within a specific time frame (usually six months) and, where invited by the Committee, to inform it of the measures taken in response to the inquiry.

6. The inquiry proceedings are confidential and the cooperation of the State party shall be sought at all stages of the proceedings.

World Network of Users and Survivors of Psychiatry

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**Convention on the Rights
of Persons with Disabilities**

Distr.: Restricted
6 October 2016

Original: English
English, French and Spanish only

Committee on the Rights of Persons with Disabilities

**Inquiry concerning the United Kingdom of Great
Britain and Northern Ireland carried out by the
Committee under article 6 of the Optional
Protocol to the Convention**

Report of the Committee*

* Revised by the Committee at its sixteenth session (15 August-2 September).

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I. Establishment of the inquiry

1. The present inquiry examines the cumulative impact of legislation, policies and measures adopted by the State party on social security schemes and on work and employment, from 2010 to the date of adoption of the report, directed to or affecting the enjoyment by persons with disabilities of their rights to live independently and to be included in the community (art. 19 of the Convention on the Rights of Persons with Disabilities), to an adequate standard of living and social protection (art. 28) and to work and employment (art. 27).
2. Early in 2012, the Committee on the Rights of Persons with Disabilities began receiving information about the alleged adverse impact on persons with disabilities of the implementation of a process of reforms of legislation and policies in the State party. The information indicated that the implementation of the welfare reform had introduced significant cuts to social benefits that were affecting several of the rights of persons with disabilities enshrined in the Convention. The Committee has continued to receive information from various sources since then.
3. In April 2013, the Committee received a formal request from a number of organizations of persons with disabilities alleging that serious and systematic violations of the provisions of the Convention were occurring against persons with disabilities. They requested that the Committee initiate an investigation into the matters raised in the request.
4. During its ninth session, held in April 2013, the Committee decided to register the request and, pursuant to rule 83, paragraph 2, of its rules of procedure, to request the State party to submit comments. The State party submitted comments on 20 August 2013 and 28 March 2014.
5. During its eleventh session, held in April 2014, the Committee assessed all the information before it and determined, pursuant to article 6 of the Convention and rule 84 of its rules of procedure, that there was reliable information indicating grave or systematic violations of the rights set forth in the Convention. The Committee established an inquiry and appointed two of its members as rapporteurs, which decision was communicated to the State party on 29 May 2014.
6. Pursuant to rule 84, paragraph 4, of its rules of procedure, and after consultation with the State party, the Committee decided to defer the consideration of the initial report of the State party submitted pursuant to article 35 of the Convention until after the finalization of the inquiry proceedings.

II. International human rights standards

7. The present chapter analyses the scope of the provisions of articles 19, 27 and 28 of the Convention, the interrelated character of these rights and the obligations of States parties vis-à-vis each of the rights recognized therein.

A. Living independently and being included in the community (art. 19)

8. Article 19 recognizes the right of all persons with disabilities to live independently and be included in the community.
9. States parties shall respect the autonomy of persons with disabilities and their freedom of choice and control over their place of residence and with whom they live, on an equal basis with others, which entails the possibility to choose from the same range of

options as others members of society or to reject those options. States parties shall ensure that persons with disabilities exercise their freedom of choice and control and adopt measures to prevent their isolation, segregation or institutionalization.

10. Persons with disabilities are entitled to exercise control over day-to-day decisions, the activities of their routine, the services they require and the living arrangements they need, including those specifically related to impairments, and to relate to and communicate with others in the community.

11. Freedom of choice and control over living arrangements and daily activities are indispensable to ensure the full inclusion and participation of persons with disabilities in the community and to prevent their isolation and segregation. If autonomy, choice and control are not guaranteed and protected through accessible and appropriate support, persons with disabilities risk being separated from their families, friends and communities and excluded from meaningful participation in the society.

12. States parties are required to ensure that persons with disabilities have access to a range of in-home, residential and community support services, including personal assistance necessary to support living and inclusion in the community. Persons with disabilities should not be perceived as mere recipients of support, but as rights holders, who have equal access and equal choice of and control over support services. Services delivered to persons with disabilities should respect their dignity and autonomy and promote their full inclusion and participation in society. Eligibility to access support services needs to be defined in a non-discriminatory way and assessments should move away from the medical approach to disability, comply with the human rights approach and take into account the specific needs of persons with disabilities rather than focusing on impairments.

13. Support services should be provided in the community and need to take into account the individualized situation of each person. Persons with disabilities are entitled to receive information and counselling, in accessible formats, about the range of support and assistance available in the community, including housing and income assistance. That requires effective awareness-raising efforts and coordination among health-care and social-service providers and officials in the housing sector.

14. States parties should allocate adequate resources for support services that enable persons with disabilities to live in their communities. They should ensure that community services for persons with disabilities are available, accessible, affordable and of quality. When persons with disabilities share the costs of the services provided, States parties should ensure that those persons are not disproportionately affected by the charges.

15. Persons with disabilities must be allowed access to mainstream community services and facilities, on an equal basis with others.

16. Reductions in social and health-care budgets, a lack of alternative resources for some persons with disabilities, the unavailability of community-based services, the conditionality of support upon certain living arrangements, cuts in independent living support, stringent criteria for accessing support services and the delivery of more standardized services, inter alia, can infringe upon the right of persons with disabilities to live independently and be included in the community.

B. Work and employment (art. 27)

17. States parties should recognize the right of persons with disabilities to work, on an equal basis with others, which includes the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and

accessible. Article 27 sets out a non-exhaustive list of appropriate steps for States parties to take measures to safeguard and promote the realization of the right to work.

18. States parties should take all appropriate measures to modify or abolish laws, regulations, customs and practices that constitute discrimination against persons with disabilities in the areas of work and employment.

19. States parties shall ensure that persons with disabilities enjoy equality of opportunity and treatment with respect to access to, retention of and advancement in employment in the open labour market, which, wherever possible, corresponds to their own choice. They also have a duty to raise awareness among employers and the general public on the right of persons with disabilities to work. Persons with disabilities are entitled to assistance and support in finding, obtaining, maintaining and returning to employment.

20. States parties have an obligation to prohibit discrimination on the basis of disability and must ensure that persons with disabilities are protected from discrimination, including with regard to all matters concerning employment, inter alia the denial of reasonable accommodation.

21. Legislation must stipulate that both public- and private-sector employers are responsible for providing reasonable accommodation to individual employees with disabilities. States parties should develop policies that promote and regulate flexible and alternative work arrangements that reasonably accommodate the individual needs of employees with disabilities.

22. States parties also have an obligation to take affirmative action measures, including providing incentives, to increase employment of persons with disabilities in the private sector.

23. States parties shall protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, as well as safe and healthy working conditions, including protection from harassment and redress for grievances.

24. Persons with disabilities are entitled to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training. States parties have the duty to promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

25. The Convention requires States parties to ensure that persons with disabilities are protected, on an equal basis with others, from forced or compulsory labour.

C. Adequate standard of living and social protection (art. 28)

26. The Convention recognizes the right of persons with disabilities to enjoy social protection without discrimination on the basis of disability. States parties are required to take appropriate steps to safeguard and promote the realization of that right, including through measures to ensure access by persons with disabilities, in particular women, girls and older persons with disabilities, to social protection programmes and poverty reduction programmes.

27. Social protection includes a variety of interventions designed to guarantee basic income security and access to essential social services, with the ultimate goal of achieving social inclusion and participation in the community.

28. Article 28 obliges States parties to take appropriate measures to ensure that persons with disabilities receive equal access to mainstream social protection programmes and services, including basic services, poverty reduction programmes, housing programmes and

retirement benefits and programmes, as well as access to specific programmes and services for disability-related needs and expenses, through contributory and non-contributory schemes.

29. As persons with disabilities are disproportionately affected by poverty and overrepresented among the poorest in the world, States parties should ensure that persons with disabilities have access to, and are meaningfully included in, poverty reduction strategies.

30. Social protection systems should address the cost associated with disability and protect persons with disabilities from falling into a lower standard of living or poverty at all stages of their life cycle.

31. States parties should include the right of persons with disabilities to social protection in their domestic legal frameworks and ensure that government agencies involved in the implementation of social security programmes act in coordination.

32. The eligibility criteria for social programmes should take into account the human rights model to disability, addressing the multiple barriers that limit the participation of persons with disabilities in society, and not rely on narrowly defined medical criteria or medical assessments.

33. States must ensure the access of persons with disabilities to quality, adequate, acceptable and adaptable social protection programmes. Social security programmes should be adapted to the needs of persons with disabilities and provide benefits of an adequate amount and duration to enable beneficiaries to enjoy an adequate standard of living.

34. When conditions are placed on participation in social security schemes and programmes, they should be implemented in a manner that does not undermine the right of persons with disabilities to an adequate standard of social protection.

35. Information, materials and communications pertaining to social protection programmes should be made accessible for all persons with disabilities.

36. States have obligations of immediate effect in relation to the right of persons with disabilities to social protection: persons with disabilities should not be discriminated against in the exercise of their right; access to social protection schemes should be secured; and a minimum essential level of benefits for all persons with disabilities and their families should be ensured.

37. According to the Committee on Economic, Social and Cultural Rights, the right to social security encompasses the right to access benefits without discrimination to secure protection from, inter alia, a lack of a work-related income owing to sickness, disability, maternity, employment injury, unemployment, old age or death of a family member, unaffordable access to health care or insufficient family support. States must provide social protection to all individuals, guaranteeing universal coverage, reasonable, proportionate and transparent eligibility criteria, affordability and physical accessibility by beneficiaries and participation in and information about the provision of benefits.

38. Persons with disabilities shall have the opportunity to participate, through their representative organizations, in the planning, design, implementation and monitoring of social protection systems. Consultation processes should not be merely symbolic.

39. The rights recognized in the Convention are interdependent and interrelated. That is particularly relevant in relation to the rights covered in the present report.

40. The realization of the right to live independently and be included in the community requires an adequate level of income protection, which can be secured both through

mainstream and disability-specific social protection programmes, as well as through employment.

41. Given the barriers that still prevent the full participation of persons with disabilities in the labour market and mean higher unemployment rates for them, income-maintenance social security schemes are particularly important for persons with disabilities. Such schemes allow them to maintain their autonomy and freedom of control and choice of their living arrangements and day-to-day activities. Without an adequate level of social protection, persons with disabilities run the risk of being isolated, segregated from the community and/or institutionalized.

42. States parties should find an adequate balance between providing an adequate level of income security for persons with disabilities through social security schemes and supporting their labour inclusion. The two sets of measures should be seen as complementary rather than contradictory. Measures aimed at facilitating the inclusion in the labour market of beneficiaries of social security should include transitional arrangements to ensure income protection while they reach a certain threshold and sustainability in their wages. They should become eligible again without delay if they lose their jobs.

D. States parties' obligations in the realization of the rights covered in the present report

43. States parties are required to adopt all appropriate measures to implement the rights set out in the Convention, including legislation, strategies, administrative measures, policies and programmes (art. 4 (1) (b)).

44. States parties shall take measures, to the maximum of their available resources, with the aim of achieving progressively the full realization of the economic, social and cultural rights set out in article 4 (2). States parties should move as expeditiously and effectively as possible to that goal, including by establishing strategies and programmes, with clear targets, benchmarks and time frames.

45. States parties shall promote the full realization of human rights and fundamental freedoms for all persons with disabilities without discrimination on the basis of disability (art. 4 (1)). The obligation to take measures to overcome discrimination and to achieve de facto equality of persons with disabilities has immediate effect and is not subjected to progressive realization. The duty to provide reasonable accommodation established in article 5 (3) is also not subjected to progressive realization.

46. The duty of progressive realization entails a presumption against retrogressive measures in the enjoyment of economic, social and cultural rights. When retrogressive measures are adopted, States parties should demonstrate that they have been introduced after careful consideration of all alternatives and they are duly justified by reference to the totality of the rights provided for in the Convention, in the context of the use of the maximum available resources of the State party. Under the criteria adopted by the Committee on Economic, Social and Cultural Rights about the prohibition of retrogression in the realization of economic, social and cultural rights,¹ States parties should demonstrate that:

- (a) There was reasonable justification for the action;

¹ Committee on Economic, Social and Cultural Rights, general comment No. 3 (1990) on the nature of States parties' obligations; letter of the Chairperson of the Committee on Economic, Social, and Cultural Rights to the States parties to the Covenant on Economic, Social and Cultural Rights, dated 16 May 2012.

- (b) Alternatives were comprehensively examined;
- (c) There was genuine participation of affected groups in examining proposed measures and alternatives;
- (d) The measures were not directly or indirectly discriminatory;
- (e) The measures will not have a direct impact on the realization of the rights set out in the Convention; or an unreasonable impact on acquired rights or whether an individual or group will be deprived of access to the minimum level of social security;
- (f) Whether there was an independent review of the measures at the national level.

III. Cooperation of the State party

47. Pursuant to article 6 of the Optional Protocol and rule 85 of its rules of procedure, the Committee sought the cooperation of the State party. The State party appointed the Office for Disability Issues in the Department of Work and Pension as a focal point. The Committee appreciates the support provided by the focal point throughout the proceedings.

48. The Committee appreciates that its request to visit the country was granted by the State party.

IV. Country visit

49. A country visit took place from 12 to 23 October 2015. The Committee's rapporteurs visited London and Manchester (England), Glasgow and Edinburgh (Scotland), Belfast (Northern Ireland) and Cardiff (Wales).

50. The Committee's rapporteurs had the opportunity to interview more than 200 individuals, among them government officers of the central and country governments, members of the House of Lords and the House of Commons, members of devolved legislatures, representatives of the independent monitoring mechanism, representatives of trade unions, representatives of organizations of persons with disabilities and other civil society organizations, researchers, academics and lawyers. The Committee commends the efforts undertaken by all interlocutors to provide valuable and updated information.

51. The Committee regrets that local authorities and councils did not cooperate with it during the visit, despite several invitations addressed to them to participate. The Committee would have appreciated it if the first meeting agreed with the central government had been held on the first day of the visit. That meeting was instead postponed to the last day.

V. Sources of information and confidentiality of the proceedings

52. Pursuant to rule 83 of its rules of procedure, the Committee requested additional information from various sources.

53. The Committee collected voluminous documentary evidence (more than 3,000 pages). Many were already in the public domain, such as parliamentary inquiries, reports of the Equality and Human Rights Commission and research reports. Other documents were forwarded to the Committee confidentially.

54. Most of the statistics referred to the Committee originated from official sources, in particular reports of different departments and units of the government available online, as

well as reports of oversight mechanisms. Some documents rely on surveys conducted by research institutes and academic sources. The Committee is impressed by the amount of data collected by stakeholders who contributed to the inquiry.

55. According to article 6 (5) of the Optional Protocol, inquiry proceedings shall be conducted confidentially. All persons who were contacted and invited to participate in the hearings during the country visit signed the solemn declaration provided for in rule 87, paragraph 3, of the Committee's rules of procedure.

VI. Contextual background to the inquiry

A. Convention on the Rights of Persons with Disabilities, decentralization and national monitoring bodies of the Convention

56. The State party's Government considers the Convention as being part of the main framework for the protection of persons with disabilities together with the Equality Act 2010, which addresses situations of discrimination and establishes the public sector equality duty (part 11, chap. 1, No. 149). It also acknowledges the Convention as a key piece of legislation that sets out what governments should do to promote and protect the rights of persons with disabilities. Its Parliament has highlighted that the Convention and other human rights international instruments are binding obligations in international law and therefore the State party should give them adequate consideration in decision-making processes. However, the Convention has not been incorporated into domestic law and is still not directly justiciable.

57. The State party is a constitutional monarchy based on the principles of parliamentary supremacy and the rule of law. It is made up of four constituencies: England, Northern Ireland, Scotland and Wales. It has a decentralized administration system of devolution of powers, which operates through the transfer of the decision-making power on certain matters to the legislatures and administrations in Northern Ireland, Scotland and Wales. In the framework of devolution, the Government of the United Kingdom is also the Government for Scotland, Wales and Northern Ireland. In the State party, social security, including welfare, constitutes a non-devolved matter, as does employment, except in Northern Ireland where social security is devolved. However, under the principle of parity, the social security policy in Northern Ireland operates under the same principles as those in the rest of the United Kingdom.

58. Decentralization also confers power to local authorities to provide discretionary welfare assistance, local council tax support and discretionary housing payments. Local authorities deliver various social and health-care services, establish the level of support available for social care users and set up eligibility criteria applicable for delivering assistance packages, except in Northern Ireland.

59. The Office for Disability Issues of the Department for Work and Pensions is the State party's focal point for disability-related issues. The Office is the body responsible for the implementation of "Fulfilling Potential — Making it Happen" strategy adopted by the State party in 2013. The Government asserts that the strategy is intended to give effect to the Convention and its implementation is based on the necessary involvement of persons with disabilities in issues that affect their lives. The strategy covers some aspects of the Convention under the topics: education, employment, income, health and well-being, choice and control, and inclusive communities.

60. The Equality and Human Rights Commission together with the Equality Commission for Northern Ireland, the Northern Ireland Human Rights Commission and the

Scottish Human Rights Commission have been designated as the independent mechanisms for the monitoring the Convention.

61. While promoting equality and non-discrimination, the Equality and Human Rights Commission requires public authorities to produce equality schemes that set out how they plan to comply with the equality duty, including identifying policies for equality impact assessment. The Commission has launched various reports and has intervened in cases before courts regarding non-discrimination against persons with disabilities.

62. In their capacity as human rights national independent institutions, the Equality and Human Rights Commission and the Human Rights Commissions in Northern Ireland and in Scotland have competence to provide evidence during parliamentary processes, including inquiries launched by parliamentary committees, as well as by the Northern Ireland Assembly and the Scottish Parliament.

63. The Parliament of the State party, as well as the three devolved legislatures, exercises control of government policies, taking into consideration the duties of the State under the framework of the Convention. Various parliamentary committees have undertaken inquiries to evaluate government policies relating to social security, welfare, social care and the rights of persons with disabilities. The Joint Committee on Human Rights, the Equality Act 2010 and Disability Committee (House of Lords) and the Work and Pensions Committee (House of Commons) have undertaken inquiries and requested evidence on issues like the right to independent living, access to justice and persons with disabilities and the employment and support allowance for persons with disabilities. In Northern Ireland, the ad hoc committee established by the Assembly in 2012 through the Welfare Reform Bill scrutinized the effects of the welfare reform. In Scotland, the Welfare Reform Committee of the Scottish Parliament monitors the implementation of the Welfare Reform Act 2012. In Wales, the Communities, Equality and Local Government Committee scrutinizes legislation and holds the Welsh Government accountable for matters, including equality of opportunity for all.

B. Main legislation and reforms on welfare and social care and persons with disabilities

64. The Welfare Reform Act 2012² and the Care Act 2014³ define the State party's duties with regard to social protection. Overall, at the national level, it appears that the welfare system, together with a social and health-care system, provides a solid base for the protection of the rights of persons with disabilities and that the system has allowed them to achieve an acceptable level of autonomy. The Committee notes that the State party has taken measures to reinforce personal control over care and support known as the "personalization agenda" and to strengthen the responsibility of local authorities regarding funding for social care and support, referred to as "localization".⁴

65. The Welfare Reform Act 2012 is the main legislative instrument on welfare that applies in England, Scotland and Wales, and the Welfare Reform Act (Northern Ireland) 2007 and the Welfare Reform Act (Northern Ireland) 2010 regulate the situation in Northern Ireland.⁵ Under the Fresh Start agreement,⁶ the State party's Government, the

² See www.legislation.gov.uk/ukpga/2012/5/section/7/enacted.

³ See www.legislation.gov.uk/ukpga/2014/23/contents/enacted/data.htm.

⁴ Department for Work and Pensions, "Closure of the Independent Living Fund", March 2014. Available at www.gov.uk/government/uploads/system/uploads/attachment_data/file/287236/closure-of-ilf-equality-analysis.pdf.

⁵ See www.legislation.gov.uk/nia/2007/2/pdfs/nia_20070002_en.pdf.

Government of Ireland and the largest Northern Ireland parties agreed on a legislative consent motion to allow the Government of the State party to legislate for welfare reform in Northern Ireland, as well as on the Welfare Reform Bill 2015-16 [Bill 99] introduced under a fast-track procedure, to enable Orders in Council to give effect in Northern Ireland to existing and prospective welfare changes in the State party.

66. The Welfare Reform Act 2012 represents a major reform of the welfare system and replaces various provisions of the Social Security Contributions and Benefits Act 1992,⁷ which had constituted the basis of social protection through contributory and non-contributory entitlements allocated for persons with disabilities. The Welfare Reform Act repealed the provisions about the non-contributory entitlement the Disability Living Allowance, introduced Personal Independence Payments (unified regulations concerning the Employment and Support Allowance that had already abolished the former Incapacity Benefit), set up a one-year limit for receiving contributory Employment and Support Allowance for claimants in the work-related activity group, introduced a “benefit cap” that limits the amount of benefit that people aged 16 to 64 can get, established Universal Credit as a benefit for working-age claimants (which replaces six existing working-age benefits) and introduced limits on housing benefits, including limiting access to over-occupied housing for social tenants (spare room tax, commonly known as “the bedroom tax”), and changes to appeals procedures, the tax credits system and council tax benefit.

67. The Care Act 2014,⁸ which came into effect in April 2015, sets forth the provisions relating care and support for adults and provisions relating to support for carers. The Act shifts the duty of local authorities from providing services to meeting needs, including legislation and guidance about preventing and delaying the development of needs in those who are not eligible for support, but who may benefit from the provision of information.

68. Most recently, the Welfare Reform and Work Act 2016⁹ makes provision for various aspects, including reducing the benefit cap, freezing certain social security benefits and taxing credit amounts for four tax years, limiting Child Tax Credit, changing the child element of Universal Credit, amending the Child Poverty Act 2010, removing the work-related activity component from Employment and Support Allowance and regulating the limited capability for work element of Universal Credit and work-related requirements of Universal Credit.

69. The reform to the legal aid system set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012¹⁰ and other reforms in the justice system have also been identified as part of the relevant framework that affects claimants of the welfare system, including persons with disabilities, owing to its provisions about civil law justice. The Act narrowed the scope of civil legal aid in England and Wales by excluding the use of legal aid in housing and debt cases (except where there is a risk of eviction) and welfare benefit cases, apart from appeals to the Upper Tribunal on points of law.

C. Welfare and social care reforms

70. The welfare system has faced a progressive change both in the conception from the “welfare” of individuals to the economic well-being of the country, as well as about the type and amount of entitlements and the portion of the population covered by the system.

⁶ The Stormont Agreement and Implementation Plan and the Northern Ireland Welfare Reform 2015-16 (Bill 99).

⁷ See www.legislation.gov.uk/ukpga/1992/4/contents/enacted.

⁸ See www.legislation.gov.uk/ukpga/2014/23/contents/enacted/data.htm.

⁹ See www.legislation.gov.uk/ukpga/2016/7/contents/enacted/data.htm.

¹⁰ See www.gov.uk/government/policies/legal-aid-reform.

The former (2010-2015) and the present Government¹¹ carried out a comprehensive social security reform based on two main reasons: the financial sustainability of the system and the need to make it more efficient.

71. The measures are intended to adjust the growth of the welfare budget with the aim of reducing the structural economic deficit following the 2008 global financial crisis. In that regard, fiscal consolidation has been the dominant influence since 2010¹² and the welfare reform, as well as social care, is anchored in a general policy of public spending cuts that will reduce public spending to its smallest level in decades.¹³ Official reports indicate that between 2009/10 and 2012/13, total gross expenditure on adult social care decreased by 5.5 per cent in England. That compares with falls of 2.1 per cent in Wales and 3.4 per cent in Scotland.¹⁴

72. In addition, the State party is seeking to make the system more efficient through a better and more targeted distribution of resources: the new threshold is the protection of persons in critical condition or those who need it most. Furthermore, the State party aims to reduce fraud and error, simplify the benefits system and streamline the administration of the welfare system. In that area, the promotion of employment is the main driver of the policies and it is understood that employment of current “beneficiaries” will reduce the number of persons relying on the welfare system. Thereby, the reform provides increased incentives for work and work is reaffirmed as a condition for retaining and claiming certain entitlements under the social protection system: for instance the “entitlement to work”, which operates as a condition of entitlement for claimants of contributory Employment and Support Allowance.¹⁵

73. The centrality of work was highlighted by the State party in different scenarios throughout the parliamentary discussions of the Welfare Act 2012, as well as in the Welfare Reform and Work Act 2016. With regard to persons with disabilities, the State party’s Government pointed out that promotion of employment of persons with disabilities was at the centre of the new policies and that persons with disabilities should also gain as a result of improved work incentives and smoother transitions into work. The State party noted that reforms would promote fairness throughout the system and reduce a life of welfare dependency for persons with disabilities.

74. Overall, various actors have recognized that the amendments to welfare and social care represent a major reform of the social policy system and that austerity measures are the underlying reason for transforming it.¹⁶ There is also a general agreement expressed by various instances, such as the Parliament of the State party and independent bodies like the Equality and Human Rights Commission and the Human Rights Commission of Northern

¹¹ See the Conservative Party manifesto, 2015. Available at <https://s3-eu-west-1.amazonaws.com/manifesto2015/ConservativeManifesto2015.pdf>.

¹² European Social Policy Network, “ESPN thematic report on social investment: United Kingdom”, 2015. Available from <http://ec.europa.eu/social/keyDocuments.jsp?pager.offset=30&langId=en&mode=advancedSubmit&advSearchKey=ESPNSocInv>.

¹³ See <http://budgetresponsibility.org.uk/efo/economic-fiscal-outlook-december-2013/>.

¹⁴ Equality and Human Rights Commission “Is Britain fairer? The state of equality and human rights 2015”, p. 62. Available from www.equalityhumanrights.com/about-us/our-work/key-projects/britain-fairer-0.

¹⁵ See Joint Committee on Human Rights, “Legislative scrutiny: Welfare Reform Bill — twenty-first report of session 2010-12”, December 2011.

¹⁶ See European Social Policy Network, “Thematic report on social investment”; see also European Foundation Centre “Assessing the impact of European governments’ austerity plans on the rights of persons with disabilities: European report”, October 2012. Available at www.enil.eu/wp-content/uploads/2012/12/Austerity-European-Report_FINAL.pdf.

Ireland, on the importance of the goal set by the Government of supporting people to move into and progress in work and promoting their independence, in the manner stated as the purpose of the Care Act 2014.

75. However, various public authorities, including the Parliament of the State party,¹⁷ local authorities¹⁸ and the independent national human rights institutions¹⁹ have expressed concerns about the potential discriminatory effects of the welfare measures on persons with disabilities and called the Government to fulfil its duties under the Equality Act 2010. Earlier in the discussion and upon approval of the reforms, public bodies had pointed out the lack of, and the need for, a cumulative impact assessment to consider the impacts on groups with similar characteristics, such as persons with disabilities and the population at the local level, as well as to monitor the post-legislative impact of the measures in the welfare reform.

76. In particular, throughout the discussions that preceded the approval of the Welfare Act 2012, the Joint Human Rights Committee of the Parliament warned about the potential retrogressive impact of the reform on the rights of persons with disabilities, which could be inconsistent with the State party's obligation under the Convention. It referred to the negative impact of the introduction of Personal Independence Payments on the right of persons with disabilities to live independently, without reasonable justification; it also expressed concerns about the disparate impact in terms of extensive disruption regarding adaptations and caring/support networks for persons with disabilities who do not get Disability Living Allowance or Personal Independence Payment as a consequence of the tightened eligibility criteria. Moreover, it warned of the risk of discrimination regarding proposals on employment support allowance and housing benefit and the risk of "destitution" in connection with the new conditionality and sanctions regime.²⁰

77. The concerns expressed at the national level in terms of discrimination coincide with the findings of the devolved governments of Northern Ireland,²¹ Scotland²² and Wales,²³ which launched impact assessment processes related to the social policy reforms and identified impacts in groups with protected characteristics, such as persons with disabilities. The common criteria of such assessments were to ascertain the cumulative impact of the tax credit cuts and the welfare in each region, including the number of people potentially affected by the policy changes, the expected impact on household incomes, the impact on poverty and the effects on work incentives — considerable barriers facing persons with

¹⁷ See Joint Committee on Human Rights "Legislative scrutiny: Welfare Reform Bill".

¹⁸ See Local Government Association and Centre for Economic and Social Inclusion, "The local impacts of welfare reform: an assessment of cumulative impacts and mitigations", August 2013.

¹⁹ See Howard Reed and Jonathan Portes, Equality and Human Rights Commission "Cumulative impact assessment: a research report by Landman Economics and the National Institute of Economic and Social Research (NIESR) for the Equality and Human Rights Commission", research report series, summer 2014. Available at www.equalityhumanrights.com/sites/default/files/cumulative_impact_assessment_executive_summary_30-07-14_2.pdf.

²⁰ Joint Committee on Human Rights, "Legislative scrutiny: Welfare Reform Bill".

²¹ See Department for Social Development, "Impact assessments for the Welfare Reform Bill (Northern Ireland)", 2011. Available from www.dsdni.gov.uk/publications/welfare-changes-equality-impact-assessments.

²² Scottish Government, "Financial impacts of welfare reform on disabled people in Scotland", 2014 (available at www.scotland.gov.uk/Resource/0045/00457564.pdf); and "The impact of welfare reform in Scotland — Tracking Study Year 1 Report", November 2014 (available from www.gov.scot/Resource/0046/00463006.pdf).

²³ See <http://gov.wales/topics/people-and-communities/welfare-reform-in-wales/analysing-reforms/?lang=en>.

disabilities in access to work, despite the aims of the reforms encouraging people to work, as well as its wider economic and social impacts.

78. Research and a number of independent studies conducted by academia and research centres, including various organizations of persons with disabilities, highlighted concerns about the actual impact of the austerity measures and reforms on the situation of persons with disabilities. As a result of analysing the reforms by region, families and individuals and groups, it seems there will be an impact on areas such as financial income, provision of social care, inclusion in society, independence, quality of life, well-being, housing, work, mobility and mental health. The specific impact on women with disabilities, children with disabilities, young persons with disabilities, persons with “learning disabilities” and persons with psychosocial disabilities was also identified.

79. Some of the issues pointed out in the above-mentioned research include: (a) financial loss for persons with disabilities, lower income for households claiming benefits under the welfare system and persons with disabilities being the biggest single group affected by the reforms (in 2013, independent sources estimated that about 26,000 people would no longer be entitled to disability allowances); (b) significantly greater impact in the poorest areas; (c) more persons with disabilities living in poverty; (d) no account being taken of those people no longer eligible for entitlements and services; (e) more inequality and growing restrictions on social care services owing to the decreasing budget allocations earmarked for social care; (f) reduction in services available for home care and on services for older people; (g) risk of social isolation and more reliance on informal and family care; (h) loss of eligibility for or reduction in entitlement under the assessment for the Personal Independence Payment; (i) the negative impacts of the reduction on housing benefits; (j) the closure of the Independent Living Fund in the State party; (k) the transition from the Disability Living Allowance into Personal Independence Payment; (l) the changes in the Employment and Support Allowance; (m) impact on public transport services available for persons with disabilities; and (n) negative stereotyping of persons with disabilities.

80. The reform regarding social care through the Care Act 2014 was aimed at reducing reliance on formal care in order to promote peoples’ independence and well-being and give people more control of their own care and support.

81. Reliable information indicates that, from the start of the inquiry until 2015, public funding of adult social care was reduced by £4.6 billion, representing 31 per cent of the real-term net budget. As a consequence, local authorities reduced their spending on social care and cut community services that had been of importance to persons with disabilities.

VII. Summary of the findings

A. General findings

82. The facts submitted by the source were disputed by the State party. The Committee engaged in a verification exercise in which the facts that appeared to be controversial were cross-checked with data collected from a variety of sources, including parliamentary inquiries, reports of the independent monitoring body of the Convention, official statistics, reports and data originating from other government departments or units, entity governments, research institutes, service providers, academic centres, independent experts, former government officers, grass-roots non-governmental organizations, organizations of persons with disabilities and individuals. In some cases, some State party’s statements were not supported by evidence collected by the investigation. In others, the State party indicated that no data were available. The findings below are based on a comprehensive analysis of data provided by various sources.

83. The State party launched, a considerable time ago, a major policy reform to the welfare system, aimed at reducing the fiscal deficit and achieving in 2020 a surplus in its balance of payments. Various policy documents and statements by high-level ranking officers have stated that this is the most fundamental policy change to the social protection system in recent decades. The stated goals of the policy are to transform British society from a low-wage, low-employment and high-welfare society to a high-wage, high-employment and low-welfare one. The policy makes the assumption that individuals are better off in work, dependency on benefits is in itself counterproductive and perpetuates poverty and beneficiaries of welfare benefits need to move into work both through improvement of incentives to employment and through a system of conditionality and sanctions. The policy intends that sectors of society who have been dependant on benefits move into work. It has also been stated that the policy aims at protecting those people who require more support or who are “most vulnerable”.

84. Changes to the welfare system include the overhauling of a wide range of entitlements in several areas, including social and private housing sector, contributory and non-contributory benefits, tax credits and out-of-work and in-work benefits and have affected all segments of the population, including children, women, single parents, older persons and persons with disabilities. With regard to persons with disabilities, the reform resulted in the overhauling of major disability benefits, including means-tested benefits, income-maintenance benefits and benefits related to the specific and extra costs associated with disability. In the period covered by the inquiry, a large number of persons with disabilities have been requested to undergo capability assessments, with pre-implementation assumptions that a significant percentage would no longer rely on social allowances.

85. The roll out of those policies included the issuing of statements by high-ranking officers that the reform was aimed at making the welfare system fairer to taxpayers and more balanced and transparent and reducing benefit fraud. Persons with disabilities have been regularly portrayed negatively as being dependent or making a living out of benefits, committing fraud as benefit claimants, being lazy and putting a burden on taxpayers, who are paying “money for nothing”. Although the State party produced evidence of formal efforts and public awareness campaigns to improve the image of persons with disabilities, the inquiry collected evidence that persons with disabilities continue to experience increasing hostility, aggressive behaviour and sometimes attacks to their personal integrity. The inquiry also found no substantiation of the alleged benefit fraud by persons with disabilities.

86. Public sector equality duty obliges State authorities to carry out impact assessments when they plan to introduce measures, including legislative measures, to ensure that groups with protected characteristics, among them persons with disabilities, are properly consulted and any adverse impact on them is properly justified. The State party submitted evidence that it has complied with domestic legal duties for all the intended changes to the welfare system. The inquiry collected evidence that a major piece of legislation of the welfare reform, the Welfare Reform Act 2012, was not thoroughly compliant with those requirements. Similarly, a court of law found that the decision to close the Independent Living Fund was not in compliance with domestic equality duty, which compelled the authorities of the State party to carry out another equality assessment. The inquiry also collected evidence that the views of persons with disabilities and their representative organizations who had participated in consultations launched by the State party, were not meaningfully taken into account in the decision-making and had little or no influence on policy decisions.

87. Although the State party asserted that a cumulative impact assessment of the various policy measures affecting persons with disabilities was not technically feasible or

practicable, the evidence collected by the inquiry indicates that a cumulative impact assessment could have been conducted with the data and information available in the State party.

88. The Committee observes that various pieces of legislation related to recent welfare policies do not fully enforce the international human rights framework related to social protection and independent living. In connection thereto, it was observed that in the field of social protection, persons with disabilities have not been properly considered as right-holders and entitled to benefits with regard to their right to social protection. Similarly, while the Care Act 2014 reflects the principles of well-being of persons with disabilities and underlines the objective of personalization of support packages, it fails to properly acknowledge the elements of autonomy and control and choice, which are intrinsic to the right to independent living as referred to in article 19 of the Convention.

89. The Committee observes the prevalence of the medical approach in assessment procedures for determining the eligibility of persons with disabilities to entitlements. The main assessment procedure for determining eligibility for out-of-work benefits resulted in persons with disabilities being classified as either unable to perform work-related activity, having limited capability to work or fit to work. The above-mentioned assessment failed to take in account the support persons with disabilities need to perform a job or the complex nature of some impairments and conditions, or reflect the human rights-based approach to disability.

90. The Committee observes that persons with disabilities who have undergone functional assessments aimed at determining their eligibility for social benefits felt that they were merely processed rather than being listened to or understood. The inquiry was informed that several measures have been adopted to make adjustments to procedures to improve service delivery, including the time frame for the assessment procedures, and ensure a better understanding of the diversity of persons with disability by assessors. The evidence collected from various sources indicates that the needs, views and personal history of persons with disabilities, and particularly those requiring high levels of support such as persons with intellectual and/or psychosocial disabilities, were not properly taken into account or given appropriate weight in the decisions affecting them.

91. The inquiry collected evidence indicating that information, advice and counselling provided to persons with disabilities about different steps in the assessment processes and decisions about their entitlements was limited, non-existent or not provided in accessible formats and languages. That was coupled with uncertainty about the outcomes of those processes triggering anxiety, psychological strain and financial hardship. The Committee also collected evidence about persons with disabilities whose mental health condition had severely deteriorated as a result of the aforementioned factors.

92. Evidence indicates that legal aid to challenge administrative decisions ending or curtailing their benefits before first-tier tribunals has been restricted. Legal aid for cases before those tribunals has also been curtailed. Similarly, access to review by an independent and impartial tribunal has been restricted by the introduction of mandatory reconsideration procedures before the same administrative entity that has ruled on benefits.

93. Evidence indicates that State party authorities carried out surveys and regularly published statistics about welfare reform. State party authorities also cooperated with parliamentary inquiries and provided answers to the recommendations issued by that oversight body. However, there is no evidence of periodic monitoring and evaluation activities involving persons with disabilities and their representative organizations about the impact of the implementation of measures.

94. Evidence was produced about mitigating measures put in place by central authorities to support persons with disabilities in coping with the curtailing of their social security

benefits. Evidence was also produced indicating that those mitigating measures were of a temporary nature for individuals concerned by the measures, not regularly offered or known by claimants affected by decisions and not sustainable enough to outweigh the financial impact of the reduction or suppression of income-maintenance benefits. The Committee also observes that the devolved administrations in Scotland and Wales had put in place mitigation measures and takes note of the mitigation plan agreed upon in Northern Ireland.

B. Living independently and being included in the community (art. 19)

95. The Committee observed throughout the inquiry process that the interaction of various reforms on welfare schemes, in particular changes in housing benefits, the establishment of a cap on household benefits, changes in eligibility criteria for the “moving around” component under the new Personal Independence Payment, tightening of criteria to access social care and the closure of the Independent Living Fund in the State party, have disproportionately affected persons with disabilities and hindered various aspects of their right to live independently and be included in the community.

96. The Committee is concerned that the set of reforms has limited the right of persons with disabilities to choose their residence on an equal basis with others, resulting in persons experiencing increasing reliance on family and/or kinship carers, reduction in their social interaction, increased isolation and, in certain cases, institutionalization. The deinstitutionalization process in the State party has been adversely affected.

97. The Committee is of the view that changes in housing benefits, specifically the implementation of the social housing size criteria through the reduction in social housing welfare payments referred to as “the spare room subsidy”, the establishment of a cap on household benefits and changes in local housing allowances for private-sector tenants have curtailed the right of persons with disabilities to choose a place of residence in accordance with article 19 of the Convention. The Committee notes that, in multiple cases, social housing size criteria failed to recognize the specific living arrangements that persons with disabilities require in connection with their impairment and respect of their autonomy, will and preferences. The Committee observes that measures have caused financial hardship to persons with disabilities resulting in, inter alia, arrears, debts, evictions and cuts to essentials such as housing and food. The Committee, while noting that Discretionary Housing Payments have been established as a form of mitigation, observes that the concerns and views of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context (see A/HRC/25/54/Add.2) persist.

98. Evidence indicates that persons with disabilities affected by cuts in their housing benefits have undergone high levels of stress, anxiety and depression as a consequence of the shortfalls in their budget and the costs to recover financial stability. In many cases, the implementation of welfare measures has reinforced the dependency of persons with disabilities on informal and/or family care and has hindered deinstitutionalization plans.

99. The Independent Living Fund in the State party has been closed to new claimants since 2010 and was definitively closed in June 2015. The funds transferred from the central administration to local authorities under the scheme of localization were not ring-fenced in England, affecting the majority of former Fund users. It was observed that social care packages have been reduced in the context of further budgetary constraints at the local level. The Committee finds that former Fund claimants have seen the support they received from local authorities substantially reduced, to the extent that their essential needs in areas such as daily personal care are not sufficiently covered. The Committee takes note of the decision made by the devolved administrations in Scotland and Northern Ireland for the maintenance of schemes equivalent to the former Independent Living Fund, as well as in

Wales. However, it remains concerned about the lack of acceptance of new applicants to the fund in Northern Ireland.

100. According to the Care Act 2014, social care provisions and schemes realize the principle of well-being. However, the information brought to the attention of the Committee demonstrated increasing financial hardship for persons with disabilities at the local level and the reduction in time and quality of social care services for those persons who are considered “not having substantial or critical levels of need”. Prioritization and tightening of eligibility criteria for adult social care has been implemented on a regular basis, adversely affecting persons with disabilities who are not being supported to the extent that they need. The Committee gathered evidence indicating that the level of care has diminished, affecting older persons with disabilities, and received testimonies about the reduction in time for visits by social carers, who in certain cases are limited to 15-minute visits to assist persons with disabilities with basic needs such as meals and personal hygiene. It was observed that the reduction in the provision of support services at the local level has curtailed the ability of persons with disabilities to take part in community life.

101. The State party provided information about measures to transfer more responsibilities to local authorities and the personalization of budgets for personal care. The Committee, however, received evidence that personal care packages have been reduced and that the availability of support is established on the basis of what is considered to be an affordable service in the market, rather than on the specific needs of the person concerned. The Committee received evidence that personal budgets do not necessarily allow persons with disabilities to have access and control over social care services and restrict the level of personal assistance they receive.

C. Work and employment (art. 27)

102. Evidence indicates several flaws in the processes related to the Employment and Support Allowance. In particular, the Committee notes that, despite several adjustments made to the Work Capability Assessment, the assessment has continued to be focused on a functional evaluation of skills and capabilities, and puts aside personal circumstances and needs, and barriers faced by persons with disabilities to return to employment, particularly those of persons with intellectual and/or psychosocial disabilities. In the initial period covered by the present report, evidence indicates a significant percentage of assessments were overturned by tribunals.

103. Despite the training delivered to assessors and decision makers, evidence indicates a persisting lack of awareness and limited knowledge of disability rights and the specific needs of persons with disabilities, particularly of persons with intellectual and/or psychosocial disabilities. The Committee also collected evidence of lack of reasonable accommodation and inaccessible information about the assessment process.

104. While the Committee notes the effort of the authorities to shorten the length of mandatory reconsideration procedures, evidence indicates that claimants requesting reconsideration have frequently experienced long waiting periods. The Committee also observes that, during the mandatory reconsideration procedure, Employment and Support Allowance benefits are suspended.

105. Evidence collected points to significant hardship, including financial, material and psychological, experienced by persons with disabilities undergoing assessments. Persons who have been compelled to undergo a new assessment shortly after a first assessment have been particularly affected.

106. The number of sanctions of claimants in the Employment and Support Allowance work-related activity group has increased significantly between 2012 and 2014, and

evidence indicates that they have been applied in a disproportionate manner. Opportunities to apply for hardship payments exist, but few people appear to have been informed thereof; the payments are also modest, discretionary, subject to strict access rules and of a temporary nature. Evidence indicates that claimants who have been sanctioned have faced financial hardship, including through becoming indebted, relying on the support of relatives or on food banks or having reduced essential services.

107. Various programmes have been designed to encourage persons with disabilities to move into paid employment. The two main programmes, the Work Programme and Job Centre Plus, where persons with disabilities were mostly referred, had no visible impact in decreasing unemployment among them. Persons with disabilities who have had access to other programmes that have been more successful have experienced reductions in the support provided to them, in some cases resulting in loss of employment. Evidence indicates that the Work Programme helped persons with disabilities back to work to a very limited extent and that persons with substantial support needs were left aside.

108. The situation of persons with disabilities deemed “fit to work” is not monitored as such. Those who have re-entered the system by claiming the Job Seeker’s Allowance to support them until they find work face stringent levels of conditions and sanctions, which do not take into account the specific barriers they face. The Committee was informed that, in some cases, sanctions had led to financial hardship for persons with disabilities, and particularly persons with intellectual and/or psychosocial disabilities.

109. The State party initially stated that it did not monitor deaths that occurred after assessments. Evidence gathered during the inquiry indicated that, in 2012 and 2015, such information was released by the Department of Work and Pension following freedom of information requests. Additionally, information originated from official sources indicated that 33 deaths of claimants who died after being assessed were being examined. The State party claims that there is no causal link. The Committee is not aware of any attempts at objective, thorough, open and impartial investigation regarding those deaths by an independent body.

D. Adequate standard of living and social protection (art. 28)

110. The Committee had access to official statistics indicating that, overall, households with one or more persons with disabilities are more likely to have a relatively low income than households without persons with disabilities. The Committee was presented with evidence that changes operated in the welfare system had had a more negative impact on households with persons with disabilities, especially on those living on low income.

111. The Committee observes that equality impact assessments carried out by authorities for various welfare benefits did foresee that a large number of persons with disabilities would be affected by policy changes. The Committee also received evidence that the cumulative impact in the reduction of welfare benefits has led persons with disabilities to struggle to maintain minimum level of income, driving many into increased dependency on relatives and increased levels of indebtedness and resulting in an inability to manage the bare essentials and recourse to food banks.

112. The authorities foresaw that the transition from Disability Living Allowance to Personal Independence Payment would result in 620,000 fewer people receiving Personal Independence Payments and would represent a 20 per cent saving in expenditure. The eligibility criteria and the threshold for qualifying for Personal Independence Payments have been tightened, with the result that many claimants with moderate or lower levels of support have been excluded from the benefit. Similarly, the tightening of the eligibility criteria for the mobility component has resulted in Personal Independence Payments

beneficiaries losing their entitlements to that component. Persons were reassessed based on functional criteria and evidence indicates that, despite assurances that the assessment period would be shortened, there were claimants experiencing long waiting periods. Information also indicates that the authorities intend to further reduce the support available to access assistive devices.

E. Systematic violations of the Convention

113. Consequently, the Committee considers that there is reliable evidence that the threshold of grave or systematic violations of the rights of persons with disabilities has been met in the State party. That conclusion is based on the following findings:

(a) The State party has implemented a policy aimed at reforming its welfare system and the reforms have been justified in the context of austerity measures to achieve fiscal and budgetary policy consolidation;

(b) The assumptions made under the policy include that: taxpayers need to be treated with fairness; large numbers of persons with disabilities have been relying and dependent on social benefits; persons are better off in work than on benefits; the dependency of persons with disabilities on benefits is in itself a disincentive to move them into employment; the number of persons with disabilities relying on social benefits were to be decreased; and tightening sanctions and conditionality of social benefits is a legitimate tool for incentivizing their moving into employment;

(c) The impact assessments conducted by the State party prior to the implementation of several measures of its welfare reform expressly foresaw an adverse impact on persons with disabilities;

(d) Several measures have disproportionately and adversely affected the rights of persons with disabilities;

(e) Measures resulting in reduction of support provided to meet the extra cost of disability, denial of reasonable accommodation in assessment procedures and realization of the right to employment have had a discriminatory effect on persons with disabilities;

(f) The core elements of the rights to independent living and being included in the community, an adequate standard of living and social protection and their right to employment have been affected: persons with disabilities affected by policy changes have had their freedom of choice and control over their daily activities restricted, the extra cost of disability has been set aside and income protection has been curtailed as a result of benefit cuts, while the expected policy goal of achieving decent and stable employment is far from being attained;

(g) There is evidence that a large number of persons with disabilities have been affected (e.g. 13,900 persons with disabilities have lost their Motability schemes and therefore their adapted cars, upon implementation of Personal Independence Payment up to February 2016; 492,180 had been placed in the Employment and Support Allowance work-related activity group by end of 2015; 41,792 Employment and Support Allowance work-related activity group sanctions were handed out up to March 2014);

(h) Evidence gathered nationally by the Parliament, the independent monitoring framework, universities and research institutes and centres and independent experts, has documented adverse and disproportionate effects of measures on persons with disabilities;

(i) The State party has not conducted a comprehensive human rights-based cumulative impact assessment even though reliable sources have indicated it is feasible;

(j) The State party continues its policy of reducing social benefits of persons with disabilities as reflected in the Welfare Reform and Work Act 2016.

VIII. Recommendations

114. The Committee recommends that the State party:

(a) Conduct a cumulative impact assessment of the measures adopted since 2010, referred to in the present report, on the rights to independent living and to be included in the community, social protection and employment of persons with disabilities. The State party should ensure that such assessment is rights-based and meaningfully involves persons with disabilities and their representative organizations;

(b) Ensure that any intended measure of the welfare reform is rights-based, upholds the human rights model of disability and does not disproportionately and/or adversely affect the rights of persons with disabilities to independent living, an adequate standard of living and employment. To prevent adverse consequences, the States party should carry out human rights-based cumulative impact assessments of the whole range of intended measures that would have an impact on the rights of persons with disabilities;

(c) Ensure that: any intended legislation and/or policy measure respects the core elements of the rights analysed in the present report; persons with disabilities retain their autonomy, choice and control over their place of residence and with whom they live; they receive appropriate and individualized support, including through personal assistance, and have access to community-based services on an equal basis with others; they have access to security social schemes that ensure income protection, including in relation to the extra cost of disability, that is compatible with an adequate standard of living and ensure their full inclusion and participation in society; and they have access and are supported in gaining employment in the open labour market on an equal basis with others;

(d) Ensure that public budgets take into account the rights of persons with disabilities, that sufficient budget allocations are made available to cover extra costs associated with living with a disability and that appropriate mitigation measures, with appropriate budget allocations, are in place for persons with disabilities affected by austerity measures;

(e) Introduce all adjustments necessary to make all information, communications, administrative and legal procedures in relation to social security entitlements, independent living schemes and employment/unemployment-related support services fully accessible to all persons with disabilities;

(f) Ensure access to justice, by providing appropriate legal advice and support, including through reasonable and procedural accommodation for persons with disabilities seeking redress and reparation for the alleged violation of their rights, as covered in the present report;

(g) Actively consult and engage with persons with disabilities through their representative organizations and give due consideration to their views in the design, implementation, monitoring and evaluation of any legislation, policy or programme action related to the rights addressed in the present report;

(h) Take appropriate measures to combat any negative and discriminatory stereotypes or prejudice against persons with disabilities in public and the media, including that dependency on benefits is in itself a disincentive of employment;

implement broad mass media campaigns, in consultation with organizations representing persons with disabilities, particularly those affected by the welfare reform, to promote them as full rights holders, in accordance with the Convention; and adopt measures to address complaints of harassment and hate crime by persons with disabilities, promptly investigate those allegations, hold the perpetrators accountable and provide fair and appropriate compensation to victims;

(i) Ensure that, in the implementation of legislation, policies and programmes, special attention is paid to persons with disabilities living with a low income or in poverty and persons with disabilities at higher risk of exclusion, such as persons with intellectual, psychosocial or multiple disabilities and women, children and older persons with disabilities. Those measures should be put in place within contributive and non-contributive regimes;

(j) Set up a mechanism and a system of human rights-based indicators to permanently monitor the impact of the different policies and programmes relating to the access and enjoyment by persons with disabilities of the right to social protection and an adequate standard of living, the right to live independently and be included in the community and the right to work, in close consultation with persons with disabilities and their representative organizations in all regions and countries that constitute the State party;

(k) Respond to the present report within the time limit prescribed under the Optional Protocol, widely disseminate the Committee's findings and recommendations and provide appropriate follow-up to the recommendations of the present report, including during the consideration of the State party's initial report before the Committee.

**The United Kingdom Government
Response to the Report by the
United Nations Committee on the
Rights of Persons with Disabilities
under article 6 of the Optional
Protocol to the Convention**

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Chapter 1: Introduction

1. While acknowledging work undertaken by the Committee to ensure that the voices of the organisations and individuals who submitted the allegations were heard, the UK Government strongly disagrees with the conclusions reached in the report produced by the UN Committee on the Rights of Persons with Disabilities (the Report). Individuals and organisations may disagree with the current approach to welfare reform, but the Government does not accept the Report's conclusion that there is evidence of grave and systematic violation of the rights of disabled people.
2. The United Kingdom is proud of its record in supporting disabled people to lead more independent lives and participate more fully in society. More than 20 years ago the UK legislated to protect disabled people's rights. It now spends around £50bn a year on benefits to support disabled people and people with health conditions, which is over £6bn more than in 2010. That is around 2.5% of GDP, or over 6% of government spending. The UK spends more on disabled people and people with health conditions than the OECD¹ average, and countries such as Germany, France and the USA.
3. As a strong parliamentary democracy, where the voices and opinions of disabled people are represented and listened to, the UK is a place where disabled people's rights are respected, promoted and upheld. The Disability Discrimination Act 1995 is recognised internationally as a model of effective anti-discrimination legislation; it remains the main legislative measure for disabled people in Northern Ireland². In the rest of the UK, the Equality Act 2010 (EA 2010) brings all strands of anti-discrimination legislation into one place, emphasising a commitment to tackling all forms of discrimination, including against disabled people.
4. The UK supported the development of the United Nations Convention on the Rights of Persons with Disabilities (the Convention) and was among the first countries to sign it in 2007. The convention is aligned with the UK approach to disability equality which focuses on inclusion and mainstreaming, with additional support provided as necessary, and on involving disabled people in making the decisions that affect their lives.
5. The UK's aspiration, supported by its legislative frameworks, is that disabled people get the same opportunities as other people to find work, while ensuring that people who cannot work because of a disability or health condition receive the support they need. This Government champions work because of its power to transform people's lives; not just by creating a sense of value and economic security but also for the benefits to an individual's mental and

¹ <http://www.oecd.org/social/expenditure.htm>.

² Equality policy is devolved to Northern Ireland. The policy framework for people with disabilities is "A Strategy to Improve the Lives of People with Disabilities 2012- 2015" (extended to 2017). The Northern Ireland Executive is committed to developing a detailed Action Plan to improve the quality of life of disabled people as part of its Programme for Government.

physical health and wellbeing. This underpins the Government's programme of welfare reforms, which is a key focus of the Report.

6. The Report recognises that “at a national level, it appears that the welfare system together with a social and health care system provide a solid base for the protection of the rights of persons with disabilities and that the system has allowed persons with disabilities to achieve an acceptable level of autonomy and independence”. It also recognises the Government's measures to reinforce choice and control through the increased personalisation and localisation of its services³.
7. The Report focuses on too narrow a scope and, in doing so, presents an inaccurate picture of life for disabled people in the UK. The Government believes that, as well as changes to the welfare system, it is important to consider the wider improvements to better implement disabled people's rights. The Report fails to reflect significant measures, such as:
 - personal budgets to increase choice and control of care and living arrangements;
 - improvements to the accessibility of housing and transport;
 - the wide range of work-related support available to disabled people;
 - financial protections, such as tax and pension credits and the exemption of disability-related benefits from the benefit cap and benefits freeze.
8. The Government approach is demonstrated in Improving Lives, the recently published Work, Health and Disability Green Paper, which explores a range of options for long-term reform across different sectors, targeting the factors which contribute to the disability employment gap, and aims to build a consensus for change. Its proposals cover the roles played by the welfare system, the health and care system, employers and wider society to ensure that all disabled people and people with health conditions are supported to go as far as their talents will take them.
9. The Government is committed to continuously seeking improvements for disabled people, driving forward initiatives to increase inclusion and break down any remaining barriers to participation:
 - investing in better integrated care through locally developed plans, the Government established a £5.3 billion Better Care Fund in 2015/16 (this fund will continue beyond 2016);
 - the ambition to halve the employment gap (currently stands at 32.2 percentage points) between disabled and non-disabled people is being led by the new Work and Health unit;
 - driving forward an integrated approach to work and health, as set out in the Green Paper, published on 31 October 2016.
10. While the Government continues to improve and build on the support available to disabled people, it stands by and is proud of its record:

³ Inquiry Report on United Kingdom of Great Britain and Northern Ireland of the Committee on the Rights of Disabled People under Article 6 of the Optional Protocol to UNCRPD (UNIUK), paragraph 64.

- nearly 500,000 more disabled people are in employment since 2013;
- increased funding for the Access to Work scheme to grow the numbers helped by 25,000⁴ extra customers by 2020;
- 22% of people supported to start their own business by the New Enterprise Allowance are self-declared disabled.

11. The Government does not limit itself to upholding the rights of disabled people in the UK. The Department for International Development (DFID) supports other countries in their efforts to ensure disabled people experience equality and full participation; as evidenced in its Disability Framework which aims to ensure that disabled people are systematically and consistently included in, and benefit from, international development and humanitarian assistance. Last year DFID collaborated with the International Disability Alliance to create the Global Action on Disability group, with the aim of stimulating further action on disability inclusion.

12. This response sets out initiatives implemented across Government which uphold the articles investigated. All government departments are responsible for ensuring that their policies are inclusive and align with the obligations set out in the Convention. The Government is committed to continuing the UK's progress towards ensuring that disabled people are able to live their lives on a fully equal basis.

⁴ This figure may be subject to change following a detailed statistic collection methodology review.

Chapter 2: Response to the Report Findings

General Findings

13. The Government holds that its policies and practices fulfil the obligations set out in the Convention, addressing remaining barriers using the social model of disability adopted by the Committee and disability sector. The Government reiterates its position that the reforms discussed in the Report were right, ensuring a sustainable system that continues to protect people who are more vulnerable while supporting those who can work to do so. The Government is committed to providing support where it is needed; this is reflected by the fact that spending to support disabled people and people with health conditions will be higher in real terms in every year to 2020 than it was in 2010⁵.
14. The Report correctly states that the approach to welfare reform is that “individuals are better off at work...”⁶ This is supported by a strong evidence base showing that work is generally good for physical and mental health and well-being⁷. This includes international studies associating the length of unemployment with increased risk of mortality and ill health⁸.

Public Sector Equality Duty (PSED)⁹

15. The Government would like to correct a misrepresentation of the PSED set out in the EA 2010¹⁰, (as applicable to England, Scotland and Wales¹¹). The PSED does not mandate equality impact assessments, but requires public authorities to have “due regard” to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a protected characteristic and persons who do not share it.
16. Officials demonstrate this “due regard” by analysing the impact of all policy proposals on people with a protected characteristic (including disability)

⁵ Calculation using Table 1a, DWP Benefit expenditure and caseload tables 2016; https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524240/outturn-and-forecast-budget-2016.xlsx.

⁶ UNIUK, paragraph 83.

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214326/hwwb-is-work-good-for-you.pdf; <http://www.employabilityinscotland.com/media/83147/worklessness-and-health-what-do-we-know-about-the-relationship.pdf>; https://www.researchgate.net/publication/222029702_Unemployment_Impairs_Mental_Health_Meta-Analyses; <http://www.ncbi.nlm.nih.gov/pubmed/21330027>; <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3547020/>; www.ncbi.nlm.nih.gov/pubmed/22465382.

⁸ www.ncbi.nlm.nih.gov/pmc/articles/PMC3702026/.

⁹ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>.

¹⁰ UNIUK, paragraph 86.

¹¹ Not applicable to Northern Ireland.

outlined in the Act. Ministers formally consider this analysis when making decisions.

17. The Equality and Human Rights Commission and its equivalent in Scotland¹² are independent statutory bodies responsible for the enforcement, monitoring and assessment of how public bodies comply with the PSED. The Commission has powers to issue compliance notices to public bodies that fail to comply. It has undertaken monitoring exercises to understand how different public bodies comply with the PSED and the supporting 'specific duties' regulations (including a review of the HM Treasury budget allocation) and all their findings are published¹³.
18. The EA 2010 serves to ensure that the rights of disabled people are fully considered by UK policy makers. This approach, which ensures that public authorities take responsibility for considering the impact of all policies on disabled people and not just disability-related policies, is in keeping with the Convention's position on mainstreaming disability issues¹⁴.

Legal Aid

19. Disabled people's access to the courts in relation to disputed welfare benefit decisions¹⁵ also requires clarification. Legal aid was not available for representation before first-tier tribunal cases prior to the legal aid reforms, though it was available for legal advice. This was because this tribunal is informal and non-adversarial, and as such there was no need for legal representation. Legal aid continues to provide access to justice, for those eligible, in the highest priority cases, including disputes with Local Authorities (LAs) about community care services for disabled people, and for discrimination and welfare benefit claims relating to the contravention of the EA 2010.
20. Legal aid is also available for judicial reviews, including those relating to welfare benefit policies. Advice for discrimination matters is provided through the Civil Legal Advice service, an accessible helpline and online tool, which offers a range of adaptations and reasonable adjustments. Changes to legal aid have not restricted access to the appeals process. Nor has mandatory reconsideration, introduced in 2013 to allow earlier correction of decisions, with the right of appeal still available if required.

Aggression and hostility

21. The Report refers to the negative portrayal of disabled people in relation to welfare benefits, and alleged increases in the number of hostile and aggressive incidents experienced by disabled people¹⁶. This type of behaviour

¹² The Equality Act does not apply in Northern Ireland. Instead, section 75 of the Northern Ireland Act 1998, places a duty on public authorities in carrying out their functions to have due regard to the need to promote equality of opportunity between people within nine different categories, one of which is 'Persons with a disability and persons without'.

¹³ <https://www.equalityhumanrights.com/en/advice-and-guidance/monitoring-and-enforcement>.

¹⁴ <http://www.un.org/disabilities/convention/conventionfull.shtml> , page 1.

¹⁵ UNIUK, paragraph 92.

¹⁶ UNIUK, paragraph 85.

towards disabled people is unacceptable and requires continued focus. The Government challenges the assertion that disability hate crime is increasing in the UK. The increase in the official figures for disability hate crime in England and Wales (from 1,748 in 2011, to 3,629 in 2015-16¹⁷) is believed to be largely the result of increased reporting of such crimes, as opposed to a significant rise in incidents. This demonstrates growing awareness of the crime and increasing confidence of appropriate handling by the authorities. This view is supported by increased numbers of convictions, from 503 in 2014-15 to 707 in 2015-16¹⁸, following additional training for prosecutors.

22. The Crown Prosecution Service (CPS) continues to address the issue through a public consultation¹⁹ on their first public policy statement covering Crimes against Disabled People. This statement aims to reassure disabled victims and witnesses, their families and communities, and the general public that the CPS understands the serious nature of these offences. In line with the Convention obligation to include disabled people in decision making, this statement was developed with the CPS National Scrutiny Panel on disability hostility, whose members include disabled people's organisations.

¹⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/559319/hate-crime-1516-hosb1116.pdf , page 4.

¹⁸ http://www.cps.gov.uk/publications/docs/cps_hate_crime_report_2016.pdf , page 30.

¹⁹ <http://www.cps.gov.uk/consultations/>.

Section 1: Article 19 - Living independently and being included in the community

23. The Government is committed to supporting disabled people in their right to live independently and be included in the community, which includes upholding the right to choice and control of residence and healthcare. Significant steps have been taken to protect the choice of residence and access to a range of support to enable independent living.
24. The Government wants all citizens, including disabled people, to have more control over their health and social care. Personalisation provides people with more choice, control and independence, allowing them to choose the care and support best suited to their needs. The Care Act 2014 (applicable in England only)²⁰ requires that everyone receiving adult care and support will have a personal budget as part of their care and support plan. Disabled people, their carers (and advocate if required) will be involved in the care planning process and decisions that affect them.
25. Budgets have been allocated to Local Authorities (LAs), enabling more local decisions on adult social care provision, in line with the Convention's emphasis on community. From 2011-12 through to 2014-15 overall spending on adult social care, including money transferred from the NHS, has remained constant in cash terms. Additional funding was also made available through the 2015 Spending Review to support social care provision:
- additional funding through the Better Care Fund to support greater health and social care integration, worth £1.5bn by 2019-20;
 - from April 2016 LAs with social care responsibilities can raise funding through a social care precept (can total up to £2bn a year by 2019-20) where the revenue raised will be used to support social care.
- This means that LAs will have access to the funding needed to increase social care spending in real terms by the end of the Parliament.
26. Other initiatives to protect the rights of disabled people in article 19 include:
- Building the Right Support (October 2015), which sets the national ambition to close 35 to 50% of inpatient capacity for people with a learning disability in three years, building community capacity instead and reducing inappropriate hospital admissions;
 - No Voice Unheard, No Right Ignored²¹ secures rights for people with learning disabilities, autism or mental ill-health with a particular focus on improvements to housing and accommodation for people with learning disabilities;
 - Disabled Facilities Grants provide a means-tested grant to help disabled people meet the cost of adapting their home to increase accessibility to suit their needs. This fund has been integrated into the Better Care Fund

²⁰ This response only references the Care Act, applicable in England only, as this is the only social care Act cited in the UNIUK Report.

²¹ <https://www.gov.uk/government/consultations/strengthening-rights-for-people-with-learning-disabilities>.

- and will be worth over £500m by 2020, demonstrating the Government's commitment to enabling disabled people to live independently;
- The Care and Support Specialised Housing Fund commits £260m for specialist housing providers to meet the needs of older people and adults with disabilities or mental health problems.

27. The Government is also addressing barriers in the built environment. Housing built since 2001 is more likely to be accessible due to Part M of Building Regulations (implemented in 1999); for example, homes built from 2001 onwards are more likely to have level access (68%) and a toilet at entrance level (93%), compared with those built before 2001 (13% and 61% respectively)²².

28. In March 2015, the Department for Communities and Local Government (DCLG) introduced a new way of setting technical housing standards in England. Building on Part M, the standards set out two new optional technical standards²³ on accessible housing and wheelchair accessibility, ensuring plans for accessible housing are suited to a greater range of disabled people. Local planning authorities can adopt these optional standards to meet the housing needs of disabled people.

29. Government has also encouraged the construction industry to make inclusive design and an accessible environment part of their practice:

- the Inclusive Environment Action Plan²⁴ tasks industry leaders with spreading understanding of, and commitment to, the benefits of equality and accessibility; the Inclusive Environments Hub²⁵ pools global accessible design experience;
- the Built Environment, Professional and Education project²⁶ promotes inclusive design training for built environment professionals; supported by eighteen of the most respected institutions in the sector, it influences the next generation of architects and planners;
- the Accessible Britain Challenge²⁷ and its awards encourage communities to become more accessible and inclusive.

30. Turning to community services and facilities, the Department for Culture, Media and Sport published its sports strategy in December 2015.²⁸ This includes specific measures for disabled people, such as proper representation of disabled people among sports volunteers, the sports workforce and its

²²

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/539541/Adaptations_and_Accessibility_Report.pdf, page 3.

²³ <http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/>.

²⁴ <https://www.gov.uk/government/news/creating-inclusive-buildings-and-design>.

²⁵ <http://www.designcouncil.org.uk/what-we-do/inclusive-environments>.

²⁶ <https://www.gov.uk/government/collections/built-environment-professional-education-project>.

²⁷ <https://www.gov.uk/accessiblebritain>.

²⁸ <https://www.gov.uk/government/publications/sporting-future-a-new-strategy-for-an-active-nation>.

leaders. Sport England's strategy 'Towards an Active Nation'²⁹ confirms a greater emphasis on encouraging less active groups, including disabled people, to become more active; it announced a new, dedicated fund of £120m to tackle inactivity over the next four years. Government will submit a formal report to Parliament early next year setting out progress in implementing the strategy.

31. The Department for Transport (DfT) is building on regulatory requirements to further improve the accessibility of public transport. The 'Access for All'³⁰ programme (extended in 2014 with £160m additional funding) increases rail accessibility by updating the UK's railway station infrastructure. Disability awareness training is being provided at every train station, and by many bus companies. Increased provision of audio and visual announcements on buses and trains is benefiting disabled people; and all buses are required to be accessible by 2017 (single decker buses are already accessible).

Addressing specific findings

Choice and control of care and residence

32. The Report acknowledges the move towards greater personalisation of support packages³¹ in the UK. However, it then asserts that the Care Act 2014 fails to align with Article 19 with respect to increasing disabled people's right to choice and control³². The Government strongly disagrees with this. The following section of statutory guidance explicitly addresses this point:

"Although not mentioned specifically in the way that "wellbeing" is defined, the concept of "independent living" is a core part of the wellbeing principle. Section 1 of the Care Act includes matters such as individual's control of their day-to-day life, suitability of living accommodation, contribution to society – and crucially, requires local authorities to consider each person's views, wishes, feelings and beliefs. The wellbeing principle is intended to cover the key components of independent living, as expressed in the UN Convention on the Rights of People with Disabilities (in particular, Article 19 of the Convention). Supporting people to live as independently as possible, for as long as possible, is a guiding principle of the Care Act"³³.

33. The Report expresses concern that welfare reforms have restricted disabled people's rights to choose their residence³⁴. Legislation in England ensures that

²⁹ <https://www.sportengland.org/news-and-features/news/2016/may/19/sport-england-triples-investment-in-tackling-inactivity/>.

³⁰ <https://www.gov.uk/government/collections/access-for-all-programme>.

³¹ UNIUK, paragraph 88.

³² UNIUK, paragraph 88.

³³ <https://www.gov.uk/guidance/care-and-support-statutory-guidance/general-responsibilities-and-universal-services>.

³⁴ UNIUK, paragraphs 97 and 98.

people with both a medical and welfare need, including disability, for social housing are a priority for LA allocated social housing. The relevant statutory guidance³⁵ also makes specific reference to meeting the needs of young adults with learning disabilities wishing to live independently in the community. Additionally, regulatory standards³⁶ require all social landlords to develop and deliver allocation processes to allow effective use by the full range of actual and potential tenants, including people with support needs.

34. The Removal of the Spare Room Subsidy (RSRS) aimed to restore fairness by equalising the size criteria rules for Housing Benefit across both the social and private rental sector. In accordance with the PSED, consideration of the impact of this policy on people with protected characteristics led to an increase in funding for Discretionary Housing Payments (DHP), recognising that some people might need extra support to meet the shortfall in their rent. An additional bedroom is also allowed for disabled children who cannot share with siblings and non-resident overnight carers, protecting vulnerable people who might otherwise be disproportionately affected.
35. The Report makes a general comment about mitigating measures being temporary³⁷. The DHP fund, provided to LAs to meet local housing priorities for people who are eligible, amounts to £870m over this Parliament. Between 2011 and the end of this Parliament, Government will have made over £1bn available to LAs through DHPs to help people adjust to these reforms. The Report also comments on increased debt and eviction resulting from the RSRS³⁸. A two year independent evaluation³⁹ found no discernible increase in evictions linked to RSRS, stating that most evictions by November 2014 were of tenants with pre-existing arrears and/or who had not engaged with their landlord. In view of this and the additional measures to protect disabled people, the Government does not believe that disabled people's right to choice and control of residence on an equal basis to others has been affected.
36. Supported accommodation plays a vital role in the lives of many vulnerable people providing safe, stable and supportive places to live that can be an important stepping stone to independent living in the longer term. The Government values the role of supported housing and is committed to encouraging further development to meet future demand. Supported housing is exempt from the application of the local housing allowance rates in the social rented sector until 2019-20, when a new funding model will be introduced. This will ensure that the sector continues to be funded at current levels, taking into account the effect of Government policy on social sector rents.

³⁵

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5918/2171391.pdf.

³⁶

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419209/Tenancy_Standard_2015.pdf.

³⁷ UNIUK, paragraph 94.

³⁸ UNIUK, paragraph 97.

³⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506407/rsrs-evaluation.pdf.

Levels of care provision

37. The Government closed the Independent Living Fund (ILF) to integrate users with the mainstream social care system. In England, the funding previously allocated to the ILF was redirected to LAs following the introduction of the Care Act 2014. The Act places a duty on English LAs to assess any adult with care and support needs, and to meet the needs of people assessed as eligible for support. This mandates minimum standards, not minimum spending, because the Government believes the quality of care is what matters. Former ILF users now have statutory protection for their eligible care and support needs, whereas previously they may have relied on the ILF discretionary trust. LAs are being fully funded for this, for at least the remainder of this Parliament
38. The current approach to funding the provision of adult social care in England balances the need for flexibility in how best to provide support locally, with the legal requirements placed on LAs through the Care Act 2014. The Act introduced a new national eligibility threshold for access to adult social care, implemented on 1 April 2015, which sets the minimum level of access to care at the level where a person's needs have a significant impact on their wellbeing. All LAs must now meet, or exceed, this threshold. As previously stated, personalisation is fundamental to the Care Act 2014. The law mandates LAs to produce care plans taking into account an individual's views and desired achievements in day-to-day life, including living independently. LAs should not set arbitrary upper limits on expenditure to meet a person's care needs; doing so would not be person-centred or compatible with public law.
39. The Government took its duty to consult on the closure of the ILF⁴⁰ seriously, facilitating consultation responses in line with the Convention obligation to involve disabled people meaningfully in decision making. The Court of Appeal did not make any finding on the merits of the ILF's closure, but found that the original equality analysis did not comply with the EA 2010. A new equality analysis was produced which was found by the High Court to meet the requirements of the PSED. Both the High Court and the Court of Appeal found that the consultation had been fair, proper and unbiased. The Government has committed to researching the impact of the ILF closure. This should be completed by the end of this year and will consist of interviews with former users and LAs.
40. Social care is devolved to the devolved administrations, allowing them to best meet the needs specific to their populations. For example, the Scottish Government is providing more than £500m additional funding over three years to help Health and Social Care Partnerships establish new ways of working, and investing a further £250m per year to protect and grow social care services. The Welsh Government approach has been to allocate an additional £10m in 2015-16 and £21m in 2016-17 to meet the adult social care pressures faced by Welsh LAs.

⁴⁰UNIUK, paragraph 99.

Section 2: Article 27 – Work and Employment

41. The Government is committed to upholding disabled people's rights to work and employment. Disabled people should have equal opportunities to enjoy the benefits of work, hence the Government's ambition to halve the disability employment gap, which currently stands at 32.2⁴¹ percentage points. The Report's narrow focus on Employment Support Allowance (ESA) processes with little consideration of employment programmes does not adequately reflect the support available for disabled people to work in the UK. This section sets out government initiatives designed to increase the number of disabled people in employment, which has increased by nearly 500,000 since 2013⁴², demonstrating commitment to article 27. This should be considered in the wider context of improved accessibility to housing, transport and social care⁴³, and the legislative requirement for employers to provide reasonable adjustments; all of which reduce barriers to work.
42. Commitment to this ambition and recognition that a new approach to employment support is needed is demonstrated by the establishment of the Work and Health Unit. Bringing together the Department for Work and Pensions (DWP) and the Department of Health, the Unit aims to improve the employment and health outcomes of people with health conditions and disabilities; the 2015 Spending Review secured £115m for this. This includes work on the recently published Green Paper, which consults on proposals to improve the work-related support available for disabled people and people with health conditions. The consultation, developed collaboratively with disabled people, ensures the widest possible reach by using digital platforms alongside more traditional consultation methods, such as an expert advisory group.
43. The Green Paper makes a number of announcements, including:
- a significant support offer for disabled people and people with health conditions in the form of a new Personal Support Package and a new Health and Work conversation for people receiving ESA;
 - the reform or expansion of current Government schemes supporting employers;
 - plans to increase access to psychological therapies (IAPT) and more than double the number of employment advisers in these services.
44. In addition, the Unit is building an evidence base of effective measures which could be scaled up to help people with health conditions and disabilities secure work and improve sickness absence prevention for people at risk of

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<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/dataset/labourmarketstatusofdisabledpeoplea08>.

⁴²

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/dataset/labourmarketstatusofdisabledpeoplea08>.

leaving the workforce. Recognising the increasing prevalence of mental health conditions, £43m has been allocated to trials testing a range of integrated service delivery models, strengthening the evidence base on what works.

45. The 2015 Spending Review also committed to funding that will rise to £130m a year for the new Work and Health Programme once in full running. The programme will run in England and Wales in 2017, following the end of referrals to Work Choice and the Work Programme⁴⁴. It will focus on providing the best possible support for disabled people (and others) to find sustainable work. Decisions on the future programme have still to be made, but providers will be expected to demonstrate how they will foster greater integration with local services and health provision to support employment. The final design will build on the strengths of, and lessons learned from, previous contracts, market engagement and feedback from stakeholders. Disability representative organisations were consulted for their views on the design.

46. Current support for disabled people includes both mainstream and specialised support. Work coaches in Jobcentre Plus provide personalised back to work support including volunteering opportunities, skills support, work experience and local activity through the Flexible Support Fund⁴⁵. They support people to think through their work goals and aspirations, and have the autonomy to tailor requirements to the person's capability and circumstances. All work coaches are trained to support people with complex needs, including disabled people and around 1500 newly recruited work coaches are working towards an externally recognised professional accreditation. Jobcentre Plus also employs over 200 disability employment advisers, with an additional 300 being recruited.

47. Specialised support includes:

- Access to Work provides practical and financial support for additional costs faced by individuals whose health or disability affects how they do their job, where adjustments go beyond what is 'reasonably' expected of employers. The scheme contributes towards costs such as travel to work and support workers and supported over 36,000 disabled people to enter or remain in employment during 2015-16. The Government has announced a real-terms increase in funding⁴⁶ to increase the numbers accessing this service by 25,000⁴⁷ people by the end of this Parliament, and recently launched an online application process to increase flexibility and accessibility;

⁴⁴ In Scotland this will be replaced by Scottish services for support, work experience and training.

⁴⁵ There is no Flexible Support Fund in Northern Ireland, but the Department for Communities offers an Adviser Discretion Fund which can cover up to £300 per year towards providing financial assistance to clients to remove some barriers to employment and is currently in the process of reviewing a range of support measures to enable claimants to move into work. A decision in relation to what support will be provided is likely in the autumn of 2016.

⁴⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/479749/52229_Blue_Book_PU1865_Web_Accessible.pdf, paragraph 1.131.

⁴⁷ These figures are subject to change following a detailed statistic collection methodology review.

- Access to Work's Mental Health Support Service is carrying out a two-year trial of targeted support for apprentices with mental health conditions;
- New Enterprise Allowance⁴⁸ supports unemployed people wishing to start their own business. Around 22% of people who have participated in this scheme have a self-declared disability⁴⁹;
- Work Choice supports people with complex disability-related barriers into employment. Participation is voluntary and is not linked to receiving welfare benefits. Since October 2010, 97,000 people have started Work Choice with over 41,000 job outcomes⁵⁰.

48. The Government set up the Fit for Work service in 2015 to support people whose disability or health issues result in long-term absence from work. This provides an occupational health assessment, and general health and work advice to employees, employers and General Practitioners, to help individuals stay in or return to work. This support also includes access to a tax exemption of up to £500 a year per employee on medical treatments recommended by Fit for Work or an employer-arranged occupational health service. Almost 20% of disabled employees had a long term sickness absence a year, compared to less than 5% of those without a disability, meaning that Fit for Work is well placed to help disabled employees remain in work.

49. Disability Confident supports employers to employ disabled people by encouraging business-to-business discussion about the benefits of employing disabled people. More than 2400 employers have signed up to the new Disability Confident scheme⁵¹ which started in July 2016 and seeks commitment at three levels:

- Disability Confident Committed – committing to starting the journey;
- Disability Confident Employer – good practices for recruiting, retaining and progressing disabled employees are in place;
- Disability Confident Leader – the self-assessment of good practice has been validated by disabled people and other employers, and a commitment made to support other employers on their journey.

50. In addition, the Green Paper considers the important role employers play in the health and wellbeing of their employees. For small employers, a new initiative called the Small Employer Offer is currently being trialled, which provides in-work support for employers and employees, advice and support for employers on disability issues and work place adaptations, and some funding to help new employees with the transition into work. Early findings are promising and will inform future policy development.

⁴⁸ There is no similar scheme in Northern Ireland. However, the Department for Communities is currently in the process of considering a range of support measures to enable claimants to move into work, including self-employment. A decision is likely in the autumn of 2016.

⁴⁹ Page 6: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/532641/nea-official-stats-to-march-2016.pdf.

⁵⁰ Figures are from October 2010 - March 2016; they do not include Remploy figures.

⁵¹ <https://www.gov.uk/government/collections/disability-confident-campaign>.

51. Other recent developments include a one-stop site⁵² signposting young people with health conditions and disabilities to available support, including information on applying for Access to Work, which can support disabled people in apprenticeships. Additionally, the Government has accepted all recommendations⁵³ made by an independent task force (which included charities, educators and employers) on apprenticeships for young people with learning disabilities. Recommendations included adjusting English and Maths qualification requirements to increase access to apprenticeships.
52. The Welsh Government operates a range of DWP led employment programmes including an all-age apprenticeship scheme and Work Based Learning, with providers contractually required to have equality and diversity policies to ensure that equal access to learning delivers equality of opportunity. In Scotland⁵⁴ employment support has a specific focus on helping the most disadvantaged in the labour market, including disabled people, to ensure that they are able to enter and sustain employment. Scotland's Equalities Action Plan for Modern Apprenticeships, published in December 2015, includes a specific improvement target for participation by disabled people.
53. In Northern Ireland the Disability Employment Service has responsibility for the management and delivery of employment and employability programmes for people with disabilities, including Access to Work (NI), Workable (NI), Work Connect and Condition Management Programme. A strategy to reverse the trend of people becoming economically inactive has been launched and this will be a Northern Ireland Executive priority over the next 10 to 15 years. It will focus on people who are long term unemployed due to sickness or mild to moderate disabilities, as well as lone parents or others with caring responsibilities. Additionally, an Employment Strategy for People with Disabilities, will target young people with more significant disabilities as they are transitioning from full-time education or training.

Addressing specific findings

Employment and Support Allowance (ESA)

54.

T

he Report states that the Work Capability Assessment (WCA) is a functional assessment⁵⁵. This is correct; the aim of the assessment is to understand how a person's condition might affect their ability to work. However, the WCA is not the end of the process. After the WCA, DWP advisers work with people placed in the ESA Work Related Activity Group to understand their personal barriers and the most appropriate work-related support. This support ('work-related activity' intended to help people move closer towards work) is

⁵² <https://www.gov.uk/government/publications/help-and-support-for-young-disabled-people-to-find-and-stay-in-work/help-and-support-for-young-disabled-people-to-find-and-stay-in-work>.

⁵³ <https://www.gov.uk/government/publications/apprenticeships-improving-access-for-people-with-learning-disabilities>.

⁵⁴ Employment services will be devolved from April 2017.

⁵⁵ UNIUK, paragraphs 90 and 102.

different for each person and is available on a voluntary basis to people in the ESA support group. People in these groups are not expected to do anything that is unrealistic, that could put their health at risk, or to seek work.

55. T
he WCA process includes safeguards for people with mental health conditions. For instance, if they do not return their health questionnaire, they can continue to receive the benefit pending their assessment (unlike other people whose claims can be stopped). If they do not attend their assessment, the DWP or its contracted provider will try to make contact, and if required provide a home visit.
56. All healthcare professionals carrying out WCAs are trained in disability assessment medicine and receive training specifically in assessing people with mental health conditions. They are supported by colleagues with specific expertise, including mental function champions, who spread best practice and support colleagues in conducting assessments. Recognising that attending the WCA can be a stressful experience, particularly for people with mental health conditions, everyone is encouraged to bring a companion. The Centre for Health and Disability Assessments (CHDA), which has carried out WCAs since March 2015, is making a focused effort to improve delivery of the assessment, including:
- reviewing design and accessibility of facilities at all assessment centres;
 - establishing a Customer Representative Group of over twenty national disability organisations to discuss issues such as clinical training and communications;
 - reducing the average waiting time for an assessment;
 - introducing a telephone service to help people complete their ESA health questionnaire;
 - providing disability awareness training for over 2000 customer-facing staff.

Accessible Information

57. The Report states that information about the WCA process is not available in accessible formats and languages⁵⁶. The Government believes that it takes reasonable steps to provide accessible information, in accordance with the EA 2010. Disabled people can request information in alternative formats when they make a claim for benefit; and people making claims over the phone are asked if they require information in alternative formats.
58. CHDA now includes on its website three videos to help people understand the process before, during and after an assessment, all of which can be viewed with sign language and subtitles. The DWP has a programme of work with external stakeholders to improve communications for people with mental health conditions or learning disabilities. This includes an alternative formats review, better signposting on the GOV.UK website and improvements to staff instructions.

⁵⁶ UNIUK, paragraph 103.

59. A full review of all Personal Independence Payments (PIP) communications is under way, following recommendations from an independent review of PIP. National stakeholders from representative organisations and disabled people, including people with mental health conditions, have been involved in testing PIP communications. Their insights have contributed to improvements, including the full rewrite of letters and other communication products. A video relay service for British Sign language users has been introduced for claims and enquiries related to PIP, Disability Living Allowance (DLA), Attendance Allowance and Access to Work, and a trial is currently taking place of the Next Generation Text relay service as an alternative way for deaf and hard of hearing people to access PIP services.

Appealing decisions and access to justice

60. The Report states that a high number of WCA decisions are overturned by tribunals,⁵⁷ implying that the WCA incorrectly assesses people's functional capability. Feedback from the tribunal indicates that most decisions overturned result from the person's own oral evidence or from additional written evidence presented to the tribunal. Mandatory Reconsideration (MR) was introduced to manage eligibility disputes more effectively and reduce the need for unnecessary appeals. This is mandatory prior to applying for an appeal, allowing the decision to be reviewed and new evidence to be presented. Statistics published in 2016⁵⁸ showed the average clearance time for WCA MR applications to be 9 days. Access to justice is not therefore denied or significantly delayed as a result of this process.
61. Payment of ESA during the MR process was considered but decided against; the Government maintains that it is appropriate that people who have been found not eligible for ESA do not receive ESA payments while this decision is reviewed. The majority of people in this group are eligible for Jobseeker's Allowance (JSA) payments and are directed to claim JSA without delay during the phone call explaining that their ESA will end. This protects against people being left without income. The JSA system is sufficiently flexible to allow more personalised approaches when considering work-related conditionality, taking account of people's health conditions or disabilities.
62. The Report commented on people reassessed shortly after a WCA⁵⁹. This issue has already been addressed by introducing an eight month minimum period between a successful appeal and a subsequent re-assessment, unless there are good grounds to indicate an earlier review might be more appropriate such as health deterioration. In this connection, the Government recently announced that it would work with stakeholders to develop a set of criteria to end re-assessments for people with the most severe health conditions or disabilities (unless there is a change of circumstances).

Sanctions

⁵⁷ UNIUK, paragraph 102.

⁵⁸ <https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-including-mandatory-reconsiderations-and-appeals-september-2016>.

⁵⁹ UNIUK, paragraph 105.

63. The Report states that people in the ESA work-related activity group were disproportionately affected by a new sanctions regime implemented in 2012⁶⁰. The Government does not accept this. In each month since new sanctions were introduced, less than 1% of ESA recipients have been sanctioned, with more than 99% complying with the reasonable requirements linked to receiving benefit. The introduction of sanctions for people receiving ESA brought this benefit into line with JSA and Universal Credit, but safeguards to protect vulnerable recipients continued.
64. People receiving ESA cannot be sanctioned for not finding work or failing to apply for jobs. The decision to impose a sanction is not taken lightly and is not imposed if there is a good reason for the apparent failure. Where a sanction is applied, there is a well-established system of hardship payments for people who can demonstrate that they cannot meet their immediate and most essential needs (up to 60%, or in certain circumstances 80%, of the usual payment).

Incidents of death

65. The Government does not routinely obtain the reason for a person's death when closing down their benefit account. There is no statutory requirement to inform the DWP of the manner of a person's death; this only becomes known if the DWP is informed by a family member or solicitor. In cases where it has been alleged that the Department's actions are linked to the death of a benefit recipient, an internal review is carried out to check whether departmental processes have been correctly followed. If appropriate, this review will make recommendations for possible improvements, but does not seek out or apportion blame.
66. Following a Freedom of Information request, 49 redacted internal reviews were published⁶¹. The Report suggests that this information represents monitoring of deaths after assessments⁶². This is not the case; these were reactive investigations into cases which represent a very small proportion of deaths of benefit recipients, and cannot be considered to be a monitoring process. The Report also states that it "is not aware of any attempts at objective, thorough, open and impartial investigation regarding these deaths by an independent body." Where a death is 'unnatural' (such as in cases of suicide) it is in fact a statutory requirement for a coroner to investigate the death.
67. In August 2015, DWP released data on the deaths of benefits recipients in Great Britain⁶³, which showed that the mortality rate for unemployed working-age benefit recipients in Great Britain fell between 2003 and 2013, in line with that for the general working-age population. These statistics should not be used as evidence to support a link or otherwise between receiving benefit payments and mortality. A number of possible factors may contribute to an increased or decreased mortality rate such as income, housing and

⁶⁰ UNIUK, paragraph 106.

⁶¹ <https://www.gov.uk/government/publications/dwp-foi-releases-for-may-2016>.

⁶² UNIUK, paragraph 109.

⁶³ <https://www.gov.uk/government/statistics/mortality-statistics-esa-ib-and-sda-claimants>

education. Misinterpretation of this data, attributing causal links between an individual's death and previous benefit assessment, was investigated by an independent fact checking organisation, Full Fact⁶⁴. They stated, "It was widely reported that thousands of people died within weeks of being found 'fit for work' and losing their benefits. This is wrong."

⁶⁴ <https://fullfact.org/economy/reporting-fit-work-deaths-isnt-fit-purpose/>.

Section 3: Article 28 - Adequate standard of living and social protection

68. The Report recognises that “at a national level, it appears that the welfare system together with a social and health care system provide a solid base for the protection of the rights of disabled people...”⁶⁵. The Government stands by its reform of the UK welfare system, which is designed to provide adequate standards of living, a comprehensive support system and special protections for vulnerable people. It is disappointing that the Report does not reflect this, or the fact that the UK is spending around £50bn this year on welfare benefits to support people with health conditions and disabilities, over £6.5bn more than in 2010. This is around 2.5% of GDP and over 6% of government spending.
69. Spending is forecast to remain around this level in real terms throughout the current Parliament. £14.8bn of this will be spent on incapacity benefits for working-age people this year, an increase of £0.4bn since 2010-11. Spending on the main disability benefits (PIP, DLA and Attendance Allowance) went up by more than £3bn over the course of the last Parliament. Additional measures to support disabled people to meet the extra costs associated with disability include those discussed in the following section, as well as several tax exemptions, reductions or credits⁶⁶.
70. Other evidence supports the Government’s view that adequate provision is in place. The Personal Social Services Adult Social Care Survey⁶⁷ of 2014-15 indicates that quality of life for people receiving care and support services has been maintained since 2011-12; with 92% of respondents stating that this care and support increases their quality of life. The English Housing Survey demonstrates a continued reduction in ‘non-decent’ homes in England; in 2012 22% of dwellings did not meet the decent homes standard, down from 35% in 2006⁶⁸.
71. The devolved administrations have also introduced initiatives to best support disabled people. In Northern Ireland the Department for Communities has introduced a number of measures to financially protect individuals with a disability impacted by the welfare changes for a period of 12 months to afford them time to adjust to the new welfare provisions. The Department for Communities will also be introducing a four year scheme to provide additional financial support to low income working households to help with some of the additional costs of taking up employment.

⁶⁵ UNIUK, paragraph 64.

⁶⁶ <https://www.gov.uk/financial-help-disabled/vat-relief> <https://www.gov.uk/financial-help-disabled/television-licence-discount> <https://www.gov.uk/financial-help-disabled/home-and-housing> <https://www.gov.uk/working-tax-credit>.

⁶⁷ <http://digital.nhs.uk/catalogue/PUB18642>.

⁶⁸

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/539541/Adaptations_and_Accessibility_Report.pdf.

Addressing specific findings

Income levels and poverty

72. The Government takes its duty to reduce poverty seriously. All welfare reforms protect the vulnerable groups least able to increase their earnings, including people needing additional support as a result of disability. These include provisions such as the exemptions to the benefit cap and benefit freeze discussed below.
73. The Government firmly believes that, as a general rule, it is not right that households can receive more income from welfare benefits than from work. The cap on the maximum amount of benefits for a household provides a clear incentive to enter work and was initially set at the estimated average household income. Findings from the 2014 evaluation⁶⁹ found that many households responded to this and moved into work. Where households could not make the change immediately, they could apply for Discretionary Housing Payments. There are exemptions from the cap, including for households with someone receiving a disability-related benefit. Households entitled to Carer's Allowance, the UC equivalent and Guardian's Allowance will also be exempt as of later this year.
74. Benefits which contribute towards the additional costs that disabled people face such as DLA and PIP, working-age benefit premiums for disabled people, the Support Group component of ESA, Carer's Allowance, and the carer premium and disability elements of tax credits are exempt from the benefit freeze (which was introduced to ensure that earnings grow faster than benefits⁷⁰) balancing the Government's goal to ensure that work pays with protecting the most vulnerable.
75. Universal Credit (UC) is replacing a number of means-tested working age welfare benefits to simplify the current system and make it easier for people to move into work and increase their earnings. UC supports small or fluctuating amounts of work, which is particularly helpful for people whose disability or health condition means that they can only work some of the time. People in these circumstances can re-enter work safe in the knowledge that their UC claim will not automatically close and that their benefit payments will be adjusted systematically to take their earnings into account.
76. Pension Credit provides a top up for older people on low incomes who have reached the relevant qualifying age. In recognition of the extra costs associated with disability, there are additional amounts for severely disabled older people who meet certain qualifying conditions.

Meeting extra costs resulting from disability

⁶⁹ <https://www.gov.uk/government/publications/benefit-cap-evaluation>.

⁷⁰ Most working age out-of-work benefits had risen by 21% between 2008-15; average weekly earnings had risen by 12%.

77. The Report cites figures on the anticipated number of disabled people no longer entitled to the non means-tested disability benefit DLA once replaced by PIP⁷¹. PIP was introduced largely to address fundamental flaws in DLA: subjective criteria which favoured physical over mental ill health and disabilities; taking inadequate account of fluctuating conditions; too great a reliance on self-assessment without medical evidence; and over 70% of recipients never had their claim reviewed. PIP was intended to provide support for people with the greatest barriers to independent living, treat all conditions equally, apply more objective entitlement criteria and ensure claims are regularly reviewed so people receive the correct level of benefit.
78. Many people who move from DLA to PIP receive a higher value award than previously, with 24% of current PIP recipients receiving both components at the enhanced rate compared to 15% for DLA. Mental and physical health conditions are given equal importance in PIP, which was not the case in DLA. As a result, 24% of PIP recipients with a mental health condition receive the enhanced rate mobility component compared to 9% for the DLA equivalent, and 66% of PIP recipients with a mental health condition receive the enhanced rate daily living component, compared to 22%⁷² for the DLA equivalent.
79. The Report highlights that the Government anticipated lower numbers of people receiving PIP than received DLA⁷³. It was expected that this would occur, not by raising the threshold for eligibility, but by reviewing the eligibility criteria to ensure they better suited the needs of the current population. As highlighted above, PIP is a different benefit from DLA, with different criteria; some people who previously qualified for DLA would not qualify for PIP, but many people who did not qualify for DLA do qualify for PIP. The Report also commented on waiting periods for PIP⁷⁴; these have now been reduced to 7 weeks on average.
80. Turning to the Motability scheme⁷⁵, there are now more people on the scheme than before PIP was introduced, with Motability noting in 2015⁷⁶ that ‘customer numbers continued to increase during the year’. Extensive transitional support (£175m over 3 years) is available for disabled people who lose entitlement following PIP reassessment. This normally includes a cash payment of £2,000⁷⁷ and rights to buy their Motability car. Motability helps over 650,000 disabled people to acquire their own personal transport, more than any equivalent scheme worldwide. The scheme’s success demonstrates the strength of the UK’s commitment to enabling disabled people to participate fully in society.

⁷¹ UNIUK, paragraph 112.

⁷² <https://www.gov.uk/government/collections/personal-independence-payment-statistics>.

⁷³ UNIUK, paragraph 112.

⁷⁴ UNIUK, paragraph 112.

⁷⁵ UNIUK, paragraph 113g.

⁷⁶ http://www.motabilityoperations.co.uk/MO_Group_plc_Annual_Report_Accounts_2015.pdf, page 8.

⁷⁷ £2000 for people who joined the scheme before 2013; £1000 for people who joined during 2013.

Chapter 3: Conclusion and response to recommendations

81. The Government strongly believes that, though welfare provides necessary social protection, it is not the only way to help disabled people live independent, inclusive lives in which they can fulfil their potential. Implementing the Convention articles requires more than higher welfare payments. It requires society-wide shifts in attitudes and behaviours, innovative approaches to health provision, and concerted efforts to break down persistent barriers preventing disabled people from living independently, working, and enjoying full inclusion in their communities.
82. The Government has addressed assertions in the Report while also highlighting initiatives not considered in the inquiry that are integral to the UK's implementation of the three Convention articles. Comments in the Report's conclusion⁷⁸ have either been addressed above or are covered in the response to the recommendations⁷⁹ below.

Recommendation: paragraph 115

83. Since 2010 the Government has published cumulative analysis of the impacts of its tax, welfare and public spending policies on households. The most recent assessment was published at Budget 2016⁸⁰. It showed that the proportion of spending received by households in each quintile of the income distribution has remained similar since 2010-11, with half of all welfare and public services spending going to the poorest 40% of households in 2019-20.
84. This cumulative distributional analysis (by HM Treasury) is the most comprehensive available, covering not only the effects of direct cash transfers between households and government, but also the effects of frontline public service provision. Welfare spending is not the only way to help disabled people; further support including health spending, employment support, and investment in infrastructure are important enablers to the removal of barriers to participation.
85. This analysis is not broken down into sub-groups, such as disabled people, due to significant modelling limitations to the robustness of such analysis, e.g.:
- many benefits are paid to households rather than individuals. Modelling would have to make strong assumptions about how income is shared within households and the analysis results would be heavily dependent on these specific assumptions;
 - it is essential that the Living Cost and Food Survey (LCF) is used for the distributional analysis model. This survey does not hold sufficient disability information.

⁷⁸ UNIUK, paragraph 113.

⁷⁹ UNIUK, paragraphs 115-125. The text of the recommendations themselves has not been included due to strict word-count limits. However they can be easily located at the end of the Report.

⁸⁰ <https://www.gov.uk/government/publications/budget-2016-documents>.

86. Any analysis produced could not therefore present the full picture. Government officials carefully consider the equality impact of individual policy changes on people with protected characteristics, including disability, in line with both legal obligations and a strong commitment to equality. Ministers consider these impacts with regard to all relevant legal obligations when deciding welfare and other policies.
87. In addition to this analysis of specific policies, the Office for Disability Issues developed the Fulfilling Potential indicator framework to measure changes for the disabled population. Developed in consultation with disabled people, their organisations and academics, this framework covers broader indicators such as health, housing and public attitudes. These capture impacts beyond public spending, such as wider behavioural and economic changes, and important non-financial outcomes; and broadly align with articles in the UN convention. Two reports have been published⁸¹ covering the period 2010 to 15.

Recommendation: paragraph 116

88. The Government believes that the Public Sector Equality Duty (PSED) is aligned with a rights-based approach as it sets a legal duty on public authorities to consider the impact of policies on disabled people, and therefore how they are able to live their lives. Equality analysis was carried out on welfare reform policies and is referred to in the published impact assessments⁸².
89. Where impact assessments identified disproportionate impacts on disabled people, mitigation measures or transitional arrangements have been implemented where feasible (see paragraph 92). Where, following the implementation of a policy, there are unintended or disproportionate impacts on disabled people (or certain groups of disabled people), steps have been taken to address this. An example is the exemption of people receiving DLA, PIP and the support component of ESA from the benefit cap.

Recommendation: paragraph 117

90. This response outlines how UK legislation and policies support the core elements of rights set out in this recommendation. One example is the Care Act 2014, which introduced a modern system to promote and maintain the wellbeing of people with care and support needs so they continue to live independently. Another is the range of employment-related provision available to support equal opportunities to work and initiatives to improve employer attitudes such as Disability Confident.

Recommendation: paragraph 118

91. The Government already allocates budgets specifically to support disabled people with the extra costs of disability. These include the budgets for PIP, DLA and AA (non-means tested and non-taxable payments currently received by over 5m people), and Access to Work (provided non-means

⁸¹ <https://www.gov.uk/government/publications/fulfilling-potential-outcomes-and-indicators-framework-second-annual-progress-report>.

⁸² <https://www.gov.uk/government/collections/welfare-reform-act-2012-impact-assessments>.

tested support for the additional costs faced by over 36,000⁸³ disabled people at work in 2015-16). £21.7bn was spent on PIP, DLA and AA in 2015-16 and around £100m on Access to Work in 2014-15. The Care Act 2014 requires LAs to provide personal budgets to all adults with eligible care and support needs; the personal budget allocated must be sufficient to meet those social care needs.

92. Many of the mitigation measures and transition agreements covered in this response clearly indicate that budgets have been set aside to implement these protections. Examples include Discretionary Housing Payments to support disabled people affected by the Removal of the Spare Room Subsidy and the transitional support for people affected by changes to Motability eligibility.

Recommendation: paragraph 119

93. The Government provides information about its services as accessibly as reasonable; this response cites improvements in DWP customer communications, including letters, SMS text messages, call scripts, and the trialling of video relay services. The Care Act 2014 also requires LAs to provide accessible information about social care to people who may require care and support, including disabled people.
94. This commitment to continuously improving accessible communications is demonstrated by the Government Digital Service's work to ensure that Government's online platform is as accessible as possible. NHS England has introduced the Accessible Information Standard which requires all organisations providing NHS or adult social care to provide accessible information that people can understand.
95. Devolved Administrations have also implemented a number of initiatives to meet the communication needs of their own populations, including Scotland's video relay service 'contactSCOTLAND', which has invested £500,000 over three years and will invest a further £1m over the coming three years. In Wales, national standards set out the standards of service delivery that people with sensory loss should expect when they access healthcare in Wales.

Recommendation: paragraph 120

96. The Government believes that the right measures are in place to support disabled people to seek redress, through the EA 2010 (see paragraphs 19-20 and 60). In addition, legally-aided advice continues to be available for discrimination matters through the Civil Legal Advice service, which has been designed to be as accessible as possible.

Recommendation: paragraph 121

97. The Government has a strong record in engaging with disabled people, disabled people's organisations, representative groups, and service users. Clear consultation guidelines set out that officials should consider the full

⁸³ This figure may be subject to change following a detailed statistic collection methodology review.

range of people, business and voluntary bodies affected by proposed policies, ensuring that they can access the consultation. Consultation is widely practised across government, with over 3,000⁸⁴ formal public consultations taking place since 2010; over 50 related specifically to disability.

98. An example is the 'Better working with disabled people: the way forward' consultation of 2013⁸⁵, which considered how best to ensure that lived experience is strategically fed into government. As a result, the Fulfilling Potential Forum was formed to meet the needs of both government and the disability sector. Both formal consultation and co-production were integral to the development of the Care Act 2014, which has been recognised by the National Audit Office as a good example of collaborative working to develop legislation.
99. Government continues to demonstrate its commitment to including 'lived experience' in the development of policy at all stages. The Green Paper launches a wide-reaching conversation with disabled people and people with health conditions, their representatives, healthcare professionals and employers to identify the best ways to deliver improved opportunities for disabled people.

Recommendation: paragraph 122

100. The Government takes its responsibility to tackle Disability Hate Crime and promote positive attitudes towards disabled people extremely seriously. As highlighted in paragraphs 20-21, work is under way to raise awareness of Disability Hate Crime with a view to reducing incidents and increasing the reporting and prosecution of such crimes. In addition, the Government's new Hate Crime Action Plan for 2016⁸⁶ includes actions on the portrayal of disabled people, including targeted training and guidance for journalists.
101. This work is supported by initiatives to increase general awareness of disability and positive portrayals of disabled people, such as Disability Confident, and increasing the educational attainment of children with special needs through initiatives such as a new framework for initial teacher training and disability-specific resources on the new SEND⁸⁷ gateway.

Recommendation: paragraph 123

102. Legislation is in place (see paragraph 3) to ensure that disabled people's rights are protected. This includes people's rights not to be discriminated against as a result of their disability or any other protected characteristics, such as gender and age. This response cites examples of measures implemented to protect vulnerable groups or people who are

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https://www.gov.uk/government/publications?keywords=&publication_filter_option=consultations&topics%5B%5D=all&departments%5B%5D=all&official_document_status=all&world_locations%5B%5D=all&from_date=01%2F01%2F2010&to_date=

⁸⁵ <https://www.gov.uk/government/consultations/involving-disabled-people-in-policy-development>

⁸⁶ <https://www.gov.uk/government/publications/hate-crime-action-plan-2016>.

⁸⁷ SEND: Special Educational Needs and Disabilities. <http://www.sendgateway.org.uk/about.html>.

disproportionately affected. An example is the exemption to the Removal of the Spare Room Subsidy for certain families with a disabled child.

103. The Government recognises that disabled people are not a homogenous group, and seeks wherever possible to provide fair and personalised services. For example, safeguards such as those in PIP and ESA to protect people with mental health conditions (e.g. not closing claims when forms are not returned), demonstrate adjustments to mainstream processes aimed at protecting people from indirect discrimination.

Recommendation: paragraph 124

104. All policies must be compliant with the EA 2010, or the Disability Discrimination Act in Northern Ireland, and the Human Rights Act 1998. The Government does not have one fixed monitoring system in place with set indicators applicable to all policies. This would risk being restrictive of innovation, driving unintended behaviours or limiting flexibility to meet local needs. Government is content that the current system - where each policy area considers how it will monitor the impact of its policies, giving due regard to the PSED and ensuring that both the policy and its delivery meet the legal requirements of the EA 2010 – meets the spirit of this recommendation.
105. Government monitors the implementation and delivery of its policies as a matter of course, evaluating the effectiveness and efficiency of policies and seeking improvements where possible. Where problems are identified - through performance information, data trends, engagement with external stakeholders and partners or the general public - they are considered fully to decide if either the policy or its delivery requires revision.
106. The UK is a strong parliamentary democracy with a system that invites scrutiny and challenge. Ministers are publicly accountable through a variety of well-established parliamentary procedures, such as parliamentary questions, debates and select committees. The Work and Pensions Select Committee exists specifically to examine Government social security policies and can initiate enquiries, call Ministers to give oral evidence and publish findings. Similarly, the Public Accounts Committee can investigate matters relating to welfare spending.
107. The Government has commissioned independent reviews of policies which affected potentially vulnerable people. These offer an objective means of reviewing policy and its implementation and have been carried out for Employment Support Allowance, PIP and sanctions. The second independent review⁸⁸ of PIP is currently being carried out, helping the Government build on the improvements already introduced following recommendations in the first review on DWP communications with disabled people and how assessors interact with people at assessments.

⁸⁸ <https://www.gov.uk/government/publications/personal-independence-payment-pip-assessment-second-independent-review>.

Recommendation: paragraph 125

108. This document provides the UK Government's comprehensive response.

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Disability Interview

The disability activist who called in the UN

Linda Burnip, founder of Disabled People Against Cuts, has initiated a UN investigation into the UK government’s ‘grave and systematic violations of disabled people’s human rights’



Linda Burnip, who runs the disability rights group Disabled People Against Cuts says there was scant opposition to cuts in parliament Photograph: David Sillitoe for the Guardian



Mary O'Hara

Wednesday 16 September 2015 07:59 BST

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After five years campaigning for disabled people's rights in the face of austerity, it's a wonder Linda Burnip hasn't thrown her hands in the air and given up. When she refers to the "very long" list of policies that have, in one way or another, left disabled people worse off, it is plain that there are so many battles being fought, and new ones emerging all the time as [more cuts and welfare reforms are wheeled out](#), it would be unsurprising if she were overwhelmed by it all.

However Burnip, along with her fellow founders and activists at the campaign group [Disabled People Against Cuts](#) (DPAC) is unwavering: "People [have] said to me over the years, 'there's no point in bothering because you're not going to get any change'. I've always felt I'd rather try than just not do anything."

It's like 30 years of disabled people's rights have just been lost in five and a half years

True to this stance, Burnip and her co-campaigners decided that protesting within the UK wasn't enough. For the past three and a half years, a handful of people at DPAC have been diligently gathering and submitting evidence to the United Nations, asking it to [launch an investigation](#) on the grounds that both the previous

coalition government and the new Tory administration have been responsible for "grave and systematic violations of disabled people's human rights". When it was leaked at the end of August that a UN committee would indeed be investigating the UK's treatment of disabled people (UN inquiries are usually kept confidential) DPAC confirmed that it was expected to be underway next month.

The group began pursuing an inquiry using Article 6 of the [Optional Protocol](#) within the [Convention on the Rights of Persons with Disabilities](#) at the beginning of 2012. In what was "a long and arduous" process, with strict rules for proof of any claims made, Burnip says DPAC presented a range of evidence including analysis of the impact of specific policies such as work capability assessment (WCA) and individual testimonies by people affected by a host of policies.

"This is the first time any country has been investigated by the UN using the Optional Protocol so it will be, if nothing else, a very historic event," Burnip says. "Disabled people should not be the scapegoats for the financial mistakes of governments, should not be constantly told that there is no money to support them by millionaire politicians. We will not tolerate further erosion of our living conditions or our human rights, nor will we sit quietly while they try to take our rights away."

Disabled people's rights threatened by government cuts, campaigners warn

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The inquiry also requires responses from ministers to the evidence submitted. Once the committee has released its findings the government is expected to respond within six months.

For Burnip, going down the UN route was a direct result of frustration that cuts and reforms were relentlessly raining down on disabled people across

the UK. "Until the coalition was elected I think things were quite positive on independent living," she says, although she points out that some of the most controversial welfare policies – including the WCA fitness for work tests and employment support allowance were first introduced under the Labour government.

"[Prior to 2010] there was the Labour party's independent living strategy, which wasn't perfect but was going in the right direction. Then, when the coalition came in, everything started going backwards. It's like 30 years of disabled people's rights have

just been lost in five and a half years,” says Burnip.

Burnip, 61, has a long history of grassroots social justice campaigning and trade union activity, spanning education, health and social care. All of it has informed her recent activism on behalf of disabled people, while personal experience (she has Crohn’s disease), and advocating on behalf of a disabled son provided “a much broader overview” of the barriers that disabled people face, she says.

DPAC was formed by a group of people with a variety of disabilities in the immediate aftermath of mass protests at the Conservative party conference in October 2010, amid warnings that the impact of austerity would be catastrophic for people with physical or mental impairments. Burnip says: “When we first got together to organise the protest march at the Tory party conference in Birmingham a lot of people accused us of scaremongering and said, ‘of course nothing bad is going to happen. Everything is going to be fine.’ But it was really obvious from what was said in the [June budget of 2010](#) that disabled people were going to be hit really hard by the cuts.

“I think probably a lot of people just buried their heads and didn’t want to think about it,” she adds, saying that in retrospect it was as if people couldn’t grasp that the situation would become “as bad as it’s turned out to be”.

According to [analysis by the Centre for Welfare Reform](#), disabled people have been targeted by cuts nine times more than most other citizens. It also found that people with disabilities, who make up one in 13 of the population, bore almost a third (29%) of the cuts. It was against this backdrop – with people buckling under the strain of fitness-for-work WCA tests and escalating benefit sanctions – that activists sought help beyond the UK.

Burnip says there was little choice, with scant opposition to cuts in parliament – “to be honest the frontbench of the Labour party as an opposition have been a joke” – and a rhetoric and ideology from those in power that repeatedly dismissed and vilified disabled people. She quips that she tries to avoid listening to the work and pensions secretary, Iain Duncan Smith, but admits there is no way to ignore him when he is so central to how policies have played out. Referring to a speech he gave in the [Commons in which he called non-disabled people “normal”](#), sparking a hail of criticism, she wonders: “When he says things [like that] about disabled people not being normal, you do think: ‘Where’s that coming from?’”

It is unclear what the outcome of the UN inquiry will be, or indeed what, if anything, it will persuade the government to do, but Burnip is encouraged by the UN’s involvement so far. “I think they’ve been cautious about the process and how they should proceed, but certainly from the time we submitted our first report, they have taken it seriously.”

At the very least, she says, it will alert others, including small campaign groups like DPAC reliant totally on volunteers, to the fact that there are avenues to challenge “regressive” government policies, says Burnip.

“The inquiry has already shown that disabled people can and must fight back. We hope that it will get international attention and be a way of publicising the relentless onslaught focused on disabled people in the UK.”

Curriculum vitae

Age 61.

Lives Warwickshire.

Family Married, two children.

Education Dame Allan’s girls school: Newcastle upon Tyne, Liverpool Polytechnic: BA Social Studies; University of Warwick: MA Comparative Labour Studies.

Career 2008-present: volunteering and other activities, currently steering group member for Disabled People Against Cuts and director of Framework Inclusion UK; 1989-2007: full-time mother and family carer; 1979-89: unqualified social worker and benefits adviser; 1977-79: market research executive, British Gas.

Interests Politics, disability rights, gardening, cooking.

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Conservatives

George Osborne calls emergency July budget to reveal next wave of austerity

Chancellor promises a ‘budget for working people’, which will also spell out how the Conservatives will cut £12bn from Britain’s welfare bill



George Osborne in March 2015 - July's budget will be the second this year. Photograph: Graeme Robertson/for the Guardian

Larry Elliott Economics editor

Saturday 16 May 2015 00.01 BST

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[George Osborne](#) will reveal how the government plans to cut £12bn from Britain's welfare bill when he announces a fresh wave of austerity measures in his second budget in less than four months on 8 July. The chancellor said he wanted to make a start delivering on the commitments made in the Conservative party manifesto and pledged that his package would be a budget for "working people".

Announcing his decision in an article in the Sun, Osborne said he would provide details of how the government plans to eliminate the UK's budget deficit – forecast to be £75bn this year – and run a surplus by the end of the parliament. "On the 8th of July I am going to take the unusual step of having a second budget of the year – because I don't want to wait to turn the promises we made in the election into a reality ... And I can tell you it will be a budget for working people."

Treasury sources said the budget would address Britain's poor productivity record,

which has held back growth in living standards, and would also announce plans to create 3m new apprenticeships. However, the centrepiece of the package will be a fresh bout of austerity, with Osborne keen to get unpopular measures out of the way early in the parliament, in readiness for pre-election tax cuts once the public finances have improved.

Provided the economy performs in line with forecasts made by the independent [Office for Budget Responsibility](#), borrowing will be reduced to £41bn in 2016-17 and £14.5bn in 2017-18. By 2018-19, the plan is for the UK to be running a budget surplus of £4bn.

The Conservatives have provided details of how they will find around £1.5bn of savings from the UK's social security budget and came under pressure from the Institute for Fiscal Studies during the election campaign to explain how they would find the remaining £10.5bn. The IFS said the scale of the overall savings - 10% of the part of the welfare bill not spent on pensioners - would involve the [Conservatives](#) looking at child benefit, child tax credit and disability allowances. According to the Treasury, the budget would announce reforms of welfare that would protect the most vulnerable while making sure the system is fair to taxpayers.

Osborne will say in the budget that the Conservatives intend to adopt a fair and balanced approach to deficit reduction, and that the package will include ringfencing spending on the NHS while cutting £13bn from other Whitehall departments. The budget will also include a fresh crackdown on tax avoidance designed to raise £5bn.

The timing of the budget in early July will allow the Office for [Budget](#) Responsibility to produce new forecasts for the economy and the public finances while giving time for a finance bill to be passed before parliament rises for its summer recess.

With Labour holding a leadership contest following the resignation of Ed Miliband, Osborne will seek to portray his package as a one-nation budget, with measures to build the so-called northern powerhouse and ensure that prosperity is not confined to London and the south-east.

The timing comes at a bad time for Labour, which has no shadow chancellor since the defeat of Ed Balls in the election. Harriet Harman, the caretaker leader, will have the task of responding to Osborne's speech, while Chris Leslie temporarily heads Labour's economic team.

As in the last parliament, Osborne will use the "one nation" theme of the budget to set the terms of the economic debate for the next five years while Labour is preoccupied by its own internal debates.

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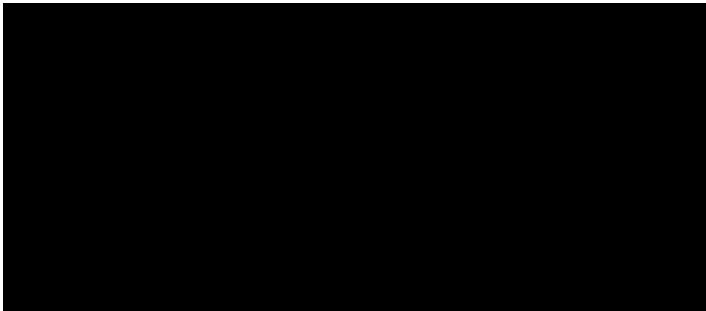
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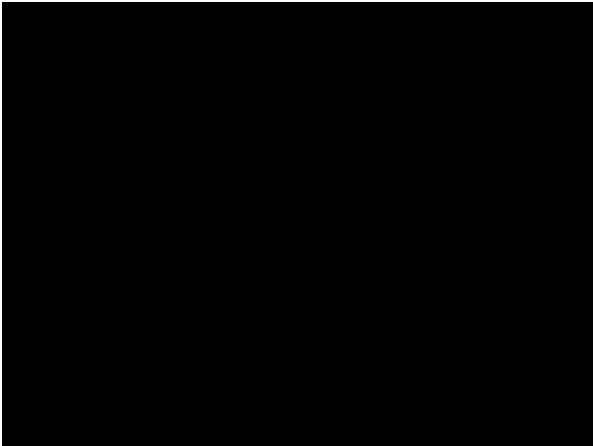
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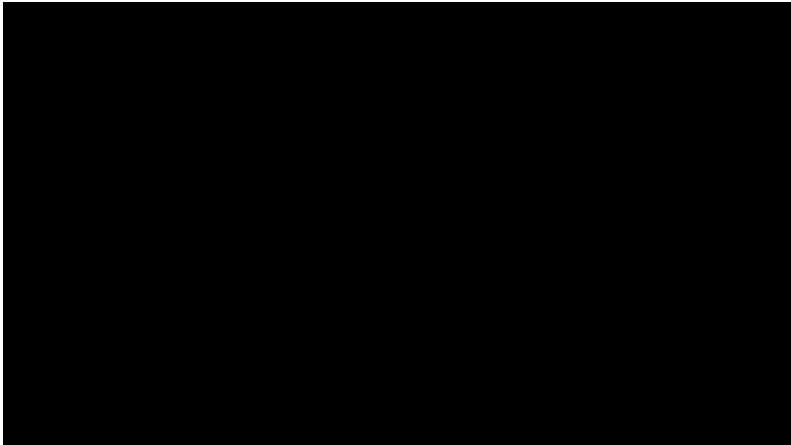
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DPAC triggers UN inquiry into grave and systematic violations of disabled people’s rights

The UN Inquiry and UN visit to UK to examine the grave and systematic violations of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) was initiated by DPAC.

This inquiry is the first of its kind-it has great historic importance. It means the UN will examine the vicious and punitive attacks on disabled people’s independent living as well as the cuts which have seen so many placed in inhuman circumstances and has led to unnecessary deaths.

In May 2013, after 3 years of onslaught against disabled people by the Condem government, DPAC made a formal submission under the CRPD Optional Protocol which establishes an individual complaints mechanism for the Convention.

There was less information and statistics than now on the impact of the Welfare Reform and loss of a right to independent living on disabled people. However the evidence DPAC presented to the CRPD Committee was extremely strong

DPAC’s evidence presented the regression of disabled people’s convention rights and the grave and systematic violations of disabled people’s rights under the UNCRPD. It was accepted by the UNCRPD Committee.

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second submission, supported by further evidence of the disproportionate impact of all cuts on disabled people.

This submission, as the first one, included but was not restricted to:

- the failings of the Work Capability Assessment,
- the bedroom tax,
- the closure of the Independent Living Fund
- the unwillingness of the government to make an assessment of the cumulative impact of the Welfare Reform on disabled people
- its reluctance to monitor what was happening to disabled people who were found fit for work after an assessment and who lost their only means of support (see complete list)¹.

- Help us to respond to the DWP Consultation on the future of ESA
- Please help us to campaign against the ESA WRAG Cut
- Holding the DWP to account and how to complain when your benefits go wrong
- Examples of extra costs of being disabled needed by November 11th
- A quick reminder of DPAC’s stance on isms and phobias
- Forced to use ready made meals due to lack of social care and support? Please send info for consultation
- Arbeit Macht Frei and more Damien Green smoke and mirrors

This submission was partly based on firmly sourced statistical and other factual evidence, and also on the hundreds of personal testimonies that DPAC has received from individuals who have been affected adversely by the governments' welfare reforms.

The UK government sent a second response to the UN about DPAC's submission but by then the CRPD Committee had decided that there was enough evidence to open an inquiry into the violations of disabled people's rights by the UK government.

The Committee also told DPAC that the inquiry was totally confidential and could be jeopardised and called off if any news of an UN inquiry was leaked.

It was the indiscretion of an ex-member of the CRPD Committee which brought the inquiry into the open, but DPAC kept its side of the non-disclosure agreement. The further leak in newspapers on Sunday 30th August convinced us that disabled people needed to know the full extent of the process

This inquiry is an unprecedented move and uncharted territory for the UNCRPD Committee.

It is also another route of hope for disabled people who have been abused by the UK government, ignored by most of the opposition and betrayed by the big Disability Charities.

ENDS

Editors Notes:

About Disabled People against Cuts (DPAC)

DPAC is a grass roots campaign body. It was formed by a group of disabled people after the first mass protest against the austerity cuts and their impact on disabled people held on the 3rd October in Birmingham 2010, England. It was led by disabled people under the name of The Disabled Peoples' Protest. DPAC has over 20,000 members & supporters and an outreach of over 45,000 disabled people. DPAC works with many anti-cuts groups, Universities, Disabled Peoples' Organizations, and Unions www.dpac.uk.net twitter: @Dis_PPL_Protest

contacts: mail@dpac.uk.net

Notes:

- 1) the [UNCRPD Optional Protocol](#)
- 2) the indicative issues sent to the UNCRPD Committee as part of the complaint by DPAC:
- Scrapping of Incapacity Benefit

• 1% cap on benefit rises

• Time limitation of WRAG

• Bedroom tax

• Freezing child benefit

• Overall benefit Cap:

• Introduction of Personal Independent Payment

• Universal Credit

• Abolition of Independent living Fund

• Change to Local Housing Allowance

- [We weren't invited](#)

• [PIP and ESA Appeal Winners Face Further Legal Threat](#)

• [Our NHS is under threat again – please help save it and take action now.](#)

• [Cut Prescription Cost Campaign](#)


• [Join with MHRN and Demonstrate against National MIND 31st October 15:30 to 17:00](#)

• [Changes to Blue Badge Entitlement following the implementation of PIP – a victory](#)

DPAC on twitter @dis_ppl_protest

@Dis_PPL_Protest

7 mins




UK austerity policies 'amount to violations of disabled people's rights'

[theguardian.com/business/2016/... https://t.co/t2RjCa5kgL](https://t.co/t2RjCa5kgL)

@Dis_PPL_Protest

10 mins



The UN Report into UK Government maltreatment of disabled people has been published shar.es/1hTK1 via @Dis_PPL_Protest

@Dis_PPL_Protest

5 hours



@Debbie_abrahams UN Report is out dpac.uk.net/2016/11/the-un...

@Dis_PPL_Protest

5 hours



Benefit Cap Implementation Dates From 7 Nov to 23 January 2017 speye.wordpress.com/2016/11/07/ben... via @SpeyeJoe

Recent Comments

- **Bob:** I understand what you mean Kia, this is a deeply emotional moment for many of us. This is vindication of all we have been through and it is a...

• **Kia:** I just can't stop crying as the method of my oppression is broken down like this. Punished for being sick. It breaks my heart.

• **sandra bowes-rennox:** Always knew that they violated our human rights..now it's time for the Tories to face facts and stop making excuses.

• **Stewart Dunbar:** This is damning to the very core of this Tory Government, IDS's regime was nothing more than abuse and torture of the weakest...

• **Judith:** Hello Bob, I have been subjected

- Uprating and cuts to Tax Credits
- Localisation and 10% cut for Council Tax Benefit
- 1% cap on various benefits and tax credits
- Work programme and disabled people
- Benefit cap
- Benefit cap in London
- Spare room surplus
- Other changes to Housing Benefits
- Discretionary Housing Payments
- Abolition of Council Tax Benefit
- Universal Credit
- Sanctions and workfare
- Hardship Payments, Budgeting
- Hardship Payments, Budgeting Loans and Short Term advances
- Change from Disability Living Allowance
- Benefit Delay
- Employment Support Allowance
- Tribunal support for appeals for ESA , DLA and PIP
- Loss of right to appeal and Mandatory Re-considerations
- Legal Aid Cuts
- Social care crisis
- Abuse in care
- Mental health
- Food Banks
- Workfare and benefit sanctions
- National Rail Services
- Crossrail
- Buses and coaches
- Tube network
- University disability access

to terrible Hate Crime. I cannot speculate on why. What I do know is that I am a walking disabled person...

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Bob



Posted by Bob at 15:20



19 Responses to “DPAC triggers UN inquiry into grave and systematic violations of disabled people’s rights”

1. David says:

September 23, 2015 at 13:54



I wish IDS could be brought to account for his deliberate genocide against the most vulnerable and defenceless people. He’s a cruel sadistic pig with no humanity. And Cameron has stood there and let him get away with it.

Reply

2. Apsych-Radical Politics in Mental Health | apsychn says:

September 19, 2015 at 20:12

[...] [6] DPAC’s most recent achievement was this <http://dpac.uk.net/2015/08/dpac-triggers-un-inquiry-into-grave-and-systematic-violations-of-disabled…> [...]

3. ForSocialJustice says:

September 8, 2015 at 15:05



Those who Voted Tory in the 2010 General Election are Worse than Ignorant and Have a Lot to Answer For such as the Awful State of the Country and Society Now

Reply

4. michelle gillibrand says:

September 4, 2015 at 10:54



this was disclosed at the start of the year by private eye who were given the tip off what you say will explain why no one else seemed to know about it when I asked around, the saddest thing about it is who will be made to pay for what has been aloud to happen I myself was attacked last year in one of these so called hate crime against disabled people which I do believe was down to the gov and channel 5 with its constant programs about the money grabbing people on benefits 8 where shown in one night hope some one looks into them as well as a result what I got was a broken leg a year of abuse and no help from anywhere including the police so hope the un brings this gov to its kneesfor all those who have payed the highest price of all

Reply

5. DWP fails to provide meaningful statistics over deaths of incapacitated claimants | New Approach says:

September 3, 2015 at 19:24

[...] is to the credit of the disability campaign movement, Disabled People Against Cuts (cuts) that The UN Inquiry and UN is to visit to UK is set to examine the “grave and systematic violations of the UN Convention on the Rights of [...]

- Disability Activism
- disability hate crime
- Disability History
- Disability Rights
- DisabilityCharityWatch
- DLA
- DPAC briefing notes
- DPAC Reclaiming Our Futures Action
- DPAC Research
- DRUK
- DWP
- ESA
- Europe
- European Network on Independent Living (ENIL)
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- Humour
- ILF
- ILF Diaries
- Inclusive Education
- Independent Living
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- media
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 - Atos
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- PIP
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- reclaiming our furtures
- Reclaiming our Futures
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- UK Disabled Peoples Manifesto
- Reclaiming our Futures
- Uncategorized
- UNCRPD
- Universal Credit
- UNUM
- WCA
- welfare cuts
- Welfare reforms
- Who2Vote4?
- workfare

6. **ForSocialJustice** says:
[September 2, 2015 at 13:02](#)



It Reeks of Eugenics and the Evil Master Race Ideology Mentality

No to Nazi Britain

[Reply](#)

7. **Dr Rita Pal** says:
[September 2, 2015 at 10:49](#)



Welcome to the United Nations. I trust they will conduct a detailed investigation into the human rights violations that has resulted in a high mortality rate. The United Kingdoms ruling government has failed miserably and then attempted to conceal their misdemeanors plus negative impact on vulnerable people. The government has been cruel and heartless overlooking death rates and continuing with their flawed reforms. There has been no reviews and the government believes it is not accountable to anyone. Thankyou to the UN for their intervention.

Dr Rita Pal
<http://www.ritapal.info>

[Reply](#)

8. **Mark** says:
[September 2, 2015 at 09:54](#)



Disabled people in this country were extremely worried when the Conservatives took power in 2010 (all be it in coalition with the Lib Dems) and so this turned out to be justified and has seemed like a witch hunt ever since. I was holding out for the Tories to be kicked out in the last election so at least the bedroom tax would be scrapped. I haven't had the work assessment test but am dreading the time when that will happen.

We are treated as scroungers by this government and unfortunately this attitude spreads down through society. Often when you tell people you're disabled you can see them questioning in their mind what your disability is and how much you're costing the state. I've actually found the most judgmental seem to pensioners, who have been spared the worst of austerity because their votes are being 'brought'.

When I hear this government say that 'things are getting better' they are disregarding us. In real terms with bedroom tax and cuts in benefits I am worse off by more than £200 per month from 5 years ago. When you're struggling already, how can you possibly balance the books? When will we start feeling better Mr Duncan Smith?

You see people moaning in forums and in everyday life and it's obvious they care about the injustices of these policies. But it doesn't effect most people so they just don't care enough to make a difference. So glad that DPAC are giving us a voice.

[Reply](#)

Pete says:
[September 2, 2015 at 23:04](#)



"I've actually found the most judgmental seem to pensioners, who have been spared the worst of austerity because their votes are being 'brought'.".....the Tories didn't buy my vote. Those on the State pension (like me) should remember that we are next on Smith's hit list. As soon as conditionality is imposed on the SP (as mooted by (un)Prity Patel) and the blue-rinsed Tory wives are forced into "community work"(ie workfare) to "earn" their pension money, there'll be a ruckus. .

[Reply](#)

Karl says:
[September 4, 2015 at 10:32](#)



Ah yes the judgemental pensioners, the ones who are but a pale, insignificant shadow of the generation that came before them, the ones who enjoyed free University, stable well paid jobs for life with a whopping fat pension at the end of it, the ones who bought their homes for an absolute pittance which are now worth a fortune, the ones who contributed to this mess throughout their lives.

Those pensioners?

[write to your local councillor](#)
[Write to your MP](#)

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- [ALLFIE fighting for Inclusive Education](#)
- [Black Triangle](#)
- [Boycott Workforce](#)
- [Disability Crime Network](#)
- [Disability Sanctuary Forum for peer support](#)
- [DPAC Archive Blog](#)
- [EDGE Fund](#)
- [ENIL European Network on Independent Living](#)
- [FrameworkInclusion.UK](#)
- [Greater Manchester Coalition of Disabled People \(GMCDDP\)](#)
- [Help for Litigants in Person](#)
- [ilfaction](#)
- [Inclusion London](#)
- [John Pring's Disability News Service](#)
- [Keep Our NHS Public](#)
- [Kingqueen's Political Musings](#)
- [Left link directory useful resources for activists](#)
- [Mental Health Resistance Network \(MHRN\) Face Book](#)
- [MyLegal Forum](#)
- [New Approach](#)
- [Reclaiming our Futures Alliance](#)
- [Right to Work Campaign](#)
- [SamPB](#)
- [Sisters of Frida](#)
- [The Full Facts](#)
- [The Void](#)
- [Wow Petition](#)

[Reply](#)

Michelle Gillibrand says:
[September 6, 2015 at 10:14](#)



could not agree more some of the most horrible things that have been said to myself has come from them i.e calling me a cripple or these are disabled bays you know then checking my badge to the point I do not use them and I wonder how much she has cost the NHS or stand and stare then tell who ever is with them to have a good look as well not that I worked for 26yrs before I was crushed by a horse thought it was just me who thought like this and the excuse that it is how they were brought up does not cut with me or my family never had anything nasty said to me by the young ones

[Reply](#)

Lynne says:
[September 8, 2015 at 01:05](#)



I couldn't agree more with Mark. The 2010 General election was one of the worst things to happen to disabled people. Yes we are people!!! We have worked and paid national insurance and tax like everyone else. When I started work I paid tax at 33% this was the norm! It shouldn't be seen as a hand out, it is an insurance that we paid into when we were working.

[Reply](#)

9. **Barry** says:
[September 2, 2015 at 09:09](#)



DPAC you have done an amazing job I also believe IDS has also committed Genocide with all those who have sadly died.

IDS should be put on trial with David Cameron

IDS is a horrible nasty person

[Reply](#)

10. **Derek Athey** says:
[September 2, 2015 at 06:58](#)



I hope the DPAC runs its full investigation and finds the real truth about what the UK government are doing to the most vulnerable and especially Ian Duncan Smith who in my eyes should stand trial for the manslaughter of nearly four thousand people who have died as a direct result of his actions and standing next to him are David Cameron and George Osborne.

[Reply](#)

11. **Adrian** says:
[September 1, 2015 at 13:09](#)



I hope the UN do not pull out of this – it is the biggest war on the most vulnerable as well as many heroic residents that actually save the tax-payer millions in evading hospitalisation, care-home residency, care support costs and actually add to the kudos of a democracy that developed many anti-discriminatory laws and practices.

I hope Cameron, Osborne and Smith (Hitler, Himmler and Goebbels) serve long sentences and are declared insane psychopaths, to make an example of what happens to the highest official that flouts constitutional rights with impunity. They do not deserve the titles and privileges they sponge from the tax-payer.

[Reply](#)

12. **teejay** says:
[September 1, 2015 at 06:06](#)



I sincerely trust that the forthcoming U N enquiry about how this government has most certainly violates disabled people's rights goes a long way to helping people with disabilities regain some dignity. DPAC says over 7,500 have died since being pressured to work when sick or disabled. Iain duncan Smith should be held accountable for the inhumane treatment of our people. Its an absolute disgrace. Also lets hope Jeremy Corbyn takes Labour forward to help all people especially the disabled,sick and un-employed. Tony Blair has got a lot to answer for. To me he is not a true labour.Thank God weve got such an organisation as in DPAC . THERE IS HOPE

[Reply](#)

13. **wendy mortimer** says:
[August 31, 2015 at 23:39](#)



i emailed the UN last year(10 times) when i read that a uk reporter had been at UN headquarters to discuss disabled people and welfare problems. at last someone is listening.....

[Reply](#)

14. **Z** says:
[August 31, 2015 at 17:23](#)



Targeting government employees with mental health issues so they resign
Refuse to acknowledge disabilities
Refuse reasonable adjustments in the work place

The employment tribunal process is a sham, and prohibitively expensive for a reason
Whistleblowing processes are a sham

[Reply](#)

Paul Ross says:
[September 2, 2015 at 10:20](#)



Targeting the disabled isI'm lost for words. Please vote Jeremy Corbyn and maybe we will get the Changes we all need
Thank you for reading and signing.

[Reply](#)



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English > Human Rights Bodies > CRPD > **Optional Protocol to the Convention on the Rights of Persons with Disabilities**

The Committee	COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES	Country-specific information
Introduction	Optional Protocol to the Convention on the Rights of Persons with Disabilities Article 1 Article 2 Article 3 Article 4 Article 5 Article 6 Article 7 Article 8 Article 9 Article 10 Article 11 Article 12 Article 13 Article 14 Article 15 Article 16 Article 17 Article 18 The States Parties to the present Protocol have agreed as follows : Article 1 1. A State Party to the present Protocol ("State Party") recognizes the competence of the Committee on the Rights of Persons with Disabilities ("the Committee") to receive and consider communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of the provisions of the Convention. 2. No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol. Article 2 The Committee shall consider a communication inadmissible when: (a) The communication is anonymous; (b) The communication constitutes an abuse of the right of	<div>Select a country</div> <div>GO</div>
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submission of such communications or is incompatible with the provisions of the Convention;

(c) The same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;

(d) All available domestic remedies have not been exhausted. This shall not be the rule where the application of the remedies is unreasonably prolonged or unlikely to bring effective relief;

(e) It is manifestly ill-founded or not sufficiently substantiated; or when

(f) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

Article 3

Subject to the provisions of article 2 of the present Protocol, the Committee shall bring any communications submitted to it confidentially to the attention of the State Party. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

Article 4

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of the alleged violation.

2. Where the Committee exercises its discretion under paragraph 1 of this article, this does not imply a determination on admissibility or on the merits of the communication.

Article 5

The Committee shall hold closed meetings when examining communications under the present Protocol. After examining a communication, the Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

Article 6

1. If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, the Committee shall invite that State Party to cooperate in the examination of the information and to this end submit observations with regard to the information concerned.

2. Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.

3. After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

[World Network of Users and Survivors of Psychiatry](#)

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4. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.

5. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

Article 7

1. The Committee may invite the State Party concerned to include in its report under article 35 of the Convention details of any measures taken in response to an inquiry conducted under article 6 of the present Protocol.

2. The Committee may, if necessary, after the end of the period of six months referred to in article 6.4, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

Article 8

Each State Party may, at the time of signature or ratification of the present Protocol or accession thereto, declare that it does not recognize the competence of the Committee provided for in articles 6 and 7.

Article 9

The Secretary-General of the United Nations shall be the depositary of the present Protocol.

Article 10

The present Protocol shall be open for signature by signatory States and regional integration organizations of the Convention at United Nations Headquarters in New York as of 30 March 2007.

Article 11

The present Protocol shall be subject to ratification by signatory States of this Protocol which have ratified or acceded to the Convention. It shall be subject to formal confirmation by signatory regional integration organizations of this Protocol which have formally confirmed or acceded to the Convention. It shall be open for accession by any State or regional integration organization which has ratified, formally confirmed or acceded to the Convention and which has not signed the Protocol.

Article 12

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the Convention and this Protocol. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by the Convention and this Protocol. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to "States Parties" in the present Protocol shall apply to such organizations within the limits of their competence.

3. For the purposes of article 13, paragraph 1, and article 15, paragraph 2, any instrument deposited by a regional integration organization shall not be counted.

4. Regional integration organizations, in matters within their

competence, may exercise their right to vote in the meeting of States Parties, with a number of votes equal to the number of their member States that are Parties to this Protocol. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 13

1. Subject to the entry into force of the Convention, the present Protocol shall enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

2. For each State or regional integration organization ratifying, formally confirming or acceding to the Protocol after the deposit of the tenth such instrument, the Protocol shall enter into force on the thirtieth day after the deposit of its own such instrument.

Article 14

1. Reservations incompatible with the object and purpose of the present Protocol shall not be permitted.

2. Reservations may be withdrawn at any time.

Article 15

1. Any State Party may propose an amendment to the present Protocol and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a meeting of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a meeting, the Secretary-General shall convene the meeting under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

Article 16

A State Party may denounce the present Protocol by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

Article 17

The text of the present Protocol shall be made available in accessible formats.

Article 18

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Protocol shall be equally authentic.

In witness thereof the undersigned plenipotentiaries, being duly

authorized thereto by their respective Governments, have signed the present Protocol.

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Convention on the Rights of Persons with Disabilities

Preamble

The States Parties to the present Convention,

- a. Recalling the principles proclaimed in the Charter of the United Nations which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,
- b. Recognizing that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,
- c. Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,
- d. Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- e. Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,
- f. Recognizing the importance of the principles and policy guidelines contained in the World Programme of Action concerning Disabled Persons and in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in influencing the promotion, formulation and evaluation of the policies, plans, programmes and actions at the national, regional and international levels to further equalize opportunities for persons with disabilities,
- g. Emphasizing the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development,
- h. Recognizing also that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person,
 - i. Recognizing further the diversity of persons with disabilities,
 - j. Recognizing the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support,
- k. Concerned that, despite these various instruments and undertakings, persons with disabilities continue to face barriers in their participation as equal members of society and violations of their human rights in all parts of the world,
 - l. Recognizing the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries,
- m. Recognizing the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities, and that the promotion of the full enjoyment by persons with disabilities of their human

rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty,

- n. Recognizing the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices,
- o. Considering that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,
- p. Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,
- q. Recognizing that women and girls with disabilities are often at greater risk, both within and outside the home of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,
- r. Recognizing that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalling obligations to that end undertaken by States Parties to the Convention on the Rights of the Child,
- s. Emphasizing the need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities,
- t. Highlighting the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,
- u. Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,
- v. Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,
- w. Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the International Bill of Human Rights,
- x. Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute towards the full and equal enjoyment of the rights of persons with disabilities,
- y. Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities, in both developing and developed countries,

Have agreed as follows:

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Article 1 - Purpose

The purpose of the present Convention is to promote, protect and ensure the full and

equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

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Article 2 - Definitions

For the purposes of the present Convention:

- "Communication" includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;
- "Language" includes spoken and signed languages and other forms of non spoken languages;
- "Discrimination on the basis of disability" means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;
- "Reasonable accommodation" means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
- "Universal design" means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

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Article 3 - General principles

The principles of the present Convention shall be:

- a. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- b. Non-discrimination;
- c. Full and effective participation and inclusion in society;
- d. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- e. Equality of opportunity;
- f. Accessibility;
- g. Equality between men and women;
- h. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

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Article 4 - General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

- a. To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;
- b. To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- c. To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
- d. To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;
- e. To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
- f. To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;
- g. To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
- h. To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
- i. To promote the training of professionals and staff working with persons with disabilities in the rights recognized in this Convention so as to better provide the assistance and services guaranteed by those rights.

2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

4. Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of persons with disabilities and which may be contained in the law of a State Party or international law in force for that State. There shall be no restriction upon or derogation from any of the human rights and fundamental freedoms recognized or existing in any State Party to the present Convention pursuant to law, conventions, regulation or custom on the pretext that the present Convention does not recognize such rights or freedoms or that it recognizes them to a lesser extent.

5. The provisions of the present Convention shall extend to all parts of federal states

without any limitations or exceptions.

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Article 5 - Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.
4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

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Article 6 - Women with disabilities

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.
2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

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Article 7 - Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

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Article 8 - Awareness-raising

1. States Parties undertake to adopt immediate, effective and appropriate measures:
 - a. To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
 - b. To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
 - c. To promote awareness of the capabilities and contributions of persons with disabilities.

Measures to this end include:

- a. Initiating and maintaining effective public awareness campaigns designed:
 - i. To nurture receptiveness to the rights of persons with disabilities;
 - ii. To promote positive perceptions and greater social awareness towards persons with disabilities;
 - iii. To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
- b. Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
- c. Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
- d. Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

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Article 9 - Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:
 - a. Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
 - b. Information, communications and other services, including electronic services and emergency services.
2. States Parties shall also take appropriate measures to:
 - a. Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
 - b. Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
 - c. Provide training for stakeholders on accessibility issues facing persons with disabilities;
 - d. Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
 - e. Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and

- other facilities open to the public;
- f. Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
- g. Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- h. Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

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Article 10 - Right to life

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

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Article 11 - Situations of risk and humanitarian emergencies

States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

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Article 12 - Equal recognition before the law

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.
2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.
3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.
4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.
5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

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Article 13 - Access to justice

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

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Article 14 - Liberty and security of the person

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:

- a. Enjoy the right to liberty and security of person;
- b. Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.

2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of this Convention, including by provision of reasonable accommodation.

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Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment

1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.

2. States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.

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Article 16 - Freedom from exploitation, violence and abuse

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

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Article 17 - Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

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Article 18 - Liberty of movement and nationality

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:

- a. Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;
- b. Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;
- c. Are free to leave any country, including their own;
- d. Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.

2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

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Article 19 - Living independently and being included in the community

States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

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Article 20 - Personal mobility

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- a. Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;
- b. Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;
- c. Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;
- d. Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

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Article 21 - Freedom of expression and opinion, and access to information

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- a. Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- b. Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- c. Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- d. Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- e. Recognizing and promoting the use of sign languages.

Article 22 - Respect for privacy

1. No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation. Persons with disabilities have the right to the protection of the law against such interference or attacks.

2. States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.

Article 23 - Respect for home and the family

1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:

- a. The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;
- b. The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;
- c. Persons with disabilities, including children, retain their fertility on an equal basis with others.

2. States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.

3. States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.

4. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.

5. States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.



Article 24 - Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

- a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

- a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
- c. Reasonable accommodation of the individual's requirements is provided;
- d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall

ensure that reasonable accommodation is provided to persons with disabilities.

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Article 25 - Health

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

- a. Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
- b. Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;
- c. Provide these health services as close as possible to people's own communities, including in rural areas;
- d. Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;
- e. Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;
- f. Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

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Article 26 - Habilitation and rehabilitation

1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:

- a. Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;
- b. Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.

2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.

3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

Article 27 - Work and employment

1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

- a. Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- b. Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
- d. Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- e. Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- f. Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- g. Employ persons with disabilities in the public sector;
- h. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- i. Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- j. Promote the acquisition by persons with disabilities of work experience in the open labour market;
- k. Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

Article 28 - Adequate standard of living and social protection

1. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.

2. States Parties recognize the right of persons with disabilities to social protection and

to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:

- a. To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;
- b. To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;
- c. To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;
- d. To ensure access by persons with disabilities to public housing programmes;
- e. To ensure equal access by persons with disabilities to retirement benefits and programmes.

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Article 29 - Participation in political and public life

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

- a. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
 - i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
 - ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
 - iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;
- b. Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
 - i. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
 - ii. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

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Article 30 - Participation in cultural life, recreation, leisure and sport

1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

- a. Enjoy access to cultural materials in accessible formats;

- b. Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;
 - c. Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.
2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.
3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.
4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.
5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:
- a. To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
 - b. To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
 - c. To ensure that persons with disabilities have access to sporting, recreational and tourism venues;
 - d. To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;
 - e. To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

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Article 31 - Statistics and data collection

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:
- a. Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
 - b. Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.
2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.
3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

Article 32 - International cooperation

1. States Parties recognize the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities. Such measures could include, inter alia:

- a. Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;
- b. Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
- c. Facilitating cooperation in research and access to scientific and technical knowledge;
- d. Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.

2. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the present Convention.

Article 33 - National implementation and monitoring

1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

Article 34 - Committee on the Rights of Persons with Disabilities

1. There shall be established a Committee on the Rights of Persons with Disabilities (hereafter referred to as "the Committee"), which shall carry out the functions hereinafter provided.

2. The Committee shall consist, at the time of entry into force of the present

Convention, of twelve experts. After an additional sixty ratifications or accessions to the Convention, the membership of the Committee shall increase by six members, attaining a maximum number of eighteen members.

3. The members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognized competence and experience in the field covered by the present Convention. When nominating their candidates, States Parties are invited to give due consideration to the provision set out in article 4.3 of the present Convention.

4. The members of the Committee shall be elected by States Parties, consideration being given to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities.

5. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties from among their nationals at meetings of the Conference of States Parties. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The initial election shall be held no later than six months after the date of entry into force of the present Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit the nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating the State Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

7. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of six of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these six members shall be chosen by lot by the chairperson of the meeting referred to in paragraph 5 of this article.

8. The election of the six additional members of the Committee shall be held on the occasion of regular elections, in accordance with the relevant provisions of this article.

9. If a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State Party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements set out in the relevant provisions of this article, to serve for the remainder of the term.

10. The Committee shall establish its own rules of procedure.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention, and shall convene its initial meeting.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

13. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 35 - Reports by States Parties

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.
2. Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.
3. The Committee shall decide any guidelines applicable to the content of the reports.
4. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports, repeat information previously provided. When preparing reports to the Committee, States Parties are invited to consider doing so in an open and transparent process and to give due consideration to the provision set out in article 4.3 of the present Convention.
5. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 36 - Consideration of reports

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.
2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.
3. The Secretary-General of the United Nations shall make available the reports to all States Parties.
4. States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.
5. The Committee shall transmit, as it may consider appropriate, to the specialized agencies, funds and programmes of the United Nations, and other competent bodies, reports from States Parties in order to address a request or indication of a need for technical advice or assistance contained therein, along with the Committee's observations and recommendations, if any, on these requests or indications.



Article 37 - Cooperation between States Parties and the Committee

1. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate.
2. In its relationship with States Parties, the Committee shall give due consideration to ways and means of enhancing national capacities for the implementation of the present Convention, including through international cooperation.

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Article 38 - Relationship of the Committee with other bodies

In order to foster the effective implementation of the present Convention and to encourage international cooperation in the field covered by the present Convention:

- a. The specialized agencies and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite specialized agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- b. The Committee, as it discharges its mandate, shall consult, as appropriate, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

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Article 39 - Report of the Committee

The Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

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Article 40 - Conference of States Parties

1. The States Parties shall meet regularly in a Conference of States Parties in order to consider any matter with regard to the implementation of the present Convention.
2. No later than six months after the entry into force of the present Convention, the Conference of the States Parties shall be convened by the Secretary-General of the United Nations. The subsequent meetings shall be convened by the Secretary-General of the United Nations biennially or upon the decision of the Conference of States

Parties.

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Article 41 - Depositary

The Secretary-General of the United Nations shall be the depositary of the present Convention.

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Article 42 - Signature

The present Convention shall be open for signature by all States and by regional integration organizations at United Nations Headquarters in New York as of 30 March 2007.

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Article 43 - Consent to be bound

The present Convention shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organizations. It shall be open for accession by any State or regional integration organization which has not signed the Convention.

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Article 44 - Regional integration organizations

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by this Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.
2. References to "States Parties" in the present Convention shall apply to such organizations within the limits of their competence.
3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, any instrument deposited by a regional integration organization shall not be counted.
4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

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Article 45 - Entry into force

1. The present Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.
2. For each State or regional integration organization ratifying, formally confirming or acceding to the Convention after the deposit of the twentieth such instrument, the Convention shall enter into force on the thirtieth day after the deposit of its own such instrument.

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Article 46 - Reservations

1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted.
2. Reservations may be withdrawn at any time.

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Article 47 - Amendments

1. Any State Party may propose an amendment to the present Convention and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a conference of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.
2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.
3. If so decided by the Conference of States Parties by consensus, an amendment adopted and approved in accordance with paragraph 1 of this article which relates exclusively to articles 34, 38, 39 and 40 shall enter into force for all States Parties on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment.

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Article 48 - Denunciation

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one

year after the date of receipt of the notification by the Secretary-General.

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Article 49 - Accessible format

The text of the present Convention shall be made available in accessible formats.

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Article 50 - Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic.

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In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

Source: Annex 1, [Final report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities \[A/61/611 - PDF, 117KB\]](#)

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Budget

Budget 2010: Pain now, more pain later in austerity plan

- George Osborne delivers £40bn austerity budget
- Controversial rise in VAT to 20% from January

Larry Elliott and Patrick Wintour

Tuesday 22 June 2010 21.27 BST

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[George Osborne](#) has imposed austerity measures on every family in Britain after announcing a £40bn package of emergency tax increases, welfare cuts and Whitehall spending restraint designed to slash the budget deficit by the end of the parliament.

The chancellor said the "unavoidable budget" required a VAT rise from 17.5% to 20% next January, higher capital gains tax, a levy on banks, a two-year public sector pay freeze and less generous benefits, but insisted the package was needed to prevent the financial markets from turning on Britain.

In his debut budget speech, Osborne pleased the ratings agencies and the Organisation for Economic Co-operation and Development by intensifying the £73bn squeeze already planned by the last Labour government. But he signalled a second dose of gloom in October, when a three-year comprehensive spending review will spell out the size of the cuts for individual government departments.

Osborne warned today that ring-fencing the NHS and international development meant non-protected departments would face average real cuts of 25% but that some clemency would be shown to education and defence.

The chancellor avoided even deeper cuts in Whitehall by earmarking the welfare budget for more than a third – £11bn – of the £32bn reduction in spending. Child benefit will be frozen, and the government will eventually save almost £6bn a year by linking all state benefits other than pensions to the slower-growing consumer prices index rather than the retail prices index.

The Treasury will raise more than £12bn from the increase in VAT, but the chancellor sought to soften the blow from the toughest budget in modern times by raising personal allowances by £1,000, linking pensions to earnings and raising child credits for the next two years.

He said a four-year phased cut in corporation tax would help the private sector become the engine of growth, and the economy would have to rely more heavily on investment and exports over the coming years.

Seeking to pin the blame for the tough measures on Gordon Brown, the chancellor said: "Today we have paid the debts of a failed past. And laid the foundations for a more prosperous future. The richest paying the most and the vulnerable protected. That is our approach. Prosperity for all. That is our goal."

Vince Cable, the Liberal Democrat business secretary, agreed with the description of the budget as "tough but fair". Writing in the Guardian, Cable said the budget would be vilified by those who sought to undermine the coalition government or did not understand the depths of the crisis. "But it is necessary and right".

Osborne rejected criticism from Labour that the budget threatened to derail the recovery, saying that the independent Office for [Budget](#) Responsibility had only marginally reduced its forecasts for growth this year and next as a result of today's spending cuts and tax increases.

The need to placate the markets after the sovereign debt crisis in the euro area last month meant the pace of deficit reduction had to be accelerated, the chancellor added. "The consequences for Britain would be severe.

Higher interest rates, more business failures, sharper rises in unemployment, and potentially even a catastrophic loss of confidence and the end of the recovery. We cannot let that happen." Net borrowing – a combination of the running costs of government and spending on infrastructure projects – will fall from 10.1% of national output to 1.1% within five years.

The budget measures are designed to turn a structural deficit in current spending of 4.8% of GDP into a surplus of 0.3% in four years, holding out the prospect of pre-election tax cuts if the economy performs as the chancellor expects.

Tonight, the ratings agency Fitch said the budget would "materially strengthen confidence" in the country's public finances, while the Organisation for Economic Co-operation and Development, the Paris-based thinktank for developed country governments, praised Osborne for his "courage".

Harriet Harman, the interim Labour leader, picked out the Liberal Democrats for attack, saying: "This reckless Tory budget would not be possible without the Lib Dems. The Lib Dems denounced early cuts; now they are backing them. They denounced VAT increases; now they are voting for them. How could they support everything they fought against? How could they let down everyone who voted for them? How could they let the

Tories so exploit them? Do they not see that they are just a figleaf?"

Nick Clegg faced tough questioning at his parliamentary party meeting tonight, but pinpointed proposals that would not have been in the budget but for his interventions. Simon Hughes, the deputy leader, said the VAT rise was difficult, but the scale of spending cuts was unavoidable. Clegg had been prepared for attacks by Labour that he has turned into a Tory patsy, but he is insistent he has ensured the budget has not followed the path of most previous fiscal consolidations by hitting the poor hardest. He also agreed with Osborne over dinner a month ago that the consolidation should represent a plan for a five-year parliament, and the bulk of the details should be spelled out now.

But figures produced by the Treasury purporting to show the richest will suffer most extend only to 2012-3, by which time most of the welfare cuts will not have been implemented. The Treasury argues that further reforms to combat child poverty will be announced later in the parliament, and cites suggestions by the Institute for Fiscal Studies that VAT is not necessarily regressive.

Clegg and Cable, who condemned a planned Tory VAT "tax bombshell" during the election, also admit privately it is not possible to tackle the deficit without hitting welfare. The Lib Dems are proud that the budget retains their plans for a rise in capital gains tax, and rightwing calls for a taper relief have been rejected.

Osborne told the Commons: "In this budget everyone will be asked to contribute but in return we make this commitment. Everyone will share the rewards when we succeed. When we say that we are all in this together we mean it." But he faces the charge that he has gone further than he needs to accelerate the deficit reduction.

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Briefing on How Cuts Are Targeted

Author: Dr Simon Duffy

How the cuts target disabled people

The UK government is making big cuts in public expenditure in order to try and solve a financial crisis that was primarily triggered by excessive house price inflation, private borrowing and over-lending by the banks. However, most people think that everything is being cut and that the cuts being made are probably fair. The latest report from The Centre for Welfare Reform - *A Fair Society?* - shows that this is not true.

Not everything is being cut.

In fact over 50% of cuts fall in just two areas which together make up only 25% of government spending:

- Benefits (to be cut by **20%**) most of which is for disabled people and people in poverty
- Local government (to be cut by over 40%) most of which (60%) is for social care (which will be cut by **33%**)

The cuts are not fair.

They target the very groups that a decent society would protect:

- People in poverty (1 in 5 of us) bear **39%** of all the cuts
- Disabled people (1 in 13 of us) bear **29%** of all the cuts
- People with severe disabilities (1 in 50 of us) bear **15%** of all the cuts

These facts are represented in the following info-graphic:

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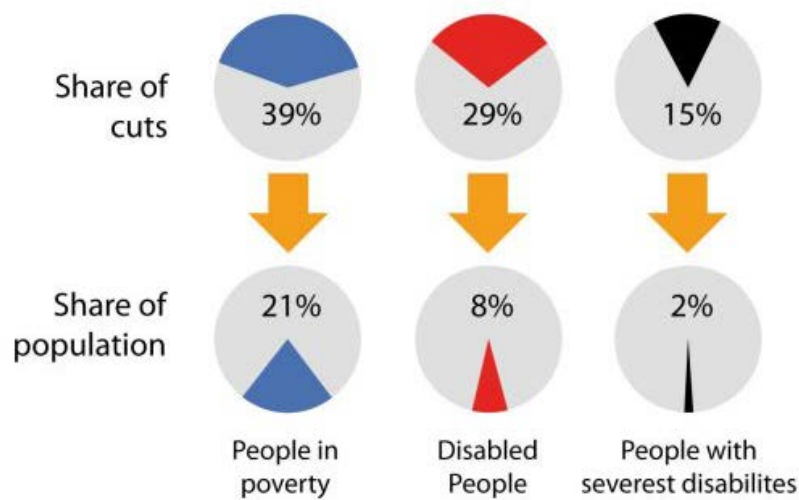
[Campaign for a Fair Society](#)

Websites

[WOW Petition](#)
Calls for a Cumulative Impact Assessment of Welfare Reform, and a New Deal for sick and disabled people based on their needs, abilities and ambitions.

[Pat's Petition](#)

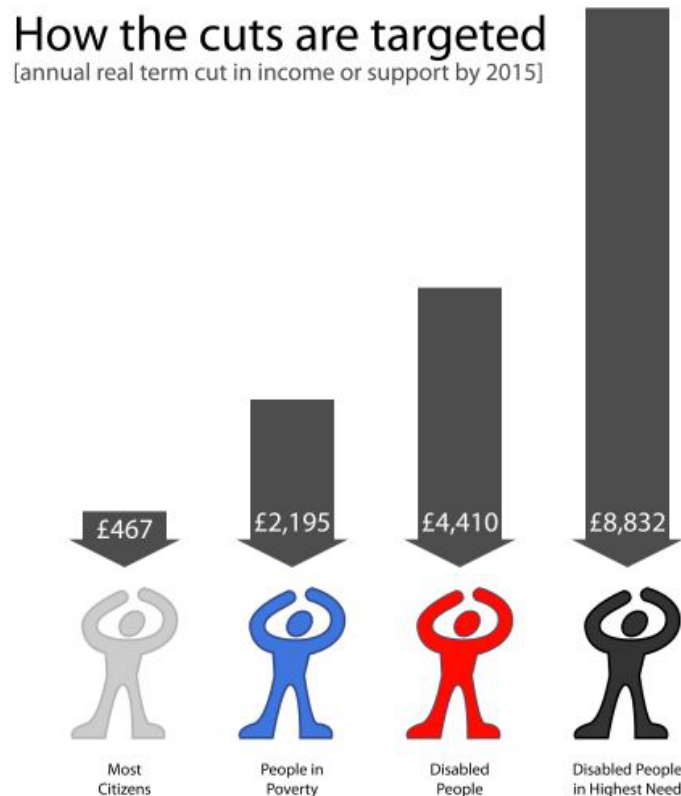




The unfairness of this policy is seen even more clearly when we look at the difference between the burden of cuts that falls on most citizens and the burdens that fall on minority groups. By 2015 the annual average loss in income or services will be:

- People who are not in poverty or have no disability will lose **£467 per year**
- People who are in poverty will lose **£2,195 per year**
- Disabled people will lose **£4,410 per year**
- Disabled people needing social care will lose **£8,832 per year**

These facts are represented in the following info-graphic:



This also means that if we compare the relative targeting of the cuts

on different groups then:

- People in poverty are targeted **5 times** more than most citizens
- Disabled people are targeted in **9 times** more than most citizens
- People needing social care are targeted **19 times** more than most citizens

These facts are represented in the following info-graphic:



If regressive tax increases were also included in this analysis the picture would be even worse.

This is a conservative analysis, based upon facts taken from the government's own reports and from the reports of reputable national bodies like CIPFA and ADASS.

Cuts to social care are already in underway - over £4 billion has already been cut from the social care budget reducing care and support to disabled children, adults and frail older people.

Cuts to benefits are being disguised within 'reforms' that mask reductions in the value, type and scope of benefits.

The UK is the **third most unequal developed country** in the world and most disabled people live in poverty. The current policy is guaranteed to increase inequality and to make extreme poverty even worse.

All of this may seem surprising given the UK government's claim that the cuts would be "fair" and that they have even provided "extra money" for social care. However it seems that many of the government's claims are either very misleading or utterly false.

Many people do not know the real facts about the current welfare system:

1. Benefit fraud is very low - it is only **6% the level of tax fraud** and about 1% the level of tax evasion.
2. Planned benefit cuts are **22** times the size of benefit fraud
3. **£17 billion** benefits go unclaimed each year because the system is unfair, stigmatising and too difficult to understand, this is 17 times more than the level of benefit fraud.
4. It is the poorest 10% of families who pay the highest percentage of their overall income in taxes - **45%**
5. The real cost of benefits and pensions is very low, 86% is paid straight back to the government in taxes. The net cost of benefits after taxes is really only **£25 billion**.
6. Most local government spending is ring-fenced by Whitehall (e.g. education) the 41% cut to local government must fall largely on social care, for social care is 60% of the funding that local government actually controls.
7. The claim that there is extra social care funding is false and relies upon misleading information and statistical distortions.

The report argues that the main reason for the unfairness of the cuts is that the current democratic and welfare system has a built-in bias towards protecting some services and for cutting others. The public have been persuaded that the NHS, pensions and education are **universal services** that benefit everybody; but they see benefits and social care as being for 'other people'.

This bias is highly dangerous, especially when politicians pander to it, and use the rhetoric of 'shirkers', 'scroungers' or 'cheats' to appeal to the prejudices of swing voters. A new level of honesty and self-discipline is required within our political elites.

Not only is this policy dangerously unfair it will be **ineffective**. Increased inequality and reduced social care will increase social crises, crime, institutionalisation and will increase the inefficiency of other public services, like the NHS. Benefits and social care are relatively efficient and effective at reducing need and strengthening communities.

The current economic crisis was created by unsustainable house price inflation which was certainly not caused by people in poverty or by disabled people. Nor did they benefit from this inflation in asset values. However they are now being made to foot the bill for the mistakes of others. None of this is necessary. Even if one were to accept the need for public expenditure cuts then effective salary control would have saved jobs and reduced inequality.

The Campaign for a Fair Society demands that MPs of all political parties call for:

1. A halt to the current programme of cuts
2. An independent assessment of the cumulative impact of the cuts on disabled people and other vulnerable groups
3. The development of a fairer and more sustainable welfare system
4. A welfare system that is built on a recognition of the equal worth of all human beings and the guarantee of human rights for all

Further information:

All the facts, figures and analysis described above can be found in the latest report by The Centre for Welfare Reform titled:

[A Fair Society? How the cuts target disabled people](#)

The statistics are taken from government sources. Most refer to the real term impact of funding changes by 2015, primarily as set out in the 2010 CSR. However many later changes and amendments have been included, particularly the increased cut to benefits which has increased from an original cut of £10 billion in 2010, to a planned cut of £22 billion.

The report was produced, pro bono, for the Campaign for a Fair Society, an alliance of over 300 charities who are advocating an end to unfair cuts and the radical reform of the welfare state:

www.campaignforafairsociety.com

The author of the report is Dr Simon Duffy, winner of the RSA Prince Albert Medal and the Social Policy Association award for outstanding contribution to social policy: <http://about.me/simonduffy>

The publisher is The Centre for Welfare Reform.

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Iain Duncan Smith

Iain Duncan Smith describes people without disability as 'normal' – video

Iain Duncan Smith, the work and pensions secretary, describes people who are not disabled as 'normal' on Monday afternoon's session in the House of Commons. Duncan Smith was defending

the government’s performance getting people with disabilities into work. The the work and pensions secretary was criticised by Eilidh Whiteford, the SNP social justice spokeswoman for his comments

Source: Parliament TV

Tuesday 8 September 2015 17.16 BST

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Austerity Opinion

The Guardian view on austerity: reversing Robin Hood

Editorial

The poorest are pushed further into poverty, while the rich are given billions. Not satire, but the data



The New Hope Church food bank, South Shields. 'Not so long ago, the Conservatives vowed to end child poverty. Now they are enacting laws to create not just poverty, but generations of destitution.' Photograph: Mark Pinder

Wednesday 2 November 2016 00.01 GMT

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One loosely applied law for the rich. Another tightly monitored one for the poor. Next Monday, the government reduces the total amount of benefits families are allowed to claim. Using the Department for Work and Pensions' own figures, 88,000 families with [a quarter of a million children](#) will have to manage on less money. A lot less: the average cut will be £260 a month. Sums that large spell eviction and homelessness for many. Independent experts expect the turmoil to be even greater.

Not so long ago, [the Conservatives vowed to end child poverty](#). Now they are enacting laws to create not just poverty, but generations of destitution. Nor are they alone in this project. The benefits cap was brought in by the Conservative-Lib Dem coalition. It was endorsed by Ed Miliband's Labour party. As acting leader last year, [Harriet Harman instructed Labour MPs not to oppose the reduction of the cap](#). Still, the fact remains that the benefit cap was a Conservative idea.

Meanwhile, as a report from the Resolution Foundation points out this morning, the

Conservatives have since 2010 brought in tax cut after tax cut, worth a total £32bn this year. Set that against the reduction of the benefit cap, which will inflict chaos on hundreds of thousands of the poorest to raise a measly £65m this year. Over George Osborne's six years in No 11, corporation tax rates have been slashed. The threshold at which personal income is taxed has risen to over £10,000 and will next year hit £11,500. Under the party that once promised "[vote blue, go green](#)", fuel duty was first cut and then frozen. These giveaways have gone largely to big business and to the rich. The rise in the personal income tax threshold was sold by Nick Clegg and David Cameron as a way of boosting the living standards of the working poor. It was actually a hugely expensive sop to the rich.

Then there is the kid-glove treatment of the super-rich, [as detailed by the National Audit Office yesterday](#). The NAO report is not political, yet its investigation is a must-read for all those who want to get to grips with the government's austerity project. Tax inspectors have identified potential evasion or avoidance worth £2bn among 6,500 super-rich individuals. Of those, only two individuals have been criminally investigated, with one single prosecution. Tax inspectors have identified a variety of ways in which the very wealthy game the system: from failing to declare foreign income to investing in schemes that are sold as tax dodges. The NAO points out that hundreds of millions stand to be collected from enforcing the law. It also paints a picture in which the tax inspectors are outnumbered and outgunned by the super-wealthy and their armies of advisers.

Theresa May's promise is "a country that works for all". Yet she has been involved in and is now in charge of an austerity project that does the opposite: pushing the poorest deeper into poverty while letting the richest off scot-free. If the prime minister wants to make good on her pledges of social justice, she has her chance in the autumn statement later this month. She can follow Labour's suggestion of giving more money and more firepower to the tax inspectors. She can reverse the wasteful giveaway on income tax thresholds. And she can roll back the cuts to social security and public spending. Here's her chance; let's hope she takes it.

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Benefits Opinion

Creating child poverty for a whole new generation. Take a bow, Theresa May

Aditya Chakraborty



I have seen how the new household benefit cuts will tear poor families apart. Even Margaret Thatcher would have balked at this



'From next Monday 88,000 families across Britain will have their housing benefit slashed. They will no longer have the cash to pay their rent.' Illustration by Bill Bragg

Monday 31 October 2016 20.38 GMT

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In a little council house in Birkenhead, Steve is panicking over how he'll find an extra £304 rent money a month. He has just days to magic up an answer. If he can't, he can guess what will happen. "Eviction. Come the end of November, I won't have a roof." As a single parent, Steve won't be the only one slung out. His four boys, aged from three to eight, would also lose their home and probably be taken from their dad. "I'd be fed to the dogs." Everything I've tried so hard for ..." – a snap of his fingers – "Nothing."

In Liverpool, 840 families risk losing their homes because of benefits cuts

[Read more](#)

It's not a landlord doing this to Steve; it's our government. It's not his rent that's going up; it's his housing benefit that's getting cut. And he's not the only one; on official figures, almost 500 households in the borough of Wirral face a [shortfall of up to £500 a month](#).

From next Monday 88,000 families across Britain will have their housing benefit slashed. They will no longer have the cash to pay their rent. Among all those whose lives will be turned upside down will be a quarter of a million children. That's enough kids to fill 350 primary schools, all facing homelessness.

Those figures [come directly from the Department for Work and Pensions](#). Plenty dispute them, which is unsurprising since DWP officials keep changing their minds. Some experts believe the number of children at risk could total 500,000.

This is the biggest benefit cut that you've never heard of. The newspapers will waste gallons of ink on [Candice Bake-Off's lipstick](#) and [Cheryl's apparent baby bump](#). But about a government policy that could disrupt hundreds of thousands of lives, there is near silence.

So allow me to explain. From next week Theresa May's government will extend the cap on household benefits. Poor families in London will [not be allowed more than £442 a week](#). Those outside the capital will be cut to £385 a week. In some areas the cuts will be brought in straightaway; in others with a slight delay. But in the end, families above the limit will be hit twice over. First, they will be pushed further into poverty. And, like Steve, their housing benefit will be docked, so they will be left scrabbling just to make the rent and keep a roof above their heads.

Life in a B&B or shelter: has austerity left you needing a new home? | Sarah Marsh

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How those families will manage is anyone's guess. When Steve opened the letter at the end of July he had a "panic attack". All that went round his mind was one question: "How the hell am I going to pay this?" Then came what he calls "a depressive state" that lasted nearly two months. Now he bottles it up, for the sake of his boys. "When they're not around, that's when I cry. When they're out at school, when they're asleep: that's when I break down."

It's the fear of losing the boys he fought so hard for custody of that haunts him most. So worried is he about a social worker taking them away that he requests a false name.

Like many of the families that will be hit, Steve's options are very limited. He can borrow from his mum, although she's hard up. He can try to land 16 hours' work a week – and has already been giving out his CV – but not too many employers will be able to fit around his school runs and meal preps. Or he can ask Wirral council to top up his rent, by filling out a complicated form that asks for proof of his weekly spend on everything from cigarettes to toiletries. And that would only cover him for a few

months.

He has one jumper and one coat to last him the entire winter. He sometimes gets by on a single bowl of cornflakes a day

Even before next week's cuts, Steve is already bumping along the bottom. He has one jumper and one coat to last him the entire winter. He sometimes gets by on a single bowl of cornflakes a day. Anything spare goes towards the boys. But they don't get fresh fruit or veg, subsisting on frozen meals from Iceland.

The three-year-old comes into the kitchen for a drink, and as Steve opens the fridge, I can see it contains

nothing apart from a half-full bottle of milk. The house is empty to the point of desolation: no shades for any of the lightbulbs, none of the usual family photos or decorations.

George Osborne's benefits cap was always a rotten policy that played well in focus groups. But when introduced in 2013, it hit a relatively small number of poor families in high-rent London. And, some on the right would whisper in the ears of biddable journalists, the poor really had no place in the world's biggest property bubble. The cuts that start next week will be a step change. They will hit low-rent areas such as Wirral and Darlington. They will render family homes rented out by housing associations "financially toxic", according to the [housing expert Joe Halewood](#): tenants will no longer be able to afford them, and housing associations can't afford to leave them empty. And they will rip through the budgets of already cash-starved local councils, who will now have to find emergency accommodation and cash funds for displaced families.

To see how deep it will cut, have a look at these figures. I grew up on the outskirts of London, in a place called Edmonton. It has pockets of deprivation as bad as anything in Wirral and, on DWP estimates, around 1,200 households here will be hit by the new benefits cap. By my reckoning, this government now expects children growing up in my former home to be raised on £1.02 a day.

The basic expenses for a family with four children in Edmonton come to £399.14 per week.

My sums go as follows:

£315.12 for rent (the allowable local rent for a three-bed home).

£33.36 for council tax (Enfield council, band E property).

£32 for gas and electric (the average weekly bill, according to government figures, with

an extra 20% added for a large family).

£8.54 for water (Thames Water’s average bill for 2015, with 20% added for a large family).

£10.12 phone and broadband (BT Anytime standard package).

Taking all that from the £442.31 allowed to any London family leaves £43.17 each week left over for the family. That is £1.02 per person per day.

Of course, these figures are arguable. The family could cut down on energy use by choosing to be cold this winter. Or they could go without showers and washing up. That said, I’ve left off mobile phone calls and TV. I’ve not factored in school trips or family breaks or Christmas.

These cuts will do something Thatcher never managed: they break once and for all the link between the needs of benefits claimants and their entitlements. Children will be punished for the “sins” of their parents: the sins of being poor and of having too large a family in the eyes of Osborne and Iain Duncan Smith. David Cameron’s Tories once legislated to “eliminate child poverty”: Theresa May’s Tories are re-creating it for a new generation.

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Benefits

Benefit cap will pitch thousands more British children into poverty

Patrick Butler

The cynical benefit cap expected in George Osborne’s budget is emblematic of the Tories’ £12bn welfare cuts, immiserating hundreds of thousands of families



'Ministers' own civil servants advised them that 40,000 more children would fall into poverty as a result of extending the benefit cap.' Photograph: Bloomberg via Getty Images

Tuesday 7 July 2015 12.00 BST

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‘We will work to eliminate child poverty’ was the ambiguous promise tucked away in the Conservative party general election [manifesto](#). As the chancellor, George Osborne, prepares to unveil his summer budget, we can safely confirm that, for all practical purposes, it was not a half-hearted pledge but a lie.

The measures Osborne is expected to announce on Wednesday will cut £12bn from annual welfare spending by 2017. The consequence will be to pitch hundreds of thousands of children into poverty, and create homelessness, hunger and misery.

Pre-budget briefings suggest the cuts will be found from working tax credits, housing benefit, and possibly disability benefits. We know benefits will be frozen for two years. Collectively, they demonstrate a government cavalier about the prospect of immiserating large numbers of its citizens.

One policy above all is emblematic of this cynicism: the [household benefit cap](#). Ministers have gone further than promised before the election. The cap, previously

£26,000, will be set at £23,000 in London and £20,000 outside. The government says some 90,000 more households will be affected (on top of the 59,000 already hit). This policy practically guarantees poverty to those whom it affects – and ministers know it. Their own civil servants have [already advised them](#) that 40,000 more children would fall into poverty as a result of extending the cap (this is likely to be a woeful underestimate of the true figure).

UK benefits cap is lawful but breaches UN children's rights obligations

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They were warned in March by the supreme court that the cap was [in breach of the UK's international obligations](#) on children's rights. The court's deputy president, Lady Hale, left ministers in no doubt that the cap created poverty. "Claimants affected by the cap will, by definition, not receive the sums of money which the state deems necessary for them adequately to house, feed, clothe and warm themselves and their

children," she said.

Blogger and housing consultant [Joe Halewood](#) has analysed in detail the financial impact of an outside-London £400 a week cap. An unemployed couple with three children, he finds, will receive at most £63 a week in housing benefit. If they rent a three-bed social home at £100 a week, they must find the £37 difference from their benefits (which are already set at subsistence level). If they cannot, they will run up arrears and face eviction and homelessness.

Similarly, a jobless single parent with four children renting the same property would need to find £58 a week from their benefits. By comparison, the bedroom tax leaves families, on average, £15 a week worse off. Halewood estimates as many as 200,000 households could be affected, including 700,000 children.

Supporters of the benefit cap will point out that moving into work enables people to escape the cap. But the government's own [evaluation](#) found this shift was difficult for all but those already close to getting a job: a "large majority" responded to being capped by not moving into work or into a cheaper home. Many went into debt and rent arrears, used food banks, or went without meals.

Ministers will argue that temporary housing payments are provided to help those affected stave off immediate eviction as they try and find work. However, the Department for Work and Pensions cut these payments from [£165m to £125m](#) in April. The fund also has to support households affected by the bedroom tax.

For those who are evicted, the costs will spiral – at least for the taxpayer. Halewood points out that if and when the couple with three children are evicted, their council will

be forced to put them up in temporary accommodation at a typical cost of £245 a week. This will cost taxpayers hundreds of millions.

Who remembers the cowed, chastened Tory party of nine years ago which embraced the idea of relative poverty. Or six years ago, when it voted for the Child [Poverty](#) Act. Now it proposes not to eliminate poverty, just child poverty targets – and designs policies it knows with certainty will create poverty.

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Frankie Boyle
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Chancellor expected to cut £8bn from bill over two years and not to enforce living wage, but could enshrine tax-free minimum pay in law
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George Osborne to raise Victoria Cross and George Cross payments to £10,000

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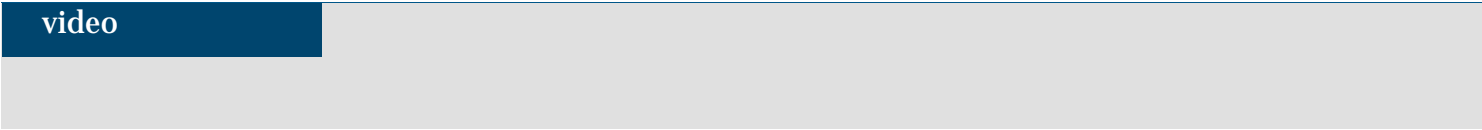
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Housing benefit

Cuts to housing benefit could make claimants £570 a year worse off

Institute for Public Policy research says alternative to tax credits cuts could save £2.4bn but would hit 4.8 million households



The IPPR says cuts to housing benefits will damage the in-work poor the most. Photograph: Ben Pruchnie/Getty Images

Patrick Wintour political editor

Wednesday 18 November 2015 21.00 GMT

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This article is 12 months old

Cuts to housing benefit – now seen as the Treasury’s preferred alternative to cutting tax credits – are likely to damage similar groups of in-work poor claimants by depriving them of more than £500 a year, suggests fresh research by the Institute for Public Policy Research.

The thinktank’s research indicates if the chancellor makes all housing benefit claimants pay the first 10% of their rent from their own funds, he will save around £2.4bn a year, but hit 4.8 million households. The housing benefit budget has risen in recent years and now costs the Treasury £25bn.

Their analysis comes as George Osborne has been forced by a [Conservative backbench rebellion](#) to backtrack on his plan, first set out in his summer budget, to cut tax credits. Cutting housing benefit entitlement could help make up the shortfall.

Osborne may be able to argue that housing benefit could be presented as an effort to incentivise households to look for cheaper properties. But the IPPR says the cuts will mean an average loss of £570 a year for households living in the private rented sector, while social housing tenants would lose £460 a year. The impact would be particularly hard on those living in high cost housing markets such as London, Cambridge, York and Oxford.

Nick Pearce, director of IPPR, said: “Like the planned cuts to tax credits, our analysis shows the other welfare cuts that the chancellor is probably considering could have a serious impact on the pockets of working families, people who need help to pay their rent or are genuinely unable to work.”

Master strategist or political blunderer? Will the real George Osborne please stand up

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The chancellor announced on Tuesday that he has reached an agreement with the work and pensions secretary, Iain Duncan Smith, over the department's budget before the autumn statement on Wednesday. It will set out departmental cuts for the rest of the parliament as well as provide an update of the Office of Budget Responsibility's forecasts for public finances.

Osborne is still determined to meet his goal of achieving a surplus in the national budget by the end of the parliament, and will find some savings from better than expected forecasts due to low interest rates.

A proposed raid on Universal Credit by increasing the amount of benefit that is withdrawn for every pound earned – the taper rate – has been rejected by the DWP.

The IPPR added that if Osborne is due to reach his £4.4bn in savings, any cuts to housing benefit will have to fall between 2016/17 and 2019/20, rather than exclusively at the end of the parliament, when universal credit is fully rolled out.

The taper rate is currently at 65%, but there are suggestions it could increase to 75%. Doing that would bring in £2.6bn in 2020. This compares to £3.3bn raised by work allowance cuts in 2020, as announced in the summer budget.

The IPPR says another way to cut the housing benefit budget would be to cut the local housing allowance; the housing benefit subsidy in the private rented sector. Rent subsidies currently fund rents corresponding to 30% of the market level and reducing that to 20% would save £400m a year.

The IPPR says evidence shows that this does not generally reduce market rents – rather

tenants end up paying more for where they live. This would be particularly damaging in high-cost housing markets where, due to successive freezes to LHA rates coupled with rent rises, fewer and fewer properties are available at the bottom 20% of the market, let alone 30%. Another option would be to further reduce the welfare cap, which would essentially act as a further housing benefit cut.

Pearce said: “The government faces the same charge which stirred such a strong opposition to the tax credit changes: that they are hitting vulnerable people, but in different areas of the welfare budget. The chancellor is backed into a corner and cannot find an easy way out.”

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Title: Welfare Reform and Work Act: Impact Assessment for the benefit cap Lead department or agency: Department for Work and Pensions Other departments or agencies: Local Authorities	Impact Assessment (IA)		
	Date: August 2016		
	Stage: Final		
	Source of intervention: Domestic		
	Type of measure: Primary legislation		
Contact for enquiries: workingage.benefitsstrategy@dwp.gsi.gov.uk			
Summary: Intervention and Options			RPC Opinion: Not Applicable

Cost of Preferred (or more likely) Option			
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Two-Out? Measure qualifies as
	N/A	N/A	No NA

What is the problem under consideration? Why is government intervention necessary?

The current benefit cap has been shown to be successful with more households looking for and finding work. The long term positive, intergenerational, effects from people moving into work are well-known and therefore, to encourage more households to move into work, a new lower, tiered cap has been designed to strengthen the work incentives for those on benefits. It also helps in tackling the deficit and consequent reductions in public expenditure that the Government is making to return to sustainable public finances. Evaluation evidence shows that the existing benefit cap, at £26,000, is improving work incentives, promoting fairness between those on out of work benefits and taxpayers and delivering savings. Reducing the benefit cap to £20,000 in Great Britain and £23,000 in Greater London builds on this, delivering further positive change.

What are the policy objectives and the intended effects?

The objective of the policy change is to build on the successes of the existing benefit cap, as shown by evaluation evidence. We will do this by restricting the total amount of benefits that a household can receive to £20,000 in Great Britain and £23,000 in Greater London (and 67% of these levels for single people without children). By doing this the policy will:

1. Further improve work incentives for those on benefits
2. Promote even greater fairness between those on out of work benefits and tax payers in employment (who largely support the current benefit cap), whilst providing support to the most vulnerable
3. Further reduce benefit expenditure and continue to help tackle the financial deficit.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

We considered 3 options: (1) Applying the cap to all working age benefit recipients (2) Leaving the cap at £26,000 as the policy is in place and clearly working as intended (3) Lowering the cap to £20,000 in Great Britain and £23,000 in Greater London to build on the current success of the cap in improving incentives to work, delivering fairness and benefit savings. Removing exemptions reduces fairness and work incentives, despite increasing savings and so was rejected. The current cap meets policy intentions; however, there is opportunity to further build on its success with a lower cap. We believe the lower levels further enhance work incentives, whilst striking a balance between claimants and taxpayers interests for fairness and spending and ensuring a safety net for the most vulnerable; it is, therefore, the chosen option.

Will the policy be reviewed? It will be reviewed. **If applicable, set review date:** 05/2020

Does implementation go beyond minimum EU requirements?			No		
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	Micro No	< 20 No	Small No	Medium No	Large No
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/A		Non-traded: N/A

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:



Date: 25/08/2016

Summary: Analysis & Evidence

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 15/16	PV Base Year 15/16	Time Period Years 5	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate:

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			

Description and scale of key monetised costs by 'main affected groups'

The estimates shown do not take account of the expected behavioural changes from reform as these are difficult to estimate. All figures shown relate to Great Britain. In a static environment an estimated total 88,000 households could be affected by benefit cap in the implementation year of 2016/17, 64,000 of them additional over the current policy. However, all households taking action to move into work will be unaffected by the changes. Those not responding will have their benefits reduced by an average of around £60 per week (median £49) in 2016/17 leading to an additional transfer from these households of £65m in 2016/17 and £155m in 2017/18 (cash terms).

For many people who will be affected by the cap these reductions are notional changes in entitlement rather than actual cash losses i.e. those who become capped once the policy is in place haven't seen any reductions in their benefit, just a lower maximum limit on the benefit they would, otherwise, have been entitled to. Households who do not make an adjustment before the lower cap is introduced would face a cash reduction in their benefit receipt.

Other key non-monetised costs by 'main affected groups'

Households who may be affected by the cap will face the same choices as working families over where to live and managing their household expenditure. It is not possible to robustly quantify these costs because they are based on behavioural changes which are difficult to assess.

These costs do not include the operational cost of implementing the benefit cap or support provided to capped claimants. The Department is currently refining the estimate of these costs. To help ensure Local Authorities are able to protect the most vulnerable a total of £870m in Discretionary Housing Payments over 5 years (from 2016/17) will be available.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate		£110m	

Description and scale of key monetised benefits by 'main affected groups'

The final benefit cap policy is expected to deliver additional fiscal savings of £65m in 2016/17 and £155m in 2017/18 (cash terms) or £65m in 2016/17 and £150m in 2017/18 (2015/16 prices), these being the benefits transferred to the taxpayer as a result of the policy change. Further additional savings from the policy change, assuming the cap remained at the same level would be £110m in 2018/19, £100m in 2019/20 and £110m in 2020/21 (cash terms) or £105m in 2018/19, £90m in 2019/20 and £100m in 2020/21 (2015/16 prices).

Other key non-monetised benefits by 'main affected groups'

This measure sits alongside the other measures announced in the Welfare Reform and Work Act to continue to improve work incentives and make the welfare system fair and affordable for all. Workless households will see limits in benefit receipt and this improves work incentives, particularly since those entitled to Working Tax Credits or who meet/exceed the benefit cap earnings exemption threshold in Universal Credit will be exempt from the cap. There are long term, positive, intergenerational, effects from work and improving work incentives helps deliver these.

Key assumptions/sensitivities/risks	Discount rate (%)
Impacts have been estimated using administrative records held by the DWP on benefit recipients (see Annex 1 for further detail). The source data relates to November 2015, but has been up-rated to the relevant year's prices and benefit rates, therefore assumptions about future inflation rates have been made. The modelling was carried out incorporating all other welfare reforms included in the Welfare Reform and Work Act. All of the £m figures above have been rounded to the nearest £5m. All estimates are shown for at a Great Britain level. No behavioural change has been assumed in the impacts, although such change is likely; evaluation has shown more people looking for and finding work from the current cap level.	3.5%

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OITO?	Measure qualifies as
Costs: N/A	Benefits: N/A	Net: N/A	No	NA

Introduction

The Welfare Reform and Work Act incorporates a number of policy changes designed to improve work incentives and enhance fairness, whilst ensuring support for the most vulnerable.

Measures include the Government's intention that key elements of benefits and tax credits be frozen at their 2015/16 levels in 2016/17, 2017/18, 2018/19 and 2019/20 and, also, that from 2016/17 total household benefit payments for working-age claimants will be capped so that workless households will no longer be entitled to receive more than £20,000¹ in benefit (£13,400 for single adults with no children) and £23,000 (£15,410 for single adults with no children) in Greater London.

Separate Impact Assessments have been produced to assess the impacts of the policies within the Act. This Impact Assessment examines the move from a £26,000 benefit cap to a benefit cap of £20,000 in Great Britain and £23,000 in Greater London.

The current policy

From April 2013 the Government introduced a cap on the total amount of benefit that working-age people can receive. The cap was set at £26,000 per year or £500 per week for a couple (with or without children) and single parent households; and equivalised at 67%, or £350 per week (after rounding), for single adult households without children.

Benefits taken into account

Benefits and tax credits (with the exception of working tax credit) that provide an out-of-work income for adults or support for children and housing are taken into account for purposes of applying the cap.

The cap applies to the combined income from:

- Bereavement Allowance
- Carer's Allowance
- Child Benefit
- Child Tax Credit
- Employment and Support Allowance except where the support component has been awarded
- Guardian's Allowance
- Housing Benefit
- Incapacity Benefit
- Income Support
- Jobseeker's Allowance
- Maternity Allowance

¹ An equivalisation, in line with OECD modified scale, has been made so the single-adult rate is equal to 67% of the cap level for families. Equivalisation means a single person can typically attain the same standard of living as a childless couple on only 67% of its income

- Severe Disablement Allowance
- Universal Credit
- Widowed Parent's Allowance
- Widow's Benefit

Currently, where the total amount of welfare benefits exceeds the cap, the LA will reduce a claimant's entitlement to HB by the amount of the excess, but increasingly the benefit cap will be administered through UC. The Impact Assessment focuses on the effects of households claiming Housing Benefit.

Benefits not taken into account

Legislation specifically excludes State Pension and Pension Credit, reflecting that the policy is primarily a work incentive aimed at people of working age. Also excluded are one-off payments, non-cash benefits and those not paid by government, such as Statutory Sick Pay (which, in any event, would be paid while someone was in employment and so exempt from the cap).

Exemptions

Exemptions for households entitled to Working Tax Credit, and those who meet/exceed the benefit cap earnings threshold in Universal Credit, reflects the main aim of the policy, which is to increase the incentive to work. This includes households who are working sufficient hours to qualify for WTC but whose earnings are so great that they have been awarded a "nil entitlement."

Exemptions for households with a claimant in receipt of Disability Living Allowance, Personal Independence Payment, Attendance Allowance and Industrial Injuries Benefits (and equivalent payments made as part of a war disablement pension or the Armed Forces Compensation Scheme) recognise the additional financial costs that can arise from disability and that disabled people will have less scope to alter their spending patterns or reduce their housing costs, or adjust their circumstances to improve their employment prospects (Attendance Allowance and Personal Independence Allowance are replacing Disability Living Allowance.)

Households including a claimant in receipt of the Employment and Support Allowance support component or the Universal Credit Limited Capability for Work Related Activity element are also exempt.

Households including War Widows and Widowers receiving a pension paid under the relevant parts of the War Pension Scheme, Armed Forces Compensation Scheme or analogous schemes are exempt. This reflects our commitments to support the aim of the Armed Forces Covenant and recognises the sacrifice of those seriously injured or killed in the service of their country.

A Grace Period provides a fixed period of protection for those with a consistent work history whose employment has ended or those who have been forced to leave work due to a change in their circumstances during which they can adapt to their position and look for alternative employment. The grace period will be for a set 39 weeks (or 9 months in Universal Credit), and if applicable it will remain in place irrespective of any reportable change of circumstances made by the claimant during the 39 weeks.

Disregards

In addition some payments are disregarded for purposes of the benefit cap. Housing costs paid in respect of 'supported exempt accommodation' and "specified accommodation" (e.g. some refuges, hostels) are not included in the benefit cap calculation.

What policy changes are we making and why?

The cap was originally established to enhance work incentives as part of the Welfare Reform Act which received Royal Assent in March 2012. The level of the cap was set at £26,000 per year for couples, with or without children, and lone parents, and £18,200 per year for households of a single adult with no children.

A lower cap level

Our welfare reforms are focussed on transforming lives by supporting people to find and keep work. The changes we are making to the benefit cap will support our ambition of moving to full employment. From 2016/17 total household benefit payments for working-age claimants will be capped so that workless households will no longer be entitled to receive more than £20,000 in benefit (£13,400 for single adults with no children) and £23,000 (£15,410 for single adults with no children) in Greater London, which is defined as the 32 London boroughs and the City of London.

Why is the benefit cap being lowered and tiered?

- The new lower, tiered cap strengthens work incentives, achieves fairness for taxpayers and ensures there is a reasonable safety net of support for the most vulnerable.
- An evaluation² of the current £26,000 benefit cap showed capped households were 41% more likely to enter work than comparable households not affected by the benefit cap, and the greater the amount by which benefit receipt was reduced by the cap, the greater the proportion moving into employment.
- A lower cap recognises that many hard working families earn less than median earnings – a lower cap provides a strong work incentive.
- The tiered approach recognises that almost half of all households currently capped are living in London, in contrast only 3% of capped households live in the North East. The tiered cap would see a more equitable distribution of capped cases, with around 22% in London.
- A higher cap tier of £23,000 in London takes account of the higher household costs in London including housing. For example, average private rents are around three times more expensive in London than in the North East. Average Housing Benefit payments in London are around £3,000 per year higher than those outside London. A tiered cap will mean that the distribution of capped households will be more broadly in line with the geographical distribution of Housing Benefit claimants. This will ensure that the work incentive effects are better felt across all of the country.
- The level of the tiered caps is fair and reflects the broader economic situation – for instance, alongside the differences in housing costs, around 4 out of 10 households earn less than £23,000 in London, whilst around 4 out of 10 households in GB (excluding London) earn less than £20,000³.
- People who do the right thing and move into work are not affected by the cap – creating a clear incentive to move into employment. People who are entitled to Working Tax Credit, or who meet/exceed the earnings threshold in Universal Credit are exempt from the benefit cap.

The cap will continue to be administered by either:

- local authorities through housing benefit payments: when a household's total benefit entitlement exceeds the cap the local authority will reduce the level of housing benefit by the excess amount; or
- decision makers when the cap is also applied through Universal Credit: when a household's total benefit entitlement exceeds the cap the UC award will be reduced by the excess amount. Analysis within this Impact Assessment has focused on households under the Housing Benefit system.

² Available at <https://www.gov.uk/government/publications/benefit-cap-evaluation>

³ Family Resource Survey 2013/14 and updated in line with average earnings growth.

Who is exempt from the changes?

The lower cap substantially retains the same policy design around exemptions, benefits taken into account and disregarded as the cap at £26,000, but in addition, two further exemptions for the new, lower, tiered benefit cap have been introduced:

- **Exempting households in receipt of Guardian's Allowance.** This Government values and recognises the service that guardians provide through offering a stable home for children who have lost their parents. An exemption from the benefit cap emphasises that the Government both recognises the difficult circumstances these families face and strongly values the role of guardians in helping vulnerable and bereaved children stay with their families.
- **Exempting households in receipt, or who have underlying entitlement to, Carer's Allowance (CA).** Any households including a claimant entitled to CA will no longer be capped under the policy change; this exemption will also be applied to the equivalent group in Universal Credit. This change fits in with the wider Government strategy to do more to support and invest in carers. Set alongside the investment provided through the Care Act and the help available to find work, the exemption will continue the Government's strategy to enable carers to stay or move into in paid employment where appropriate for them, whilst also fulfilling their valuable caring responsibilities.

Options for policy change that have been considered

We considered 3 potential options for the benefit cap:

(1) Applying the cap to all working age benefit recipients would clearly fail to meet all the policy intentions. It would significantly reduce the extent to which the policy improves incentives to work, since the cap would then apply to working households and the inclusion of disability related benefits would not protect the most vulnerable who are not able to make the choice to return to work. Whilst it would increase savings to the taxpayer to help tackle the financial deficit this wasn't felt an appropriate trade off. Therefore, this option was rejected.

(2) Leaving the cap at £26,000 would retain its current work incentives and its benefit savings. Evaluation evidence shows that the existing benefit cap, at £26,000, is delivering savings, improving work incentives and promoting fairness between those on out of work benefits and tax payers, it is right we build on this and go further in extending these positive outcomes. Additionally, this level may not be encouraging work across all regions as the level remains significantly higher than average earnings in many regions.

(3) Reducing the benefit cap to £20,000 and £23,000 in London (chosen option) will build on this existing policy success and help, alongside other necessary reforms, in strengthening work incentives, whilst also helping achieve fiscal stability alongside increasing fairness between claimants and taxpayers (around 4 in 10 working households will still have earnings below this lower level) and ensures there is a reasonable safety net of support for the most vulnerable

Estimating costs and benefits of the policy change

The impacts presented in this assessment are based on static assumptions, transposing the policy change on to a population that we model based on the current and proposed benefit system and claimants. These changes therefore do not show the full dynamic picture as people are now aware of the policy changes that will affect their future benefit entitlement once the policy is implemented. This change has an immediate impact on the financial incentives to move into work. Movement into work will result in them increasing their income rather than face a reduction, or a lower entitlement, in the future. Therefore, households will have to face similar choices faced by working families.

Behavioural change

Estimates of caseload and amounts do not include behavioural responses, which would lower the number of households capped. We have, however, seen clear evidence of positive behavioural

responses to the cap at £26,000 (for example, from movements into work); this has been observed from post implementation evaluation. The evaluation of the current £26,000 benefit cap found:

- Those who would be impacted by the cap are 41% more likely to go into work than a similar group who fall just below the cap's level. But this trend didn't exist before the cap was in place – indeed those with higher weekly benefit used to be less likely to move into work.
- 38% of those capped said they were doing more to find work, a third were submitting more applications and 1 in 5 went to more interviews.
- Where households said they intended to seek work because of the cap in February 2014 (45%), by August, the vast majority of them (85%) had done so – 2 in 5 (40%) of those who said they had looked for work because of the cap in February actually entered employment by August.

The new cap level of £20,000, and £23,000 in Greater London, strengthens the work incentive for a larger number of households to encourage households to move into work and to increase their hours of work. People who are entitled to Working Tax Credit, or who meet/exceed the earnings threshold in Universal Credit are exempt from the benefit cap.

Children can have their life chances and opportunities damaged as a result of living in households where no-one has worked for years and where no-one considers work is an option. For example:

- Children in households where neither parent is in work are much more likely to have challenging behaviour at age 5 than children in households where both parents are in paid employment⁴.
- Growing up in a workless household is associated with poorer academic attainment and a higher risk of being not in education, employment and training (NEET) in late adolescence⁵.

The evaluation of the current benefit cap also found that most capped households spoke very positively about the overall benefits of being in work on their health and family life. Most were keen to work for multiple reasons including: health, happiness, self-esteem and overall quality of life benefits. In a few cases, the new employment had brought sufficient financial rewards that people now felt better off such as being able to afford treats for their children.

Encouraging more households to move into work would also help increase the household's income and improve their well-being: research⁶ shows for people without work, re-employment leads to improvement in health and well-being whereas further unemployment leads to deterioration. We therefore expect the reduction of the benefit cap to have a positive impact on households moving into work.

We do not have sufficient information to reliably be able to predict, in advance of implementation, the potential magnitude of such responses for a lower cap, but there will be 2 groups affected by a lower cap:

- Those already capped at £26,000 will have the new, lower, cap applied to them. Evidence from evaluation suggests households that are capped by larger amounts are more likely to move into employment than those capped by smaller amounts. Therefore, all else being equal, a lower cap will increase work incentives for this group.
- A group of people not capped at £26,000. Some of these people will be capped by small amounts and evaluation evidence suggests adjustments, at least initially, are likely to come through changes in spending patterns. In the slightly longer term, this group may respond by seeking employment or moving house etc. We may, therefore, see similar responses to those capped at

⁴ Economic and Social Research Council (2012) Parenting Style Influences Social Mobility. Economic and Social Research Council Briefing Paper.

⁵ Barnes, M. et al. (2012) Intergenerational Transmission of Worklessness: Evidence from the Millennium Cohort Study and Longitudinal Study of Young People in England. Department for Education research report 234

⁶ For example, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212266/hwwb-mental-health-and-work.pdf

£26,000, but given there are some small differences between the groups (if these weren't present they'd have already been capped) they may respond differently.

If those capped responded similarly to those assessed as part of the previous benefit cap evaluation we could expect to see those impacted by the cap being 41% more likely to go into work than a similar group who fall just below the cap's level.

Details of methodology

Estimates of caseload and amounts do not include behavioural responses, which would reduce the number of households capped. Modelling for this assessment was conducted using administrative records held by the Department for Work and Pensions that dated from November 2015. This data contains amounts of benefit paid (including Child Benefit, as paid by HM Revenue and Customs), family structure, and indicators of receipt of Working Tax Credit and exemption benefits such as DLA. This enables the separation of households into those excluded from the cap, and those which will be subject to it. Further information on the data can be found in Annex 1.

The administrative records relate to November 2015, but have been adjusted to reflect the future benefit regime. The modelling takes account of all the other welfare reforms included in the Welfare Reform and Work Act from 2016/17. In the previous Impact Assessment of the benefit cap in July 2015, only the 4-year working-age benefit freeze was modelled but after the passage of the Welfare Reform and Work Act, giving confirmation of the details of the policies, we can reflect with greater certainty other welfare measures in the savings forecast for the benefit cap.

These costs do not include the operational cost of implementing the benefit cap or support provided to capped claimants. The Department is currently refining the estimate of these costs. To help ensure Local Authorities are able to protect the most vulnerable a total of £870m in Discretionary Housing Payments over 5 years (from 2016/17) will be available.

Savings

In the absence of behavioural responses to the policy changes an estimated average⁷ total of 88,000 households will be affected by a £20,000 benefit cap and £23,000 benefit cap in Greater London in 2016/17. It is estimated that 64,000 of these households will be additional (over and above those affected by the current cap, without a policy change i.e. with the cap at £26,000).

Households making a behavioural response to the cap will avoid some or all of the reduction in their benefit receipt from the benefit cap. For households not making a behavioural response to the change their benefit entitlement will be reduced by an average of around £60 per week (median £49). For many people who will be affected by the cap these reductions are notional changes in entitlement rather than actual cash losses i.e. those who become capped once the policy is in place haven't experienced any reductions in their benefit, just a lower maximum limit on the benefit they would, otherwise, have been entitled to. Households who do not make an adjustment before the lower cap is introduced would face a cash reduction in their benefit receipt.

The effects of the changes are shown in table 1 below. The 2016/17 figures shown currently assume the policy has a phased implementation. Plans for implementation are yet to be finalised and therefore a cautious approach has been taken using a third of full-year additional savings. In the initial Impact Assessment of the benefit cap in July 2015, only the 4-year working-age benefit freeze was modelled into the savings. This has been updated for new economic assumptions in a consistent way in the Budget 2016, in line with conventional reporting of the budget measures yet to be implemented; see Table 1. Presenting the savings from this policy in this way, on a consistent basis to the original scored savings, ensure full transparency on the impact on these savings from changes to the new forecast assumptions. The figures presented in the Budget 2016 documentation are separate from the final policy as the new exemptions are presented separately as a policy change. Figures in Table 1 are presented as Great Britain figures whereas those

⁷ The total number of households affected by the cap in any year will be larger than the average number as there are flows onto and out of the cap.

presented in the Summer Budget and Budget 2016 have been scaled up using the Barnett formula providing United Kingdom level figures.

Table 1: Additional AME savings from the benefit cap changes without behavioural responses (GB)

Additional Savings	2016/17	2017/18	2018/19	2019/20	2020/21
Summer Budget 2015 (cash terms)	£95m	£300m	£350m	£395m	£480m
Budget 2016 (cash terms)	£75m	£230m	£250m	£295m	£350m

Note: Figures rounded to the nearest £5m. Estimates are shown at a Great Britain level and made in the absence of behavioural changes.

The wider package of welfare reforms will reduce overall benefit spending as part of the wider fiscal consolidation taking place; these estimates are integrated into fiscal planning from the Summer Budget onwards. When looking at new measures, such as the exemption of Carer's Allowance and Guardian's Allowance, previous welfare changes are already in the baseline from which to estimate the impact of the change; which taking these changes into account results in the attribution of a lower savings estimate for the benefit cap overall. It is therefore not comparable to deduct the costs of exemptions from the headline numbers presented in Table 1.

Table 2 shows the estimated savings from the benefit cap when taking into account other welfare measures announced and the exemptions of Carer's Allowance and Guardian's Allowance. It is important to remember, however, that the change in presentation of the numbers does not affect the savings associated with the overall welfare package. For example, alongside any reductions in benefit cap savings from the interaction with other welfare reforms there will be corresponding increases in savings alongside other reforms, where the interaction with the benefit cap is not accounted for. The Office for Budget Responsibility works closely with departments to ensure that interactions between policies are taken into account and the value of the totality of the package was certified at the Summer Budget.

Table 2: Additional AME savings from the benefit cap changes without behavioural responses and taking into account other welfare reforms (GB)

Additional Savings	2016/17	2017/18	2018/19	2019/20	2020/21
Budget 2016 post interactions and including CA and GA exemptions (cash terms)	£65m	£155m	£110m	£100m	£110m
Budget 2016 post interactions and including CA and GA exemptions (15/16 prices)	£65m	£150m	£105m	£90m	£100m

Note: Figures rounded to the nearest £5m. Estimates are shown at a Great Britain level and made in the absence of behavioural changes.

The estimated savings have been based on a benefit cap level remaining at £20,000 and £23,000 in Greater London. The benefit cap level may be reviewed in line with a range of factors and considerations at least once in a Parliament and any change to the level would impact the savings from the policy change.

Savings from the policy are also sensitive to a number of other factors. They may be affected by behavioural responses to the policy. In addition estimates have been based on OBR economic assumptions for the Budget 2016 and if inflation was different to the forecast, the up-rating of working-age benefits in 2020/21 and the growth of eligible rents may be impacted resulting in changes to the number of households affected by the benefit cap and the average benefit reduction. Any additional welfare reforms subsequently announced may also have an impact on the number of households affected by the benefit cap and the average reduction in benefit entitlement.

The estimated savings and the impacts of the benefit cap have been assessed on a Great Britain basis. If the estimated savings were reflected at a United Kingdom level, savings would be estimated at £70m in 2016/17, £160m in 2017/18, £115m in 2018/19, £100m in 2019/20 and £115m in 2020/21 (cash terms). These are Great Britain figures scaled up using the Barnett formula; however, analysis is based on Great Britain.

Caseload

Taking other policies into account and in the absence of any behavioural response to the policy, around 64,000 additional households over and above those affected by the current cap at £26,000 will have their benefits reduced by the policy in 2016/17 (this is roughly 2% of the out-of-work benefit caseload). Within these households, in 2016/17, the additional number of adults affected is 76,000 and the number of children 161,000. The average total number of households affected by the change if they do not make the choice to move into employment or increase their hours is around 88,000 in 2016/17; this includes

those who would see their current cap lowered. The average total number of adults affected by the change if they do not make the choice to move into employment or increase their hours of work (or taken action to move out of scope for the cap) is 107,000 and the number of children is 244,000.

The reduction in the number of households in scope for the benefit cap reflects a number of changes since July 2015, including a record number in employment reducing the numbers on out-of-work benefits and a fall in the number affected by the current cap, with thousands of households moving into work. Other changes since July 2015 include a change in the economic assumptions at the Budget 2016 and the additional exemptions of Carer's Allowance and Guardian's Allowance.

The tiered approach recognises that almost half of all households currently capped are living in London, in contrast only 3% of capped households live in the North East. A tiered cap will mean that the distribution of capped households will be more broadly in line with the geographical distribution of Housing Benefit claimants. This will ensure that the work incentive effects are better felt across all of the country. See Annex 2 for Local Authority breakdown.

If those capped responded similarly to those assessed as part of the previous benefit cap evaluation we might expect to see those impacted by the cap being 41% more likely to go into work than a similar group who fall just below the cap's level

Table 3: Estimated number of capped households by region without behavioural responses (2016/17)

Region	Estimated number of households (2016/17)	Proportion of total households
North East	4,000	4%
North West	9,000	10%
Yorkshire and the Humber	7,000	8%
East Midlands	5,000	6%
West Midlands	10,000	11%
East of England	8,000	9%
London	19,000	22%
South East	11,000	13%
South West	5,000	6%
Scotland	5,000	6%
Wales	4,000	5%
Total	88,000	100%

Note: Figures rounded to the nearest 1,000. Estimates are shown in the absence of behavioural changes. Figures may not sum due to rounding.

Average amount of benefit reduction

Households making a behavioural response to the cap will not face a reduction in their benefit receipt. In those households not making a behavioural response to the cap the average (mean) reduction in benefit is estimated to be around £60 a week (median reduction of £49 a week). For many people who will be affected by the cap these reductions are notional changes in entitlement rather than actual cash losses i.e. those who become capped once the policy is in place haven't seen any reductions in their benefit, just a lower maximum limit on the benefit they would, otherwise, have been entitled to. Households who do not make an adjustment before the lower cap is introduced would face a cash reduction in their benefit receipt.

For those households who may be newly affected by the benefit cap (around 64,000 households in 2016/17), their average reduction in entitlement is around £39 per week. Households who would have had their benefit capped at £26,000 will lose a further £62 per week from the change. However, some households who may have been impacted by the policy may, therefore, move into work and be financially better off.

Around half (51%) of households affected will face a reduction of £50 per week or less. As a proportion of the caseload, this distribution of reduction in benefit entitlement is estimated to be similar to the distribution under the current benefit cap level.

Impacts of the policy on people with protected characteristics are set out in the following sections. It is

important to note these do not include any behavioural response to the cap, which might affect both numbers and types of cases impacted. For example, additional moves into employment, as observed with a £26,000 cap, may reduce the overall capped caseload.

Impacts of the policy change

All impacts are shown in a static world, without behavioural change, for 2017/18 as this is the first full year the policy is expected to be rolled out for. Impacts are subject to the same sensitivities as noted for the savings estimates.

This document records the analysis undertaken by the Department to enable Ministers to fulfil the requirements placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010.

The PSED requires the Minister to pay due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

In undertaking the analysis, where applicable, the Department has also taken into account:

- the United Nations Convention on the Rights of the Child (UNCRC) and, in particular: Article 2 (the duty not to discriminate); Article 3 (the duty to treat the best interests of the child as a primary consideration); Article 6 (the right to life and to develop to the maximum extent possible); Article 9 (the right for children not to be separated from their parents against their will); Article 16 (prohibition against arbitrary or unlawful interference with private life, home and family); article 26 (social security); and article 27 (standard of living).
- the Convention on the Elimination of all forms of Discrimination Against Women in particular articles 2 (policy measures), 3 (Guarantee of Basic Human Rights and Fundamental Freedoms) and 13 (economic and social benefits);
- and the UN Convention on the Rights of Persons with Disabilities.

Gender

Modelling suggests that around 66% of claimants who are likely to have their benefit reduced by the cap will be single females but only around 13% will be single men.

Most of the single women affected are likely to be lone parents: this is because we expect the majority of households affected by the policy to have children. Around 61% of the caseload are estimated to be female lone parents.

For April to June 2016, the female employment rate of 69.6% was the highest since records began and there were 14.83m women in work⁸. Estimates also show that there were 1.229 million lone parents in employment (64.6%) in the UK in October to December 2015⁹.

⁸ <http://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/uklabourmarket/august2016>

⁹ <http://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstablemploymentratesofpeoplebyparentalstatus>

If lone parents capped responded similarly to those assessed as part of the previous benefit cap evaluation we could expect to see lone parents impacted by the cap being 51% more likely to go into work than similar lone parents who fall just below the cap's level.

Mitigations, outlined from page 13, include support for childcare costs, Discretionary Housing Payments and employment support.

Age

Modelling suggests that just over three-quarters (79%) of additional households affected will be aged 25 to 44 (ages are based on the age of the main claimant). This is mainly because those under 25 generally receive less in benefit payments and are less likely to have children. The cap will only apply to working-age benefits and will not impact on single people or couples who have both reached the qualifying age for Pension Credit. In Housing Benefit the cap will not apply to most couples where one partner has reached the qualifying age for Pension Credit. The age distribution of affected claimants remains broadly similar to the current cap.

Disability

Households where someone is in receipt of Disability Living Allowance (or its replacement, Personal Independence Payment), Attendance Allowance, Industrial Injuries Benefit, the support component of Employment Support Allowance or the Limited Capability for Work Related Activity element of Universal Credit are exempt from the benefit cap.

Any households including a claimant entitled to Carer's Allowance will no longer be capped under the change announced during the passage of the Welfare Reform and Work Act and due to take effect later this year; this exemption will also be applied to the equivalent group in Universal Credit. This change fits in with the wider Government strategy to do more to support and invest in carers. Set alongside the investment provided through the Care Act and the help available to find work, the exemption will help continue the Government's strategy to enable carers to stay or move into in paid employment where appropriate for them, whilst also fulfilling their valuable caring responsibilities.

Ethnicity

We cannot precisely quantify the number of capped households where a member is from an ethnic minority since recording of ethnicity on benefits administrative data isn't sufficiently reliable to be used. A large proportion of those affected by the benefit cap are larger families. Those from cultural backgrounds with a high prevalence of large families and households from certain ethnic minorities that tend to have a higher proportion of large families are more likely to be affected. A large proportion of the caseload is also in London which, relative to the rest of the country, has a more diverse population. An indicative proportion can be taken from the Ipsos MORI survey of affected claimants (with the cap set at £26,000) which found that 37% of households sampled in the cohort were from a black or minority ethnic background; however, the new cap will, relatively, have a greater proportion of its caseload outside London, so this finding needs to be treated with some caution.

Sexual orientation

The Department does not hold information on its administrative systems on the sexual orientation of claimants. The Government does not envisage an adverse impact on these grounds.

Pregnancy and maternity

The Department only holds information on pregnancy and maternity on its administrative systems where it is the primary reason for incapacity. It cannot therefore be used to accurately assess the equality impacts. The Government does not envisage an adverse impact on these grounds.

Religion or belief

The Department does not hold information on its administrative systems on the religion or beliefs of claimants. There may be some religions with a high prevalence of large families that are more likely to be affected. However, the Government does not envisage an adverse impact on these grounds.

Gender reassignment

The Department does not hold information on its administrative systems on gender reassignment. The Government does not envisage an adverse impact on these grounds.

Marriage and Civil Partnership

The Department does not hold information on its administrative systems on the marital or civil partnership status of claimants. The Government does not envisage an adverse impact on these grounds.

Carers

Any households including a claimant entitled to Carer's Allowance will no longer be capped under the change announced during the passage of the Welfare Reform and Work Act and due to take effect later this year; this exemption will also be applied to the equivalent group in Universal Credit. This change fits in with the wider Government strategy to do more to support and invest in carers. Set alongside the investment provided through the Care Act and the help available to find work, the exemption will help continue the Government's strategy to enable carers to stay or move into paid employment where appropriate for them, whilst also fulfilling their valuable caring responsibilities.

Life Chances

The new Life Chances legislation (incorporated into the Welfare Reform and Work Act) removes a number of the legal duties and measures set out in the Child Poverty Act 2010 and places a new duty on the Secretary of State to report annually on children in workless households and the educational attainment of children. This is because evidence shows these to be the two main factors leading to child poverty now and in the future (respectively).

The benefit cap is supportive of the Life Chances legislation in that this policy gives the incentive for people to make the choice to move into work.

The current benefit cap, at £26,000, has been shown to be successful with more households looking for, and finding work. The new, lower, tiered cap aims to build on this success by strengthening the work incentive for households. In this way the number of children living in workless households could fall over time.

What are we doing in mitigation?

DWP has a number of measures in place to ease the transition for families affected by the policy change. Our strategy is based on the principle of providing mainstream services that are flexible enough at the point of delivery to deal with the needs of individual customers. Most of the obstacles to labour market participation faced by our customers are very similar, whatever their background. Barriers that may exist - such as lack of confidence, poor educational achievement, low skill levels, childcare or disabilities - are universal. Where impediments are specific to a person's ethnic origins, such as lack of fluency in English, these can be addressed within the mainstream programmes. Additional childcare provided will better support households with children to make the decision to move into work.

There is evidence to show behavioural change prior to implementation for the £26,000 level of the benefit cap:

- Of those who entered work prior to implementation: over three-in-five people (62%) of those who took action said they looked for a job after being notified they would be affected by the benefit cap.
- Around 14% of households in scope for the cap in May 2012 (a year before implementation) moved into work after a year compared to around 11% for similar uncapped households. After controlling for a range of observable characteristics, those in scope for the cap were 1.5 percentage points (14%) more likely to enter employment after a year compared to similar uncapped households.

Employment support

There is a wide range of help and employment support currently offered and available by Jobcentre Plus and its partners such as the Work Programme and Work Choice.

Childcare Costs

Support for childcare costs for those in work is, under the current system, mainly provided through Working Tax Credit and households in receipt of Working Tax Credit are exempt from the cap. Under UC childcare support is paid via an element within UC and is available to all lone parents and couples, where both members are in work, regardless of the number of hours they work. Payments to support childcare costs through UC will not be affected by the cap and will continue to be received in full. This will help mitigate the impacts of the cap for parents whilst maintaining the work incentive effects of providing support for the costs of childcare for those in employment.

The government currently provides 15 hours of free childcare during term time for all three and four year olds and for the most disadvantaged two year olds. From September 2017 onwards, this free entitlement will be doubled to 30 hours a week for working parents of three and four year olds, worth around £5,000 a year per child. The Government will implement this extension of free hours early in eight local areas from September 2016. Additionally families on low incomes, who are eligible for Working Tax Credit, can already recover 70% of childcare costs, up to a limit of £175 per week for one child and £300 for two or more children. Under UC, from April 2016, the amount of eligible Childcare Costs that can be recovered is 85%, up to a limit of £646.35 per month for one child and £1,108.04 per month for two or more children, where lone parents or where both parents are in work, regardless of the number of hours they work.

Exemptions

Certain benefits and payments will result in exemption from the cap; these were effective under the £26,000 and remain in place under the policy change. In addition, two further exemptions for the new, lower, tiered benefit cap will be introduced:

- **Exempting households in receipt of Guardian's Allowance.** This Government values and recognises the service that guardians provide through offering a stable home for children who have lost their parents. An exemption from the benefit cap emphasises that the Government both recognises the difficult circumstances these families face and strongly values the role of guardians in helping vulnerable and bereaved children stay with their families.
- **Exempting households in receipt, or who have underlying entitlement to, Carer's Allowance.** Any households including a claimant entitled to Carer's Allowance will no longer be capped under the change announced during the passage of the Welfare Reform and Work Act and due to take effect later this year; this exemption will also be applied to the equivalent group in Universal Credit. This change fits in with the wider Government strategy to do more to support and invest in carers. Set alongside the investment provided through the Care Act and the help available to find work, the exemption will help continue the Government's strategy to enable carers to stay or move into paid employment where appropriate for them, whilst also fulfilling their valuable caring responsibilities.

Discretionary Housing Payments

DHPs¹⁰ make an important contribution to managing the transition for various customers whilst they make the necessary changes to adapt to the application of the benefit cap. Resources are available to provide short-term, temporary relief to families who may face a variety of challenges. DHPs can also help families manage their move into more appropriate accommodation. Each case is considered on its own merits rather than on predefined criteria. An additional £65 million was provided for this purpose in 2013/14 and a further £45 million in 2014/15 and £25m in 2015/16.

A total of £870m in Discretionary Housing Payments is being provided over the next 5 years (from 2016/17) which are available to vulnerable people who need extra support. In circumstances where the HB weekly payment would reduce to below £0.50 – a weekly amount of £0.50 remains in payment to enable access to the DHP Scheme and passported benefits.

In 2015/16, benefit cap DHP expenditure was around £14m, 71% of the allocation to the 319 Local Authorities that returned data on benefit cap expenditure¹¹.

Evidence from the evaluation of the £26,000 cap showed that more than two in five (42%) of respondents applied for and received DHP, half of whom (22% overall) were no longer receiving them. Those who applied for and got DHP and who are still receiving them are more likely to have a benefit cap of at least £100 a week (41%), pay £300 or more in rent a week (29%) or live in a council/local authority property (39%). Respondents who are no longer receiving DHP are more likely to be from one-parent families with two or more children (68%) or from a black and minority ethnic background (48%)

Households who had not received DHPs were more likely to say that they had not made any progress to overcome barriers to work (48% compared to 36% overall). Evidence from across the evaluation showed that households affected may not have seen DHP as a long-term solution.

Implementation plans

Lowering the benefit cap threshold will include activity in Universal Credit and in the legacy benefits and we will be working from the existing benefit cap arrangements. The implementation of the benefit cap will include customer engagement and support ahead of the actual capping. The Department will be aiming to follow its best practice of a phased roll out; the new levels will launch from November 2016 with roll-out completed by 2017.

Monitoring and evaluation

On 15 December 2014, a review of the first year of the benefit cap was published alongside four reports which explored the progress from policy development to implementation of the current benefit cap. They reviewed the progress so far against the three main aims of the benefit cap:

- 1) Increase incentives to work
- 2) Introduce greater fairness in the welfare system
- 3) Make financial savings

We are committed to monitoring the impacts of our policies and to establishing the extent to which they have met their objectives.

The department will continue to produce Official Statistics on the benefit cap on a quarterly basis allowing frequent monitoring on the number of households affected by the policy. The statistics cover:

- Cumulative and point-in-time statistics on the number of households capped in Great Britain, regional and local authority level by household type, number of children and amount of the benefit cap.

¹⁰ DHPs provide claimants with further financial assistance, in addition to any welfare benefits, when an LA considers that help with housing costs is required.

¹¹ <https://www.gov.uk/government/statistics/use-of-discretionary-housing-payments-financial-year-201516>

- Great Britain and regional level off-flow statistics from the benefit and by reason of the off-flow.
- Further breakdowns are also available by local authority and Parliamentary Constituency.

Annex 1: Data used to model the benefit cap

This analysis has been performed on bespoke datasets commissioned for the purpose of evaluating the benefit cap, created from a range of administrative benefit records from different sources within the Department for Work and Pensions, Her Majesty's Revenue and Customs (HMRC) and Local Authorities (LAs) including:

The Single Housing Benefit Extract (SHBE): SHBE is a monthly electronic record of claimant level data compiled from scans directly taken from Local Authority Housing Benefit administration systems and is the main source of data on Housing Benefit. Local Authorities (LAs) send DWP data on a rolling timescale, therefore this data is the best information on Housing Benefit payments in that month, but is not a snapshot across all LAs on a specific date. It provides contextual information such as the current claim amount, postcode and tenure type. Where a record is not found, for example due to a non-return, the most recent return is used instead. The vast majority of returns are received every month so this is not a widespread flaw in the data.

This is then matched to the:

Work and Pensions Longitudinal Study (WPLS): WPLS links benefit and programme information held by DWP on its claimants to employment records from HMRC. This provides information on weekly Child Tax Credit and Working Tax Credit entitlement (including nil entitlements), benefit income data, and demographic details about claimants.

Further input is then provided from other data sources to obtain information on other benefit types including Personal Independence Payments and Child Benefit. Where all claim information across sources are linked to the HB lead claimant and, where applicable, partner.

The benefit cap datasets were created for each month using the latest information available. Each dataset presents the best information we have on benefit income of households in that specific month from our administrative data. For example, for the April 2013 benefit cap dataset, data was used from the 2nd May 2013 scan from SHBE, March 2014 from WPLS, and April 2013 for other datasets.

As data is drawn from administrative records, some variables are not available or are incomplete in the data. However we explored the use of more variables than were eventually included in the data. For example, ethnicity was considered as a possible variable to include in the dataset, but due to the number of missing records, it would not provide an accurate breakdown and is therefore not available on the dataset.

The evidence from historic data suggests that the actual number in scope for the cap is around 73% of the initial estimate from administrative data so a proportional adjustment is made to account for this. One reason for this difference is that the initial estimate includes households that may be exempt from the cap due to the grace period and also does not account for some housing costs being disregarded from the benefit cap calculation (those paid in respect of 'supported exempt accommodation' and 'specified accommodation'). Another reason is that using past benefit records for future action results in a data lag whereby some households are identified as in scope from the data, but are not in scope at the time the cap is being applied by the LA. This is partly due to the datasets being created retrospectively, so they include some households that receive backdated awards that wouldn't have been known about at the time. It may also be due to households circumstances changing prior to the cap being applied by the LA. A proportional adjustment is therefore made to the data to account for these factors.

These operational data-lags and uncertainties around numbers affected by the grace period and disregarded housing costs means that our estimates of those capped are not the same as the Official Statistics. Official Statistics use a different methodology, whereby they identify households who have actually had the cap applied by LAs as a starting point. The Official Statistics are quality assured to standards set out by the UK Statistics Authority, whilst our methodology for this analysis has been developed with the advice of the Institute for Fiscal Studies. However our estimated levels converge closely with the actually capped caseload (as shown in Official Statistics) providing confidence in the reliability of the estimates of those in scope for the cap.

Annex 2: Estimates of the number of households in scope for the new benefit cap in 2016/17 by Local Authority

To further support Local Authorities in their planning for the implementation of the new, lower, tiered benefit cap level, an estimate of the potential number of households in scope for the new benefit cap in 2016/17 is provided in the tables below. This updates the previous ad-hoc publication from February 2016. These estimates do not take into account the expected behavioural changes from the reform¹².

Cautionary notes

Data timeliness

Data from November 2015 was used to underpin this analysis. However it should be recognised that benefit caseloads, and the numbers affected by the benefit cap, reflect labour market and other socio-economic conditions in the UK. Therefore these estimates are subject to change over time.

Benefit cap official statistics

The estimates provided here are not Official Statistics. Official Statistics are quality assured to standards set out by the UK Statistics Authority, and are available on a quarterly basis for the current £26,000 benefit cap level¹³. This ad-hoc analysis estimates the potential number of households by Local Authority which, in the absence of any behavioural change, may be affected by the £20,000 (£23,000 in London) benefit cap. However our estimated levels for the £26,000 benefit cap converge closely with the actually capped caseload providing some confidence in the reliability of our estimates of those in scope for the new cap levels.

Rounding

Estimates have been rounded to the nearest 100 households. For Local Authorities with fewer than 50 households, these are recorded as “-” to avoid the release of confidential data.

¹² See the benefit cap evaluation: <https://www.gov.uk/government/publications/benefit-cap-evaluation>

¹³ <https://www.gov.uk/government/collections/benefit-cap-statistics>

Local Authority	JCP District	Estimated number of households (2016/17)
Aberdeen City	North of Scotland	200
Aberdeenshire	North of Scotland	100
Adur	Surrey and Sussex	100
Allerdale	Cumbria and Lancashire	100
Amber Valley	Midland Shires	100
Angus	North of Scotland	100
Argyll & Bute	West of Scotland	-
Arun	Surrey and Sussex	200
Ashfield	Lincolnshire, Nottinghamshire and Rutland	200
Ashford	Kent	200
Aylesbury Vale	Thames Valley	100
Babergh	East Anglia	100
Barking and Dagenham	East London	500
Barnet	North London	800
Barnsley	South Yorkshire	300
Barrow-in-Furness	Cumbria and Lancashire	100
Basildon	Essex	300
Basingstoke and Deane	Greater Wessex	200
Bassetlaw	Lincolnshire, Nottinghamshire and Rutland	100
Bath and North East Somerset UA	Gloucestershire and West Of England	200
Bedford UA	Bedfordshire and Hertfordshire	300
Bexley	South London	300
Birmingham	Birmingham and Solihull	3,900
Blaby	Leicestershire and Northamptonshire	-
Blackburn with Darwen UA	Cumbria and Lancashire	300
Blackpool UA	Cumbria and Lancashire	300
Blaenau Gwent	South East Wales	100
Bolsover	Midland Shires	100
Bolton	Greater Manchester East and West	500
Boston	Lincolnshire, Nottinghamshire and Rutland	100
Bournemouth UA	Greater Wessex	300
Bracknell Forest UA	Thames Valley	100
Bradford	West Yorkshire	1,000
Braintree	Essex	100
Breckland	East Anglia	100
Brent	West London	1,500
Brentwood	Essex	100
Bridgend	South West Wales	200
Brighton and Hove UA	Surrey and Sussex	600
Bristol UA	Gloucestershire and West Of England	700
Broadland	East Anglia	-
Bromley	South London	200
Bromsgrove	Mercia	100
Broxbourne	Bedfordshire and Hertfordshire	200
Broxtowe	Lincolnshire, Nottinghamshire and Rutland	100

Local Authority	JCP District	Estimated number of households (2016/17)
Burnley	Cumbria and Lancashire	100
Bury	Greater Manchester East and West	200
Caerphilly	South East Wales	300
Calderdale	West Yorkshire	300
Cambridge	East Anglia	100
Camden	North London	600
Cannock Chase	Midland Shires	100
Canterbury	Kent	200
Cardiff	South East Wales	1,000
Carlisle	Cumbria and Lancashire	100
Carmarthenshire	South West Wales	200
Castle Point	Essex	100
Central Bedfordshire UA	Bedfordshire and Hertfordshire	200
Ceredigion	South West Wales	-
Charnwood	Leicestershire and Northamptonshire	100
Chelmsford	Essex	200
Cheltenham	Gloucestershire and West Of England	100
Cherwell	Thames Valley	200
Cheshire East UA	Greater Manchester Central and Cheshire	300
Cheshire West and Chester UA	Greater Manchester Central and Cheshire	300
Chesterfield	Midland Shires	100
Chichester	Surrey and Sussex	100
Chiltern	Thames Valley	100
Chorley	Cumbria and Lancashire	100
Christchurch	Greater Wessex	-
City of London	East London	-
Clackmannanshire	East and South East Scotland	100
Colchester	Essex	200
Conwy	North and Mid Wales	100
Copeland	Cumbria and Lancashire	-
Corby	Leicestershire and Northamptonshire	100
Cornwall UA	Devon, Cornwall and Somerset	600
Cotswold	Gloucestershire and West Of England	-
County Durham UA	Durham and Tees Valley	600
Coventry	Mercia	700
Craven	North East Yorkshire and the Humber	-
Crawley	Surrey and Sussex	300
Croydon	South London	700
Dacorum	Bedfordshire and Hertfordshire	200
Darlington UA	Durham and Tees Valley	200
Dartford	Kent	100
Daventry	Leicestershire and Northamptonshire	100
Denbighshire	North and Mid Wales	100
Derby UA	Midland Shires	500
Derbyshire Dales	Midland Shires	-

Local Authority	JCP District	Estimated number of households (2016/17)
Doncaster	South Yorkshire	500
Dover	Kent	100
Dudley	Black Country	400
Dumfries & Galloway	West of Scotland	100
Dundee City	North of Scotland	200
Ealing	West London	1,300
East Ayrshire	West of Scotland	100
East Cambridgeshire	East Anglia	100
East Devon	Devon, Cornwall and Somerset	100
East Dorset	Greater Wessex	-
East Dunbartonshire	Glasgow, Lanarkshire and East Dunbartonshire	100
East Hampshire	Greater Wessex	100
East Hertfordshire	Bedfordshire and Hertfordshire	100
East Lindsey	Lincolnshire, Nottinghamshire and Rutland	100
East Lothian	East and South East Scotland	100
East Northamptonshire	Leicestershire and Northamptonshire	100
East Renfrewshire	West of Scotland	-
East Riding of Yorkshire UA	North East Yorkshire and the Humber	200
East Staffordshire	Midland Shires	100
Eastbourne	Surrey and Sussex	100
Eastleigh	Greater Wessex	100
Eden	Cumbria and Lancashire	-
Edinburgh	East and South East Scotland	800
Eilean Siar	North of Scotland	-
Elmbridge	Surrey and Sussex	100
Enfield	North London	1,200
Epping Forest	Essex	200
Epsom and Ewell	Surrey and Sussex	100
Erewash	Midland Shires	200
Exeter	Devon, Cornwall and Somerset	100
Falkirk	East and South East Scotland	100
Fareham	Greater Wessex	100
Fenland	East Anglia	100
Fife	East and South East Scotland	400
Flintshire	North and Mid Wales	100
Forest Heath	East Anglia	100
Forest Of Dean	Gloucestershire and West Of England	100
Fylde	Cumbria and Lancashire	-
Gateshead	Northumberland, Tyne and Wear	200
Gedling	Lincolnshire, Nottinghamshire and Rutland	100
Glasgow City	Glasgow, Lanarkshire and East Dunbartonshire	1,000
Gloucester	Gloucestershire and West Of England	200
Gosport	Greater Wessex	100
Gravesham	Kent	200
Great Yarmouth	East Anglia	100

Local Authority	JCP District	Estimated number of households (2016/17)
Greenwich	South London	400
Guildford	Surrey and Sussex	100
Gwynedd	North and Mid Wales	100
Hackney	East London	1,200
Halton UA	Merseyside	200
Hambleton	North East Yorkshire and the Humber	-
Hammersmith and Fulham	West London	500
Harborough	Leicestershire and Northamptonshire	-
Haringey	North London	800
Harlow	Essex	200
Harrogate	North East Yorkshire and the Humber	-
Harrow	West London	300
Hart	Greater Wessex	100
Hartlepool UA	Durham and Tees Valley	200
Hastings	Surrey and Sussex	200
Havant	Greater Wessex	100
Havering	East London	300
Herefordshire UA	Mercia	200
Hertsmere	Bedfordshire and Hertfordshire	200
High Peak	Midland Shires	100
Highland	North of Scotland	100
Hillingdon	West London	500
Hinckley and Bosworth	Leicestershire and Northamptonshire	100
Horsham	Surrey and Sussex	100
Hounslow	West London	500
Huntingdonshire	East Anglia	100
Hyndburn	Cumbria and Lancashire	100
Inverclyde	West of Scotland	100
Ipswich	East Anglia	200
Isle of Anglesey	North and Mid Wales	100
Isle of Wight UA	Greater Wessex	100
Isles of Scilly	Devon, Cornwall and Somerset	-
Islington	North London	600
Kensington and Chelsea	North London	500
Kettering	Leicestershire and Northamptonshire	100
King's Lynn and West Norfolk	East Anglia	100
Kingston upon Hull UA	North East Yorkshire and the Humber	500
Kingston upon Thames	West London	200
Kirklees	West Yorkshire	500
Knowsley	Merseyside	300
Lambeth	South London	600
Lancaster	Cumbria and Lancashire	200
Leeds	West Yorkshire	1,100
Leicester UA	Leicestershire and Northamptonshire	700
Lewes	Surrey and Sussex	100

Local Authority	JCP District	Estimated number of households (2016/17)
Lewisham	South London	600
Lichfield	Midland Shires	100
Lincoln	Lincolnshire, Nottinghamshire and Rutland	200
Liverpool	Merseyside	900
Luton UA	Bedfordshire and Hertfordshire	600
Maidstone	Kent	200
Maldon	Essex	-
Malvern Hills	Mercia	100
Manchester	Greater Manchester Central and Cheshire	1,200
Mansfield	Lincolnshire, Nottinghamshire and Rutland	200
Medway UA	Kent	500
Melton	Leicestershire and Northamptonshire	-
Mendip	Devon, Cornwall and Somerset	100
Merthyr Tydfil	South East Wales	100
Merton	South London	200
Mid Devon	Devon, Cornwall and Somerset	-
Mid Suffolk	East Anglia	-
Mid Sussex	Surrey and Sussex	100
Middlesbrough UA	Durham and Tees Valley	400
Midlothian	East and South East Scotland	100
Milton Keynes UA	Thames Valley	400
Mole Valley	Surrey and Sussex	100
Monmouthshire	South East Wales	100
Moray	North of Scotland	-
Neath Port Talbot	South West Wales	200
New Forest	Greater Wessex	100
Newark and Sherwood	Lincolnshire, Nottinghamshire and Rutland	100
Newcastle Upon Tyne	Northumberland, Tyne and Wear	500
Newcastle-under-Lyme	Midland Shires	100
Newham	East London	800
Newport	South East Wales	300
North Ayrshire	West of Scotland	200
North Devon	Devon, Cornwall and Somerset	100
North Dorset	Greater Wessex	-
North East Derbyshire	Midland Shires	100
North East Lincolnshire UA	North East Yorkshire and the Humber	300
North Hertfordshire	Bedfordshire and Hertfordshire	100
North Kesteven	Lincolnshire, Nottinghamshire and Rutland	100
North Lanarkshire	Glasgow, Lanarkshire and East Dunbartonshire	300
North Lincolnshire UA	North East Yorkshire and the Humber	200
North Norfolk	East Anglia	100
North Somerset UA	Gloucestershire and West Of England	200
North Tyneside	Northumberland, Tyne and Wear	200
North Warwickshire	Mercia	-
North West Leicestershire	Leicestershire and Northamptonshire	100

Local Authority	JCP District	Estimated number of households (2016/17)
Northampton	Leicestershire and Northamptonshire	300
Northumberland UA	Northumberland, Tyne and Wear	300
Norwich	East Anglia	200
Nottingham UA	Lincolnshire, Nottinghamshire and Rutland	800
Nuneaton and Bedworth	Mercia	100
Oadby and Wigston	Leicestershire and Northamptonshire	-
Oldham	Greater Manchester East and West	400
Orkney Islands	North of Scotland	-
Oxford	Thames Valley	300
Pembrokeshire	South West Wales	100
Pendle	Cumbria and Lancashire	100
Perth & Kinross	North of Scotland	100
Peterborough UA	East Anglia	300
Plymouth UA	Devon, Cornwall and Somerset	300
Poole UA	Greater Wessex	200
Portsmouth UA	Greater Wessex	400
Powys / Powys	North and Mid Wales	100
Preston	Cumbria and Lancashire	200
Purbeck	Greater Wessex	-
Reading UA	Thames Valley	500
Redbridge	East London	400
Redcar and Cleveland UA	Durham and Tees Valley	300
Redditch	Mercia	100
Reigate and Banstead	Surrey and Sussex	100
Renfrewshire	West of Scotland	100
Rhondda Cynon Taf	South West Wales	300
Ribble Valley	Cumbria and Lancashire	-
Richmond upon Thames	West London	200
Richmondshire	North East Yorkshire and the Humber	-
Rochdale	Greater Manchester East and West	300
Rochford	Essex	100
Rossendale	Cumbria and Lancashire	100
Rother	Surrey and Sussex	100
Rotherham	South Yorkshire	400
Rugby	Mercia	100
Runnymede	Surrey and Sussex	100
Rushcliffe	Lincolnshire, Nottinghamshire and Rutland	-
Rushmoor	Greater Wessex	100
Rutland UA	Lincolnshire, Nottinghamshire and Rutland	-
Ryedale	North East Yorkshire and the Humber	-
Salford	Greater Manchester Central and Cheshire	400
Sandwell	Black Country	700
Scarborough	North East Yorkshire and the Humber	100
Scottish Borders	East and South East Scotland	100
Sedgemoor	Devon, Cornwall and Somerset	100

Local Authority	JCP District	Estimated number of households (2016/17)
Sefton	Merseyside	200
Selby	North East Yorkshire and the Humber	-
Sevenoaks	Kent	100
Sheffield	South Yorkshire	700
Shepway	Kent	100
Shetland Islands	North of Scotland	-
Shropshire UA	Midland Shires	300
Slough UA	Thames Valley	400
Solihull	Birmingham and Solihull	200
South Ayrshire	West of Scotland	100
South Bucks	Thames Valley	100
South Cambridgeshire	East Anglia	100
South Derbyshire	Midland Shires	100
South Gloucestershire UA	Gloucestershire and West Of England	200
South Hams	Devon, Cornwall and Somerset	-
South Holland	Lincolnshire, Nottinghamshire and Rutland	100
South Kesteven	Lincolnshire, Nottinghamshire and Rutland	100
South Lakeland	Cumbria and Lancashire	-
South Lanarkshire	Glasgow, Lanarkshire and East Dunbartonshire	300
South Norfolk	East Anglia	100
South Northamptonshire	Leicestershire and Northamptonshire	-
South Oxfordshire	Thames Valley	100
South Ribble	Cumbria and Lancashire	100
South Somerset	Devon, Cornwall and Somerset	100
South Staffordshire	Midland Shires	100
South Tyneside	Northumberland, Tyne and Wear	200
Southampton UA	Greater Wessex	400
Southend-on-Sea UA	Essex	400
Southwark	South London	500
Spelthorne	Surrey and Sussex	200
St Albans	Bedfordshire and Hertfordshire	100
St Edmundsbury	East Anglia	100
St. Helens	Merseyside	300
Stafford	Midland Shires	100
Staffordshire Moorlands	Midland Shires	-
Stevenage	Bedfordshire and Hertfordshire	100
Stirling	East and South East Scotland	-
Stockport	Greater Manchester East and West	200
Stockton-on-Tees UA	Durham and Tees Valley	300
Stoke-on-Trent UA	Midland Shires	500
Stratford-on-Avon	Mercia	100
Stroud	Gloucestershire and West Of England	100
Suffolk Coastal	East Anglia	100
Sunderland	Northumberland, Tyne and Wear	400
Surrey Heath	Surrey and Sussex	100

Local Authority	JCP District	Estimated number of households (2016/17)
Sutton	South London	100
Swale	Kent	300
Swansea	South West Wales	300
Swindon UA	Thames Valley	300
Tameside	Greater Manchester East and West	300
Tamworth	Midland Shires	100
Tandridge	Surrey and Sussex	100
Taunton Deane	Devon, Cornwall and Somerset	100
Teignbridge	Devon, Cornwall and Somerset	100
Telford and Wrekin UA	Midland Shires	400
Tendring	Essex	300
Test Valley	Greater Wessex	100
Tewkesbury	Gloucestershire and West Of England	100
Thanet	Kent	200
The Vale of Glamorgan	South East Wales	100
Three Rivers	Bedfordshire and Hertfordshire	100
Thurrock UA	Essex	400
Tonbridge and Malling	Kent	100
Torbay UA	Devon, Cornwall and Somerset	200
Torfaen	South East Wales	200
Torridge	Devon, Cornwall and Somerset	100
Tower Hamlets	East London	900
Trafford	Greater Manchester Central and Cheshire	200
Tunbridge Wells	Kent	100
Uttlesford	Essex	-
Vale of White Horse	Thames Valley	100
Wakefield	West Yorkshire	400
Walsall	Black Country	700
Waltham Forest	East London	600
Wandsworth	West London	600
Warrington UA	Greater Manchester Central and Cheshire	200
Warwick	Mercia	100
Watford	Bedfordshire and Hertfordshire	200
Waveney	East Anglia	100
Waverley	Surrey and Sussex	100
Wealden	Surrey and Sussex	100
Wellingborough	Leicestershire and Northamptonshire	100
Welwyn Hatfield	Bedfordshire and Hertfordshire	200
West Berkshire UA	Thames Valley	200
West Devon	Devon, Cornwall and Somerset	-
West Dorset	Greater Wessex	100
West Dunbartonshire	West of Scotland	100
West Lancashire	Cumbria and Lancashire	100
West Lindsey	Lincolnshire, Nottinghamshire and Rutland	100
West Lothian	East and South East Scotland	100

Local Authority	JCP District	Estimated number of households (2016/17)
West Oxfordshire	Thames Valley	100
West Somerset	Devon, Cornwall and Somerset	-
Westminster	North London	800
Weymouth and Portland	Greater Wessex	100
Wigan	Greater Manchester East and West	300
Wiltshire UA	Greater Wessex	300
Winchester	Greater Wessex	100
Windsor and Maidenhead UA	Thames Valley	100
Wirral	Merseyside	400
Woking	Surrey and Sussex	100
Wokingham UA	Thames Valley	100
Wolverhampton	Black Country	600
Worcester	Mercia	100
Worthing	Surrey and Sussex	100
Wrexham	North and Mid Wales	100
Wychavon	Mercia	100
Wycombe	Thames Valley	200
Wyre	Cumbria and Lancashire	100
Wyre Forest	Mercia	100
York UA	North East Yorkshire and the Humber	100

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Welfare Opinion

Yes, David Cameron, cutting the benefit cap tells us a lot about modern Britain

Patrick Butler

Far from helping people into work, lowering the cap to £23,000 will only bring more stress and misery to those least able to cope



Talking tough ... David Cameron. Photograph: Rex Features

Tuesday 27 January 2015 17.19 GMT

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There are few policies the [Conservatives](#) love more than the benefit cap “crackdown”. They rejoice in its apparent public popularity, its supposed commonsense simplicity, its seeming ability to persuade the workshy to visit the jobcentre. That it is ineffectual, cruel and overhyped does not dampen their enthusiasm in the least.

David Cameron wheeled the cap out again today (coincidentally, just as an [independent study](#) concluded that coalition tax and benefits policy had done nothing to reduce the deficit but had switched money from the poor into the pockets of the already well-off). [Lowering the cap from its current level of £26,000 to £23,000](#) was an “issue of fairness”, Cameron said. Benefit cuts have been a “success”, he claimed. They have “changed people’s lives”.

And yet this is almost a fantasy policy. Just 51,000 households in Britain were capped in the 15 months to August 2014. The number who can be shown to have been

persuaded into work directly as a result of it are marginal, and the financial savings to the taxpayer – if indeed there are any at all – are negligible. For all the talk of savings (that the Tories say will go towards funding apprenticeships), benefits withheld as a result of the cap amounted to just [0.08% of total social security expenditure](#) on working-age adults and children in 2013-14.

The move is undoubtedly popular – [pollsters report](#) unheard-of 70% approval ratings – but this is approval for a policy that at the macro level is almost theoretical, given its limited scale and reach. Outside London, whole swathes of the country (in fact, almost anywhere where rents are not astronomical) will know of no one affected by the cap. More than half of those capped are in London. In Bradford, for example, in a population of 500,000 just [309 households](#) have been capped.

When Tory politicians talk of a “crackdown” on welfare they invoke the benefit cap as if preparing a huge national blitz, but in reality this is a niche pursuit undertaken in high rent areas, often where local unemployment is high. Unsurprisingly, such crackdowns never invoke the bedroom tax (which has 70% disapproval ratings), which affects more than 10 times as many people. In terms of deficit reduction the benefits cap is a pea-shooter of a policy.

The cap is also highly subsidised. Cameron talks of it saving the taxpayer £135m by 2020, but this figure presumably does not take into account the annual £50m a year given to local authorities in discretionary housing payments – effectively, cash given to councils to enable them to pay the rents of thousands of capped families to prevent them being evicted. Cameron boasted that the “bad consequences” many predicted for the cap have not come to pass, but the reality is that ministers have not been prepared to unleash its full force. There are presumably limits to the number of evicted, homeless and starving families even this government can countenance.

Ministers rarely talk about the money the cap will save (because they know it won't save anything), which makes it surprising that Cameron was prepared to put a figure on it (even a low one). Instead, they prefer to talk about its value in terms of behavioural change – meaning persuading unemployed claimants to go back to work. With customary hype, Cameron [told the Telegraph](#) that the cap had triggered an unlikely “stampede to the jobcentre” and “got a lot of people back to work”. Neither is true.

Indeed, for the first 18 months the policy was a source of embarrassment with the work and pensions secretary, Iain Duncan Smith, unable to show that the cap pushed people back to work (he was [reduced to excruciating declarations of evidence-free faith](#) in the policy). This changed just before Christmas, when [an IFS report](#) found that capped unemployed adults were marginally more likely to move into work than uncapped jobless adults.

This enables politicians to insist the cap is a success, but most readings of the IFS report will not come to the same conclusion. Indeed, the IFS said that “the large majority of affected claimants responded [to being capped] by neither moving into work nor by moving house [to a lower rent area that would take them out of the cap]”.

Ministers love the alleged transformative powers of the cap. It’s true that when capped individuals move into work they often report that they prefer working, but then most were actively looking for a job anyway. Duncan Smith says people are always materially better off working. However, as the government’s [own research shows](#), the majority are no better off financially as they move into part-time and low-paid jobs.

What ministers will never talk about is which capped households move into work and why, and what happens to those who cannot easily move into work. Detailed [qualitative research](#) by the east London charity Community Links has shown that those capped individuals who were closest to the jobs market anyway went out and got jobs; the more vulnerable individuals – who suffered, say, from mental illness, or language problems, or had young children and could not find affordable childcare – did not.

For those trapped by the benefit cap the reality (as the government’s own qualitative evaluation showed) is far from theoretical or consequence free: debt, rent arrears, going without food, and borrowing from loan sharks and payday lenders. In some cases families have had to move, pulling children out of schools where they were settled. Far from making them more likely to get a job, the cap has brought poverty and stress and little hope of a way out. Community Links concluded that the welfare reforms “did not have a considerable impact on respondents’ attitudes to work, or indeed the likelihood of them finding work”.

And yet the benefit cap fantasy rolls on: lowering the cap to £23,000 enables Cameron to act tough and sustain the myth that the country is awash with benefit scroungers. In practice it will randomly catch a few thousand more low-income jobless households (often large ethnic minority families and single parents) who find themselves, mostly through no fault of their own, living in areas where rents are high. A few thousand more will move into work, as they (most likely) would have done anyway. There will be no net savings to the taxpayer. It will, however, bring avoidable stress and misery to those least able to cope.

But then as Cameron told the Telegraph: lowering the cap “tells you everything you need to know about our values”.

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Welfare

Benefit cap could drop 40,000 children into poverty, leaked memo warns

Internal government assessment seen by the Guardian shows lowering of welfare cap will be disastrous for families if parents are unable to find extra work



Brierfield in Lancashire where nearly 35% of children live in poverty and just over 50% are classed as poor according to research by the End Child Poverty Campaign. Photograph: Christopher Thomond for the Guardian

Patrick Butler and Shiv Malik

Friday 29 May 2015 20.00 BST

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This article is 1 year old

Tens of thousands of children face being plunged into poverty by government plans to lower the household benefit cap, leaked advice to ministers shows.

The reduction in the upper limit of what families will now be able to claim annually from £26,000 to £23,000 was announced in Wednesday’s Queen’s speech.

Ministers claim changes to the cap contained in the forthcoming [employment and welfare benefits bill](#) will deliver fairness for the taxpayer “while continuing to provide support for those in greatest need”.

But an internal government assessment, seen by the Guardian, shows that if parents are

unable to find extra work the policy will put 40,000 more children on or below the official poverty line, on top of the 50,000 already affected under the current rate.

Marked “sensitive” and sent to the work and pensions secretary, [Iain Duncan Smith](#), two weeks after the general election, the civil service memo forecasts that “around 40,000 more ... children might in the absence of any behaviour change, find themselves in poverty as a result of reducing the cap to £23,000”.

Liz Kendall's aspiration agenda is built on shaky ground | Letters

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“If these families respond to the cap by making behaviour change, for example moving into work, they are likely to see themselves and their children move out of relative poverty,” the civil service author adds.

Commenting on the leak, the Department for Work and Pensions said: “As the document itself makes clear, these figures do not take into account a key impact of the cap: that it incentivises people to move into work and improve their lives.”

The leak has emerged as housing associations forecast that, under the lower cap level, they will have to deal with a dramatic spike in rent arrears, evictions and homelessness, and will no longer be able to offer homes to jobless low-income families.

Social landlords, whose traditional mission has been to house the poor, say lowering the cap will make it economically risky for them to house all benefit-dependent families, and will undermine their plans to build more affordable homes.

Modelling by the National Housing Federation (NHF) indicates that on top of the [59,000 households](#) already affected, a further 90,000 households across private and social sectors in England will have their income reduced by the new cap.

Detailed calculations by two housing associations, [Moat](#) and Sovereign, show that the lower cap level will make all three-bed affordable rented homes and some two-bed homes instantly unaffordable to capped tenants in a corridor stretching through Tory heartlands from Thanet and Basildon to Reading and Winchester.

Elizabeth Austerberry, the chief executive of Moat, said: “These people are not going to go away. Where are they going to live?”

The same estimates show reducing the maximum amount a jobless household can draw in benefits to £440 a week will lead to those affected typically losing around £65 a week in income, but in some cases as much as £100 a week.

“Potentially we are looking at evictions and homelessness. People affected will drift out

of London to places where there is less chance of getting work,” Austerberry said.

She added that the cap would severely hinder associations’ plans to meet the government’s target of building 275,000 more affordable homes. “At a time when affordable housing is desperately needed, the policy will impact significantly on our ability to deliver housing under the current model.”

Tony Stacey, chair of [Placeshapers](#), a group of 115 housing associations, said: “Many associations, faced with an increased risk profile, may decide they can no longer take the chance of letting homes to larger families on benefits.

“They may decide to stop developing larger homes. Placeshaper associations are committed to working with our local authority partners to find solutions. We do not want to turn our backs on the poor. And it’s not just us – private landlords will be similarly affected. The impact this will have on homelessness is truly worrying.”

Ian Gilders, director of business intelligence at Sovereign, said the cap meant social landlords would no longer be able to accept all nominations made from council waiting lists: “Housing associations will say to councils, ‘We would like to help, but with this family, under this benefit system, we can’t help.’”

The leaked DWP memo warns that it is vital ministers increase the amount of temporary cash help to capped tenants to prevent immediate eviction. However, the DWP [cut the discretionary housing payment budget](#), which also covers households affected by the bedroom tax, from [£165m to £125m](#) from April.

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A spokesperson for the government accused housing associations of “scaremongering” and claimed the cap had encouraged people to get a job.

The government believes that the principle of the cap is popular with voters. In January the prime minister, David Cameron, said the benefit cap “tells you [everything you need to know](#) about our values”.

The latest [official figures](#) show 59,000 households were hit by the £26,000 cap in the 22 months since its April 2013 introduction. Work and Pensions [research](#) from December found that 11% of households just below the cap level moved into work. This figure rose marginally to 15.7% for households who were capped.

A DWP [qualitative impact study](#) into the cap published that same month showed most capped tenants struggled to afford basic necessities and often went without food or borrowed cash from loan sharks, while a quarter reported being under threat of eviction

as a result of running up rent arrears due to the cap.

Harriet Harman, interim Labour leader, told the Commons on Wednesday she was “sympathetic” to a lower cap level. But commenting on the Guardian’s leaked figures, Labour’s position appeared to have moved closer to the government’s.

Shadow work and pensions secretary Rachel Reeves said: “Labour supports a benefit cap to ensure people are always better off in work than on benefits and we will support a reduction in the cap to £23,000 to ensure this principle is met.”

The SNP said it would vote against the government’s “unacceptable” proposals. Eilidh Whiteford, the party’s spokesperson on work and pensions said: “These are alarming numbers. We will be tabling questions in the House of Commons to get to the bottom of this, because it is totally unacceptable for children across the UK to pay the price of the Tories’ austerity obsession.

“It is wrong and unacceptable to put the full weight of cuts on to the backs of the poorest people in our society. The SNP will join with other progressive voices to challenge the UK government and oppose their damaging welfare cuts.”

● This article was amended online on 1 June 2015 to add statements from Labour and the SNP which appeared in the paper edition.

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Benefit Cap Quarterly Statistics: GB households capped to February 2015

The Government has introduced a cap on the total amount of benefits that working-age households can receive. This means that, in general, households on out-of-work benefits no longer receive more in welfare payments than the average weekly wage for working households.

This Summary contains official statistics on capped households from 15 April 2013 (when the benefit cap was introduced) to February 2015 (the latest available figures). It includes cumulative and point-in-time figures on the number of capped households (caseload) as well as information on households who have moved off the benefit cap (off-flows).

Main Findings:

Cumulative measures - Since the introduction of the benefit cap on 15 April 2013 to February 2015:

- **58.7 thousand households had their Housing Benefit capped.**
- 45% of households affected by the benefit cap were in London.
- Of the top 20 Local Authorities with the highest number of households affected by the benefit cap, only one was outside London – Birmingham.

Snapshot measures - Of data extracted in February 2015:

- **23.1 thousand households had their Housing Benefit capped.** This is a decrease of 1.2 thousand (5%) from 24.3 thousand households in November 2014.
- 83% of capped households were capped by £100 or less a week.
- 59% of capped households had between 1 and 4 children and 35% had 5 or more children.
- 63% of capped households constituted a single parent with child dependants.

Off-flow measures - Of data extracted in February 2015:

- 35.6 thousand households (61%) who have (previously) been capped are no longer subject to the cap as at February 2015. **Of these, 14.4 thousand households are exempt with an open Working Tax Credit claim, which is 41% of those no longer subject to the cap.**

Contacts:

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Published: 14 May 2015

Next publication: 6 August 2015

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Benefit Cap Quarterly Statistics: GB households capped to February 2015

Introduction

The Government has introduced a cap on the total amount of benefits that working-age households can receive. This means that, in general, households in which at least one person is in receipt of a working age benefit no longer receive more in welfare payments than the average weekly wage for working households. More information on households in scope for the cap and exempt households is included in [Annex A](#).

The benefit cap was introduced from 15 April 2013 in Bromley, Croydon, Enfield and Haringey Local Authorities, with all other Local Authorities applying the cap between 15 July 2013 and the end of September 2013.

The benefit cap is administered through Housing Benefit (HB), with a household's HB entitlement being reduced so that the total amount of benefit received is no longer higher than the cap level. A household which is not in receipt of HB will not currently be in scope for the cap.

Methods used to compile the statistics

The main source of benefit cap data is the Single Housing Benefit Extract (SHBE). SHBE is a monthly electronic scan of claimant level data direct from Local Authority computer systems. SHBE includes a field that contains the weekly amount that the HB of a household has been capped by. This marker is central to the production of this analysis.

Data on those households who have (previously) been capped that are no longer capped is linked to Her Majesty's Revenue and Customs (HMRC) and DWP benefits data to determine why households are no longer capped. Further details are included in [Annex B](#).

More information on data quality and limitations are included in [Annex C](#).

Further benefit cap statistics

The content and structure of this Release has been revised to better focus on the latest key statistics and trends. The full suite of benefit cap statistics, including previous publications, can be accessed here:

<https://www.gov.uk/government/collections/benefit-cap-statistics>



Benefit Cap Quarterly Statistics: GB households capped to February 2015

Accompanying tables showing benefit cap statistics split by geography (down to Local Authority and Parliamentary Constituency level), amount capped, number of children, household type and off-flow reason are available as either ready-made Excel tables or as bespoke tables in Stat-Xplore, DWP's online interactive tabulation tool. More information on Stat-Xplore can be accessed here:

<https://stat-xplore.dwp.gov.uk/>

Further details on our users are included in [Annex D](#).

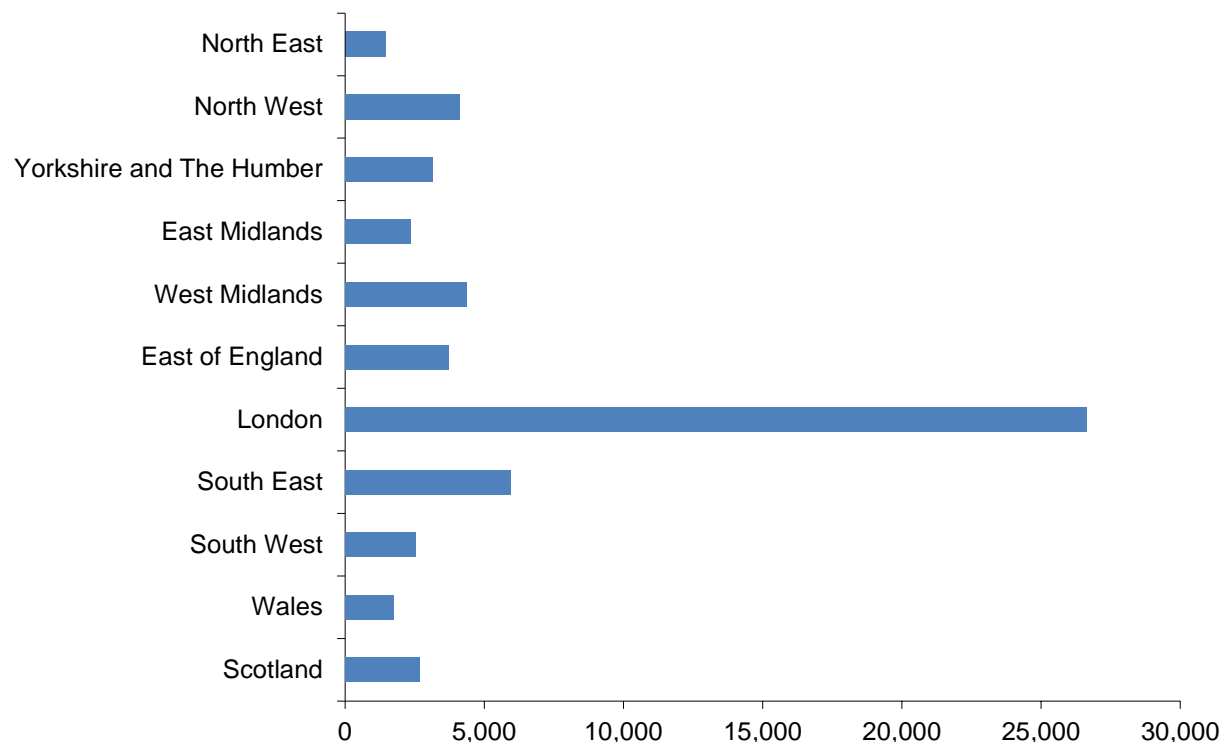
Details of who to contact with feedback can be found in [Annex E](#) and links to further information are included in [Annex F](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Cumulative Caseload

The number of households capped since the introduction of the benefit cap (on 15 April 2013) to February 2015.

Chart 1: Cumulative number of households capped by region
From 15 April 2013 to February 2015



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE)

Main Findings

Since the introduction of the benefit cap on 15 April 2013 to February 2015:

- 58.7 thousand households had their Housing Benefit capped.
- 45% of households affected by the benefit cap were in London.

See [Excel Data table 1](#) or [Stat-Xplore](#) for full data.

Notes

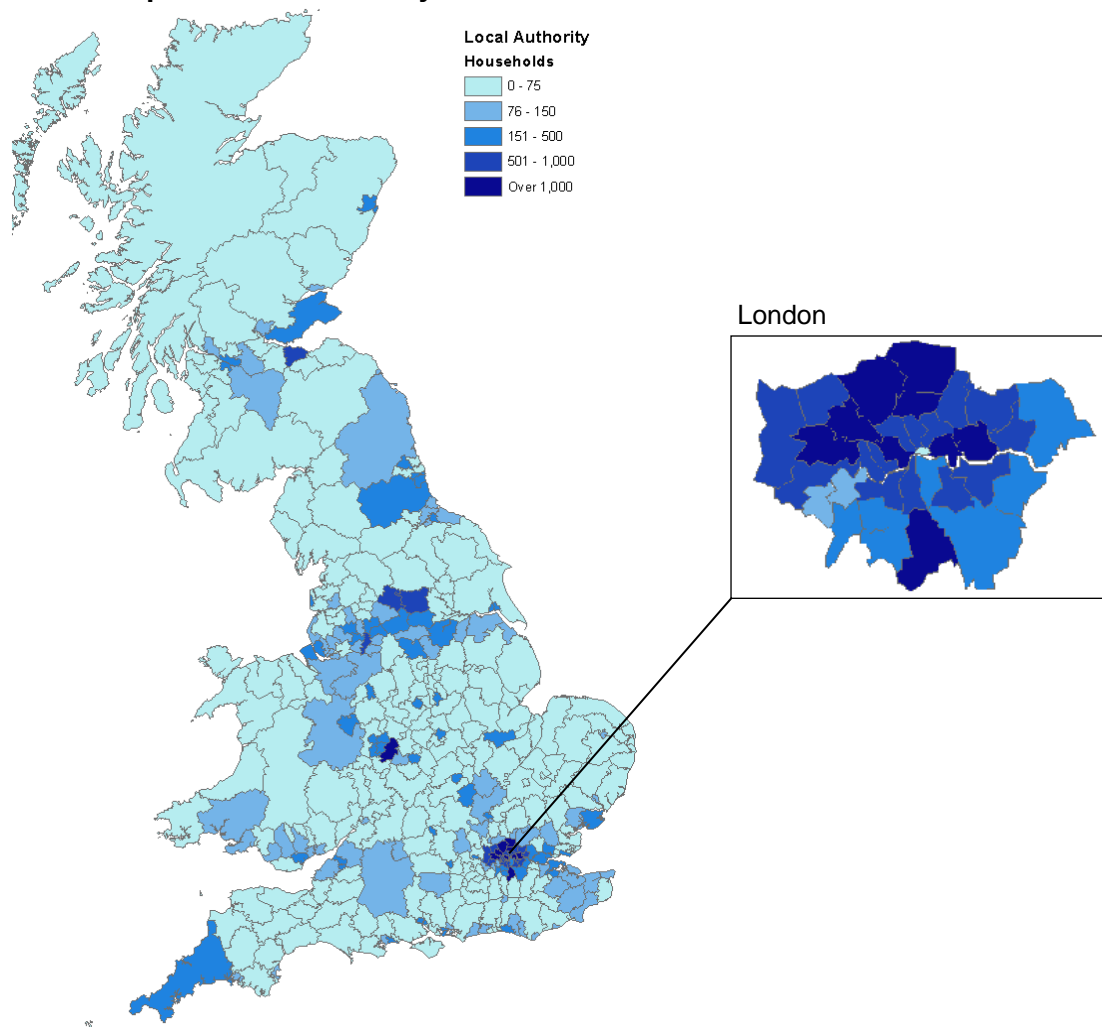
The cumulative caseload is based on the lead claimant. The addition or loss of a partner within a household (or a household moving to a different Local Authority and still subject to the cap) would not be counted as an additional benefit cap case where the lead claimant remains the same and there is no break in claim.

The geographical region or Local Authority reflects the initial Local Authority in which the cap was applied to that household.

Numbers have been randomly adjusted to avoid the release of confidential data. For this reason individual figures may not sum to totals. More information on this can be found in [Stat-Xplore](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

**Chart 2: Cumulative number of households capped by Local Authority
From 15 April 2013 to February 2015**



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE)

Main Findings

Since the introduction of the benefit cap on 15 April 2013 to February 2015:

- Of the top 20 Local Authorities with the highest number of households affected by the benefit cap, only one was outside London – Birmingham.

Notes

The cumulative caseload is based on the lead claimant. The addition or loss of a partner within a household (or a household moving to a different Local Authority and still subject to the cap) would not be counted as an additional benefit cap case where the lead claimant remains the same and there is no break in claim.

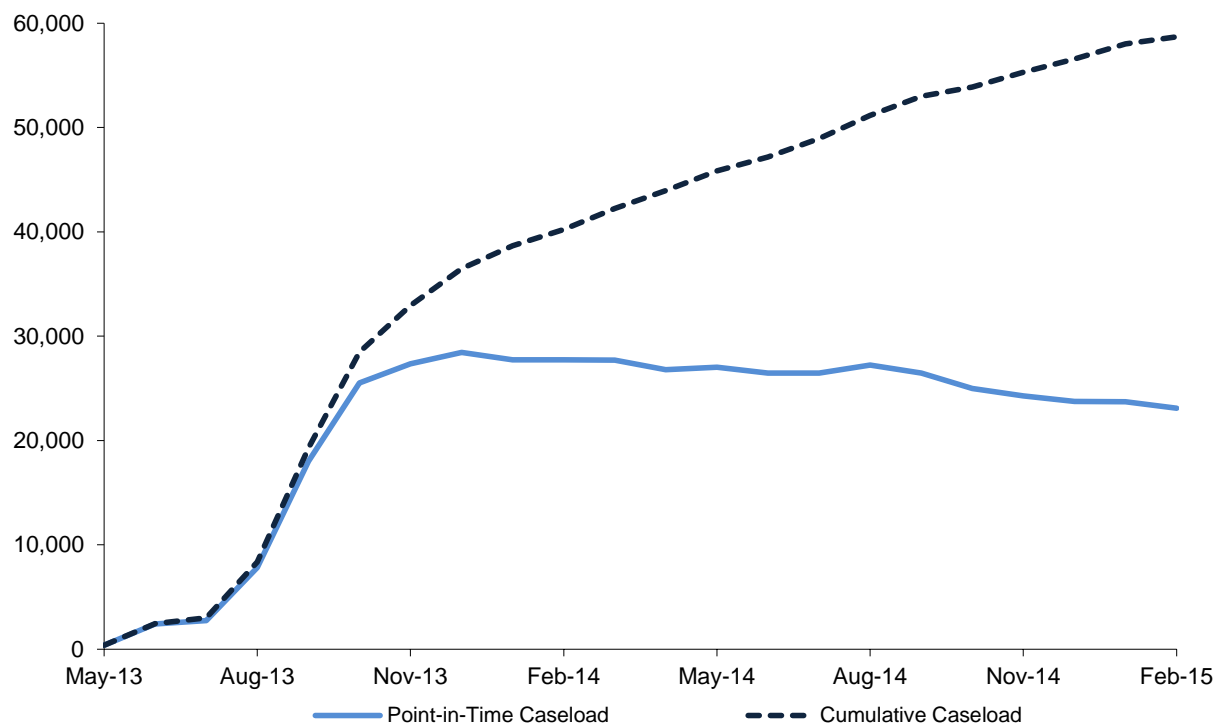
The geographical region or Local Authority reflects the initial Local Authority in which the cap was applied to that household.

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Point-in-Time Caseload

The number of households capped at each month from the introduction of the benefit cap (on 15 April 2013) to February 2015.

**Chart 3: Number of households capped (cumulative and point-in-time) by month
From 15 April 2013 to February 2015**



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE)

Main Findings

- At February 2015, 23.1 thousand households had their Housing Benefit capped. This is a decrease of 1.2 thousand (5%); down from 24.3 thousand households in November 2014.
- Compared to the last quarter (November 2014) the proportion of (previously) capped households that are no longer capped has increased from 56% to 61%. This has contributed to the decrease in the point-in-time caseload compared to November 2014.

See Excel [Data table 3](#) or [Stat-Xplore](#) for full data.

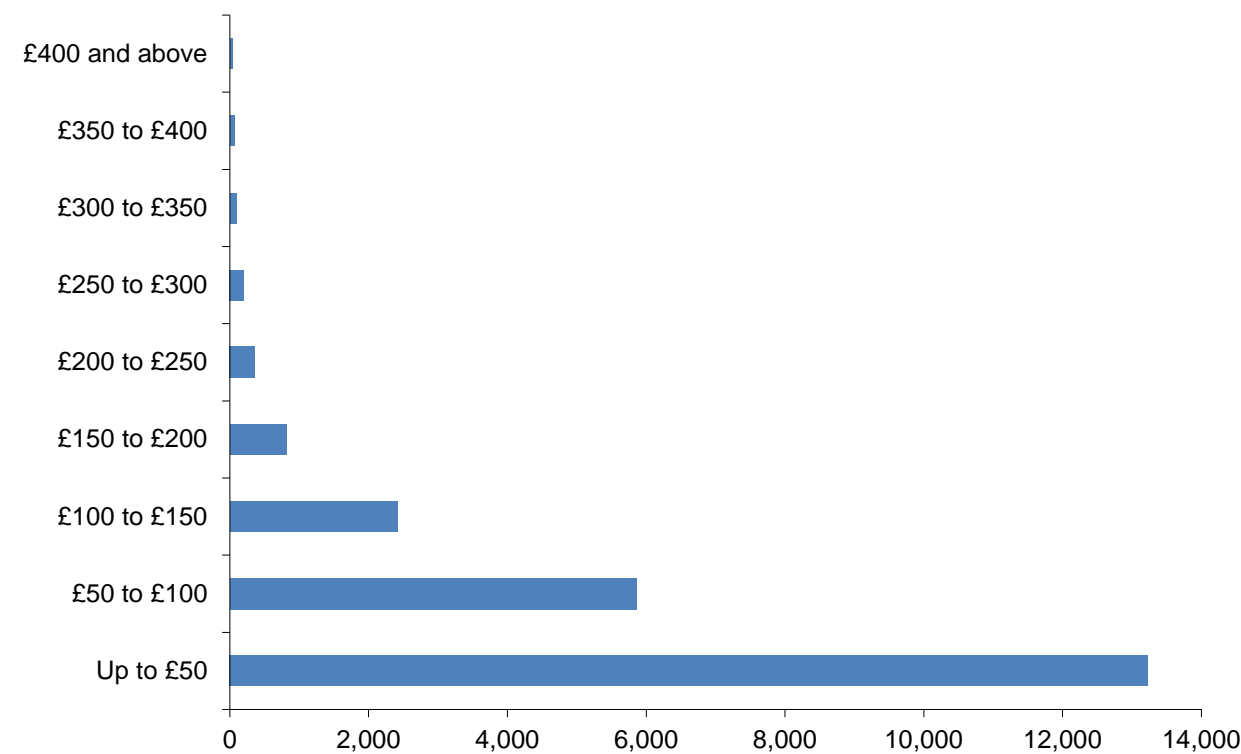
Notes

From 15 July 2013 the benefit cap was introduced nationally. The July 2013 SHBE was the first data to include national claimants.

Numbers have been randomly adjusted to avoid the release of confidential data. More information on this can be found in [Stat-Xplore](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Chart 4: Point-in-time number of households capped by weekly amount capped
At February 2015



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE)

Main Findings

At February 2015:

- 83% of capped households were capped by £100 or less a week.
- Less than 1% of households were capped by more than £400 a week.

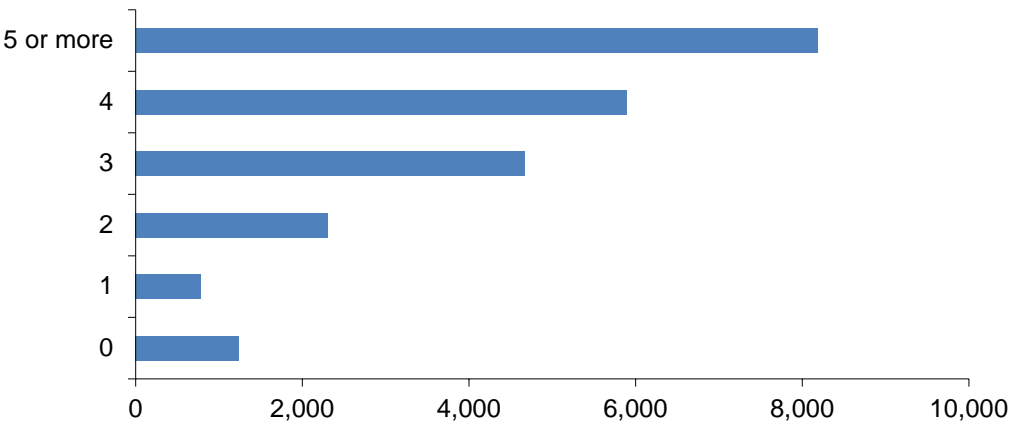
See Excel [Data table 2](#) or [Stat-Xplore](#) for full data.

Notes

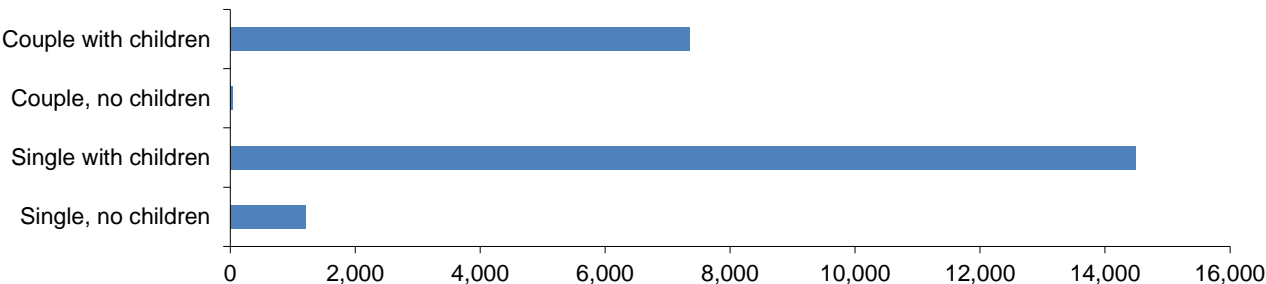
Numbers have been randomly adjusted to avoid the release of confidential data. For this reason, individual cells may not sum to totals. More information on this can be found in [Stat-Xplore](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

**Chart 5: Point-in-time number of households capped by number of children
At February 2015**



**Chart 6: Point-in-time number of households capped by household type
At February 2015**



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE)

Main findings

At February 2015:

- 59% of capped households had between 1 and 4 children and 35% had 5 or more children.
- 5% of capped households had no child dependant(s).
- 63% of capped households constituted a single parent with child dependant(s).

See Excel [Data table 2](#) or [Stat-Xplore](#) for full data.

Notes

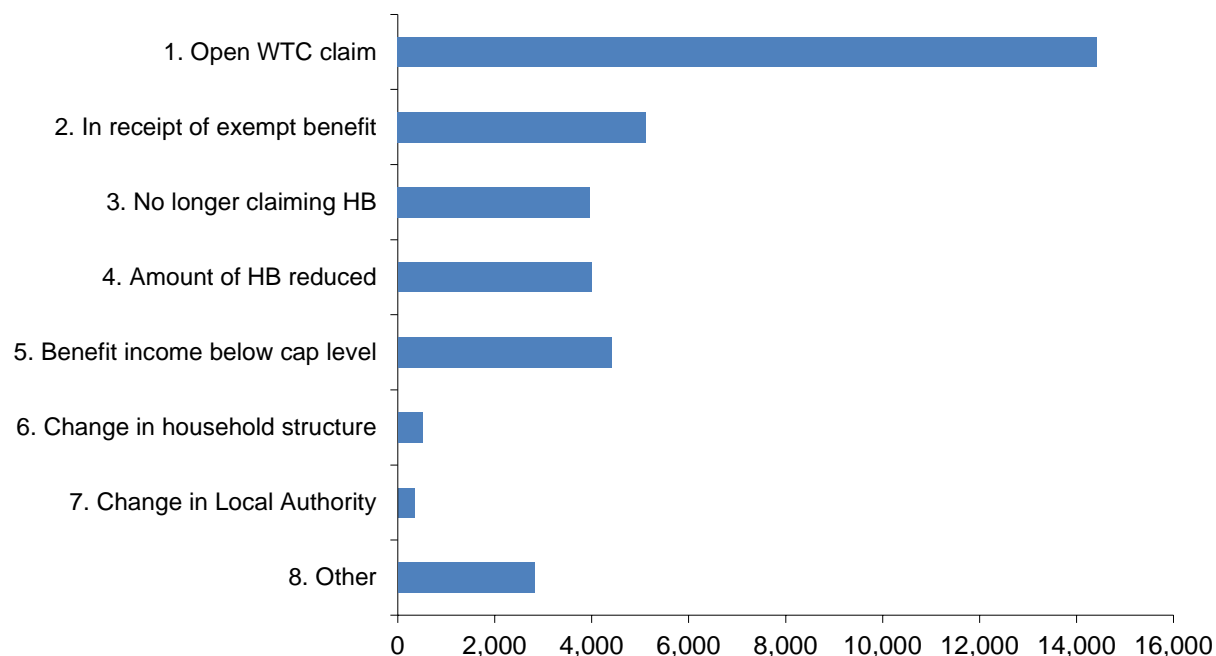
Numbers have been randomly adjusted to avoid the release of confidential data. For this reason, individual cells may not sum to totals. More information on this can be found in [Stat-Xplore](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Off-Flows by Outcome

The number of households who have (previously) been capped but are no longer subject to the cap at February 2015, with the reason why they have moved off the benefit cap.

**Chart 7: Off-flows by Household Outcome
At February 2015**



Source: DWP IE Directorate 100% Single Housing Benefit Extract (SHBE), WTC and 100% DWP GMS benefit

Main findings

At February 2015:

- 35.6 thousand households (61%) who have (previously) been capped are no longer subject to the cap. Of these, 14.4 thousand are exempt with an open Working Tax Credit (WTC) claim, which is 41% of those no longer subject to the cap.

See Excel [Data table 4](#) or [Stat-Xplore](#) for full data.

Notes

As household circumstances may change, the outcome reflects the reason for no longer being capped at the point of reporting. Outcomes are hierarchically based. There may be a number of reasons why a household is no longer capped, but only the top-most reason for which they are eligible is counted. More information on this can be found in [Annex B](#).

Numbers have been randomly adjusted to avoid the release of confidential data. For this reason, individual cells may not sum to totals. More information on this can be found in [Stat-Xplore](#).

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex A: Administering the benefit cap

The benefit cap limits a household's benefit income to:

- £500 a week for couples (with or without children living with them) and single parents whose children live with them.
- £350 a week for single adults without children, or whose children do not live with them.

The cap applies to the combined income from benefits including:

- the main out-of-work benefits (Jobseeker's Allowance, Income Support, and Employment and Support Allowance except when the Support Component is in payment);
- Housing Benefit;
- Child Benefit;
- Child Tax Credit;
- other benefits such as Carer's Allowance.

The benefit cap is administered through Housing Benefit (HB), with a household's HB entitlement being reduced so that the total amount of benefit received is no longer higher than the cap level. A household which is not in receipt of HB will not currently be in scope for the cap.

One-off payments are not included in the assessment of benefit income.

Households which include someone who is entitled to Working Tax Credit are excluded from the cap. This is intended to increase the incentive for people to find employment because once they are in receipt of Working Tax Credit their benefits will no longer be subject to the cap. There is also a grace period of 39 weeks during which time the cap will not apply to households where the claimant or, if applicable, their partner has worked for 50 weeks out of the 52 weeks preceding their last day of work.

All households with someone, including a child, with a current award of Disability Living Allowance, Personal Independence Payment or Attendance Allowance, or receiving the support component of Employment and Support Allowance, or receiving Industrial Injuries Benefits (and those receiving War

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Disablement Pension and the equivalent payments from the Armed Forces Compensation Payments Scheme) are exempt from the benefit cap. This is in recognition of the extra costs disability can bring.

The exemption is also extended to households which include a member who is in receipt of War Widow's and War Widower's Pension. This is in line with the Government's commitment to offer special treatment to those who are serving or who have served in the Armed Forces, and to their dependants, in order to avoid disadvantage and recognise sacrifice for those seriously injured or killed.

The cap only applies to households in which at least one person is in receipt of a working age benefit.

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex B: Methods used to compile the statistics

Data Sources

Data from the Single Housing Benefit Extract (SHBE) has been used to produce this analysis. SHBE is a monthly electronic scan of claimant level data direct from Local Authority computer systems. It has been designed to provide sufficient information for all current and future statistical purposes and is now the single source of Housing Benefit (HB) data. From April 2013, a Benefit Cap field was added to SHBE which provides the weekly amount that the HB of a household had been capped by. This marker is central to the production of this analysis.

Off-flow data is merged to Her Majesty's Revenue and Customs (HMRC) and DWP benefits data to determine outcomes.

Data coverage and reporting month

Local Authorities extract and return their data to DWP over a four week rolling period based on an extraction schedule for each Local Authority. For example, the latest "February" data shown here has typically been collated between 26 January and 19 February 2015. Each Local Authority may extract their data up to a week before the date it is scheduled to be returned to DWP. Consequently, the statistics do not directly relate to a particular date but rather show the position of capped cases over a monthly cycle.

Definition of a household

For the purposes of the benefit cap policy and hence this analysis, **a household is defined as one or two adults (living together as a couple) plus any dependent children they are living with.** This may also be termed a 'benefit unit'. This differs from the Office for National Statistics (ONS) who define a household as one person alone; or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room or sitting room or dining area. A household by the ONS definition may contain multiple benefit units.

There are a small number of cases where an individual / household has more than one HB claim, for these cases, only the most recent claim is reported on.

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Identification of capped households

Over time, households will potentially move on and off the cap a number of times (for a variety of reasons). The data shows both **point-in-time caseload** (the number of households subject to the cap at the latest month available) and **cumulative caseload** (the overall number of households that have been capped from the introduction of the benefit cap to the latest month available). The difference between these two figures shows the number of previously capped households no longer subject to the benefit cap at the latest month available (**off-flows**).

Benefit cap off-flows by outcome

Households may flow on and off the cap numerous times as circumstances change. This report contains data on the number of households no longer subject to the cap as at the reporting month. The reason for off-flow from the benefit cap is given as at the reporting month.

There may be multiple reasons for the cap to no longer apply for example moving to a cheaper area in a different Local Authority, which also reduces the Housing Benefit amount. Thus, to avoid multiple counts for a household, a hierarchical approach to outcome is used for reporting, with only the top-most reason for which a household is eligible being reported on:

1. Household has an open Working Tax Credit (WTC) claim.
2. Household is in receipt of an exempt benefit (Employment Support Allowance support group / Disability Living Allowance / Industrial Injuries / Personal Independence Payment).
3. Household is no longer claiming Housing Benefit (HB).
4. Amount of Housing Benefit claimed has reduced.
5. Household benefit income below cap level without a change to Housing Benefit amount.
6. Change in original household structure (i.e. change, addition or loss of a partner – does not include dependants).
7. Change in recorded Local Authority.
8. Other – includes grace period, operational factors / timing, no longer working age.

If a household remains no longer capped the reason for this may change over time. For example, a household may move off the cap initially due to benefit reducing to below the cap level, but as time passes move into work and claim Working Tax Credit and still remain off the cap. The reason for off-flow is always reported as at the reporting month. Not all outcomes reported on are a specific reason for a household to flow off the benefit cap, for example a change in Local Authority, but may indicate a change in circumstance leading to an off-flow.

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex C: Data quality

In developing Benefit Cap Statistics, DWP has acted in accordance with the Code of Practice and supporting Principles.

These Official Statistics may not report on very short term capped households. This will occur in instances where a household is capped and then ceases to be capped all between the monthly snapshots taken from SHBE. In any such cases, the recorded SHBE data will not flag that a household has been capped, as at the times when scans were taken they were not. Therefore whilst accurate at the time of scan, it does not capture these households.

When looking at the off-flows and outcomes statistics, the following points should be noted:

- There is no single source of outcomes / reasons for households to flow off the cap. Latest 100% DWP benefit scans, weekly HMRC tax credit data and the SHBE extract are used to determine the most appropriate household benefits status.
- An open Working Tax Credit claim is a proxy for movements into work. This is not a comprehensive measure of moves into work; some individuals may go into work but not be eligible to claim Working Tax Credit if their earnings are too high or the hours worked do not meet the claim requirements.
- The results will be subject to retrospection as Working Tax Credit spells are recorded. It is possible that Working Tax Credit claims could be back dated.
- Due to churn in flows on / off the cap, the number of off-flows could fall from one month to the next if households move back onto the cap.
- The proportion of off-flows with a Working Tax Credit exemption will change over time.
- Some of the lower category outcomes are not specifically a reason in themselves to come off the cap but are a measurable change in circumstance that may lead to an off-flow, for example a change in Local Authority.

Revisions

The Department's policy statement describes how DWP will handle revisions: <https://www.gov.uk/government/publications/policy-statement-on-the-revision-of-dwp-statistics>

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex D: Users of the statistics

Our users can be categorised as being from the following groups:

Government policy making and policy monitoring:

- a. Ministers
- b. Department for Work & Pensions (DWP) officials, e.g. policy makers and performance managers
- c. Parliament
- d. Jobcentre Plus staff

Local Authorities and other public sector bodies

Academic Research

Others:

- a. Media and commentators
- b. The general public

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex E: User feedback and contact points

DWP have recently updated the content and structure of this publication, following a review process run by the UK Statistics Authority Good Practice Team. The aim of this was to make the publication as user-friendly as possible.

If you have any comments or suggestions regarding this publication, please contact DWP via stats-consultation@dwp.gsi.gov.uk.

We would be interested in hearing about what you use these statistics for and how well they meet your requirements.

If you would like to receive occasional e-mails from DWP to directly inform you of documents seeking the views of users, please email general.statistics@dwp.gsi.gov.uk giving details of the DWP publications you use.

Benefit Cap Quarterly Statistics: GB households capped to February 2015

Annex F: Further Information

Further information on the work of DWP can be found on the Internet at:

Website: <https://www.gov.uk/dwp>

Follow us on Twitter: <https://twitter.com/dwppressoffice>

Details of other National and Official Statistics produced by DWP can be found on the DWP website at the following links:

- A list of Tabulation Tools: <https://www.gov.uk/government/organisations/department-for-work-pensions/series/dwp-statistics-tabulation-tool>
- A schedule of statistical releases over the next 12 months and a list of the most recent releases:
<https://www.gov.uk/government/organisations/department-for-work-pensions/about/statistics>

In particular, statistics on Housing Benefit caseload can be found here:

<https://www.gov.uk/government/statistics/number-of-housing-benefit-claimants-and-average-weekly-spare-room-subsidy-amount-withdrawal>

In addition, users can find links to DWP additional statistical analyses that have not been included in our standard publications at:

<https://www.gov.uk/government/organisations/department-for-work-pensions/series/ad-hoc-statistical-publications-list>

Other National Statistics publications, and general information about the official statistics system of the UK, are available from
<https://www.gov.uk/government/statistics>.

Housing Benefit Circular

Department for Work and Pensions

6th Floor, Caxton House, Tothill Street, London SW1H 9NA

HB Circular S1/2015

SUBSIDY CIRCULAR

WHO SHOULD READ	All HB staff. Officers preparing claims for Discretionary Housing Payments
ACTION	For information only
SUBJECT	Discretionary Housing Payments government contribution for 2015/16

Guidance Manual

The information in this circular does not affect the content of the HB/CTB Guidance Manual.

Queries

If you

- want **extra copies of this circular/copies of previous circulars**, they can be found on the website at <https://gov.uk/government/collections/housing-benefit-for-local-authorities-subsidy-circulars>
- have any queries about the
 - **technical content of this circular**, contact
Email: hbctb.subsidyqueries@dwp.gsi.gov.uk
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for 2015/16**

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Discretionary Housing Payments government contribution for 2015/16

Introduction

- 1 This circular gives details of each local authority's (LA's) government contribution and overall expenditure limit for Discretionary Housing Payments (DHPs) for 2015/16.

Background

- 2 DHP funding was increased in 2013/14 to assist with the impact of the new welfare reforms on benefit claimants. The overall funding for 2015/16 is £125 million. This comprises of funding for four separate areas of support – Core funding, Local Housing Allowance (LHA), Removal of the Spare Room Subsidy (RSRS) and benefit cap. The government has previously committed to maintaining the level of funding to support those affected by the RSRS and this will remain at £60 million.
- 3 Distribution of the funding is based on the effect of each element on individual LAs.

Distribution of the government contribution

- 4 **Core funding (£15 million):** In previous years, up until April 2011, the total DHP funding was distributed based on the mid-point between each LA's spend for the latest year for which we had reliable data and its contribution for that year. So for example, if the LA had a contribution of £50,000 and spent £40,000, it would be allocated £45,000; and if it had spent £70,000 it would be allocated £60,000.
- 5 However, since 2011/12 the increase in overall DHP funding has made it difficult to apply this formula, because there are no past details of the proportion of the overall expenditure that is attributable to core funding. The approach we have adopted for 2015/16 is to pro-rata the £15 million based on the most recent figures available, in respect of the level of expenditure for Housing Benefit (HB) in 2012/13. This approach is based on the [DHP Order 2001 Article 2 \(a\)](#). This has the added advantage of linking DHP funding to need (HB expenditure).
- 6 **LHA reforms (£25 million):** Distribution is based on aggregate losses from the LHA changes in each LA which were used for previous years' allocations. As these aggregate losses were based on the February 2011 caseloads, the distribution of losses has been adjusted to take into account changes in LHA caseloads between February 2011 and August 2014 (the latest available data).
- 7 **Removal of the Spare Room Subsidy (£60 million):** The allocation of RSRS DHP funding in 2015/16 will be the same as in previous years. The distribution of £55 million of the funding will be based on the aggregate RSRS losses in each LA area, calculated from the August 2014 official statistics available on numbers of claimants with a deduction and the average weekly deduction. £5 million of the

funding will continue to be distributed to the 21 most sparsely populated LAs, using the same methodology based on aggregate RSRS losses.

- 8 **Benefit cap (£25 million):** The funding available for 2015/16 has been set at £25 million. The allocation of DHP funds for 2015/16 is based on the proportion of all capped funds (savings from the cap) from households capped by more than £50 per week in each LA.

Queries

- 9 Please ensure that any queries relating to the allocation of the Government contribution towards DHPs are sent, via email, to:

hbctb.subsidyqueries@dwp.gsi.gov.uk

Allocation of the £125 million fund for Discretionary Housing Payment 2015/2016

Local authority	Government Contribution	Overall limit (2.5x)
Aberdeen City	£288,745	-
Aberdeenshire	£477,827	-
Adur	£72,249	£180,623
Allerdale	£190,279	£475,698
Amber Valley	£155,207	£388,018
Angus	£331,583	-
Argyll and Bute	£371,352	-
Arun	£173,365	£433,413
Ashfield	£187,121	£467,803
Ashford	£149,212	£373,030
Aylesbury Vale	£192,659	£481,648
Babergh	£83,945	£209,863
Barking and Dagenham	£749,453	£1,873,633
Barnet	£1,263,389	£3,158,473
Barnsley	£460,985	£1,152,463
Barrow-in-Furness	£75,698	£189,245
Basildon	£363,989	£909,973
Basingstoke and Deane	£259,417	£648,543
Bassetlaw	£156,041	£390,103
Bath and North East Somerset	£185,742	£464,355
Bedford	£254,161	£635,403
Bexley	£433,043	£1,082,608
Birmingham	£3,051,683	£7,629,208
Blaby	£47,062	£117,655
Blackburn with Darwen	£296,984	£742,460
Blackpool	£369,724	£924,310
Blaenau Gwent / Blaenau Gwent	£180,566	£451,415
Bolsover	£123,279	£308,198
Bolton	£586,776	£1,466,940
Boston	£84,208	£210,520
Bournemouth	£340,296	£850,740
Bracknell Forest	£126,547	£316,368
Bradford	£890,006	£2,225,015
Braintree	£162,654	£406,635
Breckland	£187,775	£469,438
Brent	£2,606,875	£6,517,188
Brentwood	£58,426	£146,065
Bridgend / Pen-y-bont ar Ogwr	£252,060	£630,150
Brighton and Hove	£611,084	£1,527,710
Bristol, City of	£945,862	£2,364,655
Broadland	£76,039	£190,098
Bromley	£509,406	£1,273,515
Bromsgrove	£57,774	£144,435
Broxbourne	£141,108	£352,770
Broxtowe	£89,873	£224,683
Burnley	£155,940	£389,850
Bury	£250,465	£626,163
Caerphilly / Caerffili	£381,973	£954,933
		Subsidy circular
		30 January 2015

Calderdale	£278,211	£695,528
Cambridge	£149,334	£373,335
Camden	£889,647	£2,224,118
Cannock Chase	£93,570	£233,925
Canterbury	£159,534	£398,835
Cardiff / Caerdydd	£815,034	£2,037,585
Carlisle	£155,375	£388,438
Carmarthenshire / Sir Gaerfyrddin	£305,603	£764,008
Castle Point	£85,052	£212,630
Central Bedfordshire	£254,525	£636,313
Ceredigion / Ceredigion	£225,498	£563,745
Charnwood	£137,517	£343,793
Chelmsford	£174,380	£435,950
Cheltenham	£142,971	£357,428
Cherwell	£159,368	£398,420
Cheshire East	£372,854	£932,135
Cheshire West and Chester	£472,924	£1,182,310
Chesterfield	£173,312	£433,280
Chichester	£116,154	£290,385
Chiltern	£65,130	£162,825
Chorley	£114,869	£287,173
Christchurch	£48,223	£120,558
City of London	£21,562	£53,905
Clackmannanshire	£196,236	-
Colchester	£239,924	£599,810
Conwy / Conwy	£153,656	£384,140
Copeland	£171,252	£428,130
Corby	£128,675	£321,688
Cornwall	£664,024	£1,660,060
Cotswold	£79,665	£199,163
County Durham	£981,783	£2,454,458
Coventry	£619,313	£1,548,283
Craven	£125,880	£314,700
Crawley	£196,609	£491,523
Croydon	£1,201,438	£3,003,595
Dacorum	£233,999	£584,998
Darlington	£150,935	£377,338
Dartford	£101,075	£252,688
Daventry	£88,080	£220,200
Denbighshire / Sir Ddinbych	£158,793	£396,983
Derby	£475,669	£1,189,173
Derbyshire Dales	£63,082	£157,705
Doncaster	£570,107	£1,425,268
Dover	£156,875	£392,188
Dudley	£569,990	£1,424,975
Dumfries and Galloway	£688,364	-
Dundee City	£412,411	-
Ealing	£1,904,697	£4,761,743
East Ayrshire	£305,931	-
East Cambridgeshire	£77,998	£194,995
East Devon	£101,211	£253,028
East Dorset	£64,218	£160,545
East Dunbartonshire	£82,691	-

East Hampshire	£87,347	£218,368
East Hertfordshire	£124,641	£311,603
East Lindsey	£185,225	£463,063
East Lothian	£106,448	-
East Northamptonshire	£91,995	£229,988
East Renfrewshire	£59,864	-
East Riding of Yorkshire	£287,614	£719,035
East Staffordshire	£126,551	£316,378
Eastbourne	£162,574	£406,435
Eastleigh	£134,446	£336,115
Eden	£169,040	£422,600
Edinburgh, City of	£1,343,558	-
Eilean Siar	£103,909	-
Elmbridge	£137,381	£343,453
Enfield	£1,626,073	£4,065,183
Epping Forest	£123,215	£308,038
Epsom and Ewell	£77,791	£194,478
Erewash	£132,345	£330,863
Exeter	£145,164	£362,910
Falkirk	£257,649	-
Fareham	£60,382	£150,955
Fenland	£118,088	£295,220
Fife	£705,090	-
Flintshire / Sir y Fflint	£208,883	£522,208
Forest Heath	£65,655	£164,138
Forest of Dean	£87,579	£218,948
Fylde	£67,102	£167,755
Gateshead	£426,183	£1,065,458
Gedling	£101,831	£254,578
Glasgow City	£1,651,754	-
Gloucester	£185,753	£464,383
Gosport	£107,916	£269,790
Gravesham	£176,894	£442,235
Great Yarmouth	£172,367	£430,918
Greenwich	£729,275	£1,823,188
Guildford	£130,900	£327,250
Gwynedd / Gwynedd	£620,483	£1,551,208
Hackney	£1,507,187	£3,767,968
Halton	£343,725	£859,313
Hambleton	£78,920	£197,300
Hammersmith and Fulham	£787,958	£1,969,895
Harborough	£46,343	£115,858
Haringey	£1,485,882	£3,714,705
Harlow	£173,789	£434,473
Harrogate	£109,387	£273,468
Harrow	£677,094	£1,692,735
Hart	£47,805	£119,513
Hartlepool	£286,417	£716,043
Hastings	£230,368	£575,920
Havant	£151,713	£379,283
Havering	£379,580	£948,950
Herefordshire, County of	£195,709	£489,273
Hertsmere	£170,604	£426,510

High Peak	£71,857	£179,643
Highland	£1,189,515	-
Hillingdon	£673,124	£1,682,810
Hinckley and Bosworth	£78,129	£195,323
Horsham	£102,036	£255,090
Hounslow	£714,467	£1,786,168
Huntingdonshire	£161,238	£403,095
Hyndburn	£118,746	£296,865
Inverclyde	£185,910	-
Ipswich	£246,262	£615,655
Isle of Anglesey / Ynys Môn	£118,413	£296,033
Isle of Wight	£185,553	£463,883
Isles of Scilly	£169	£423
Islington	£989,332	£2,473,330
Kensington and Chelsea	£1,137,021	£2,842,553
Kettering	£113,975	£284,938
King's Lynn and West Norfolk	£182,100	£455,250
Kingston upon Hull, City of	£681,189	£1,702,973
Kingston Upon Thames	£308,670	£771,675
Kirklees	£551,690	£1,379,225
Knowsley	£563,700	£1,409,250
Lambeth	£1,277,456	£3,193,640
Lancaster	£162,472	£406,180
Leeds	£1,531,192	£3,827,980
Leicester	£681,863	£1,704,658
Lewes	£113,991	£284,978
Lewisham	£1,226,063	£3,065,158
Lichfield	£79,039	£197,598
Lincoln	£139,678	£349,195
Liverpool	£1,751,657	£4,379,143
Luton	£402,467	£1,006,168
Maidstone	£162,344	£405,860
Maldon	£52,594	£131,485
Malvern Hills	£86,737	£216,843
Manchester	£1,874,257	£4,685,643
Mansfield	£170,670	£426,675
Medway	£372,112	£930,280
Melton	£35,202	£88,005
Mendip	£114,330	£285,825
Merthyr Tydfil / Merthyr Tudful	£138,154	£345,385
Merton	£431,539	£1,078,848
Mid Devon	£61,358	£153,395
Mid Suffolk	£57,914	£144,785
Mid Sussex	£103,778	£259,445
Middlesbrough	£504,739	£1,261,848
Midlothian	£156,517	-
Milton Keynes	£430,732	£1,076,830
Mole Valley	£56,935	£142,338
Monmouthshire / Sir Fynwy	£116,197	£290,493
Moray	£223,762	-
Neath Port Talbot / Castell-nedd Port Talbot	£355,637	£889,093
New Forest	£159,517	£398,793
Newark and Sherwood	£131,976	£329,940

Newcastle upon Tyne	£786,300	£1,965,750
Newcastle-under-Lyme	£159,189	£397,973
Newham	£1,214,264	£3,035,660
Newport / Casnewydd	£378,485	£946,213
North Ayrshire	£374,063	-
North Devon	£96,580	£241,450
North Dorset	£63,419	£158,548
North East Derbyshire	£153,521	£383,803
North East Lincolnshire	£271,668	£679,170
North Hertfordshire	£181,385	£453,463
North Kesteven	£99,977	£249,943
North Lanarkshire	£618,509	-
North Lincolnshire	£240,930	£602,325
North Norfolk	£104,892	£262,230
North Somerset	£252,239	£630,598
North Tyneside	£406,414	£1,016,035
North Warwickshire	£55,881	£139,703
North West Leicestershire	£103,678	£259,195
Northampton	£316,083	£790,208
Northumberland	£454,665	£1,136,663
Norwich	£365,380	£913,450
Nottingham	£863,993	£2,159,983
Nuneaton and Bedworth	£185,287	£463,218
Oadby and Wigston	£36,918	£92,295
Oldham	£377,386	£943,465
Orkney Islands	£53,715	-
Oxford	£288,092	£720,230
Pembrokeshire / Sir Benfro	£176,678	£441,695
Pendle	£104,556	£261,390
Perth and Kinross	£380,334	-
Peterborough	£360,957	£902,393
Plymouth	£408,999	£1,022,498
Poole	£178,368	£445,920
Portsmouth	£401,690	£1,004,225
Powys / Powys	£547,160	£1,367,900
Preston	£253,838	£634,595
Purbeck	£42,574	£106,435
Reading	£359,568	£898,920
Redbridge	£788,163	£1,970,408
Redcar and Cleveland	£334,203	£835,508
Redditch	£104,371	£260,928
Reigate and Banstead	£136,684	£341,710
Renfrewshire	£366,294	-
Rhondda, Cynon, Taff / Rhondda, Cynon, Taf	£464,958	£1,162,395
Ribble Valley	£27,729	£69,323
Richmond Upon Thames	£240,821	£602,053
Richmondshire	£103,277	£258,193
Rochdale	£445,327	£1,113,318
Rochford	£66,142	£165,355
Rossendale	£81,505	£203,763
Rother	£113,869	£284,673
Rotherham	£596,939	£1,492,348
Rugby	£103,949	£259,873

Runnymede	£67,817	£169,543
Rushcliffe	£87,979	£219,948
Rushmoor	£125,516	£313,790
Rutland	£23,478	£58,695
Ryedale	£178,650	£446,625
Salford	£697,702	£1,744,255
Sandwell	£862,631	£2,156,578
Scarborough	£178,678	£446,695
Scottish Borders	£483,341	-
Sedgemoor	£136,591	£341,478
Sefton	£600,392	£1,500,980
Selby	£85,563	£213,908
Sevenoaks	£112,420	£281,050
Sheffield	£958,791	£2,396,978
Shepway	£163,284	£408,210
Shetland Islands	£71,151	-
Shropshire	£325,939	£814,848
Slough	£429,112	£1,072,780
Solihull	£229,382	£573,455
South Ayrshire	£214,767	-
South Bucks	£62,494	£156,235
South Cambridgeshire	£113,348	£283,370
South Derbyshire	£73,247	£183,118
South Gloucestershire	£248,655	£621,638
South Hams	£82,115	£205,288
South Holland	£101,037	£252,593
South Kesteven	£162,010	£405,025
South Lakeland	£74,065	£185,163
South Lanarkshire	£534,621	-
South Norfolk	£107,001	£267,503
South Northamptonshire	£60,612	£151,530
South Oxfordshire	£100,814	£252,035
South Ribble	£89,175	£222,938
South Somerset	£174,417	£436,043
South Staffordshire	£89,349	£223,373
South Tyneside	£411,131	£1,027,828
Southampton	£462,774	£1,156,935
Southend-on-Sea	£321,546	£803,865
Southwark	£1,023,157	£2,557,893
Spelthorne	£120,689	£301,723
St Albans	£121,101	£302,753
St Edmundsbury	£107,133	£267,833
St. Helens	£475,929	£1,189,823
Stafford	£111,535	£278,838
Staffordshire Moorlands	£67,337	£168,343
Stevenage	£156,565	£391,413
Stirling	£417,424	-
Stockport	£306,028	£765,070
Stockton-on-Tees	£389,061	£972,653
Stoke-on-Trent	£550,129	£1,375,323
Stratford-on-Avon	£131,137	£327,843
Stroud	£90,077	£225,193
Suffolk Coastal	£100,711	£251,778

Sunderland	£767,134	£1,917,835
Surrey Heath	£59,472	£148,680
Sutton	£294,033	£735,083
Swale	£247,614	£619,035
Swansea / Abertawe	£460,560	£1,151,400
Swindon	£279,467	£698,668
Tameside	£390,995	£977,488
Tamworth	£93,652	£234,130
Tandridge	£67,609	£169,023
Taunton Deane	£117,872	£294,680
Teignbridge	£115,702	£289,255
Telford and Wrekin	£405,451	£1,013,628
Tendring	£277,087	£692,718
Test Valley	£127,431	£318,578
Tewkesbury	£86,795	£216,988
Thanet	£299,187	£747,968
The Vale of Glamorgan / Bro Morgannwg	£187,724	£469,310
Three Rivers	£95,788	£239,470
Thurrock	£292,035	£730,088
Tonbridge and Malling	£140,671	£351,678
Torbay	£256,928	£642,320
Torfaen / Tor-faen	£225,956	£564,890
Torridge	£90,083	£225,208
Tower Hamlets	£1,565,107	£3,912,768
Trafford	£331,683	£829,208
Tunbridge Wells	£135,178	£337,945
Uttlesford	£59,205	£148,013
Vale of White Horse	£117,673	£294,183
Wakefield	£775,577	£1,938,943
Walsall	£687,524	£1,718,810
Waltham Forest	£936,389	£2,340,973
Wandsworth	£1,055,313	£2,638,283
Warrington	£240,414	£601,035
Warwick	£140,259	£350,648
Watford	£143,518	£358,795
Waveney	£168,193	£420,483
Waverley	£99,721	£249,303
Wealden	£101,554	£253,885
Wellingborough	£111,094	£277,735
Welwyn Hatfield	£171,611	£429,028
West Berkshire	£170,542	£426,355
West Devon	£119,305	£298,263
West Dorset	£101,757	£254,393
West Dunbartonshire	£333,888	-
West Lancashire	£163,496	£408,740
West Lindsey	£115,593	£288,983
West Lothian	£344,064	-
West Oxfordshire	£98,550	£246,375
West Somerset	£154,700	£386,750
Westminster	£2,632,460	£6,581,150
Weymouth and Portland	£115,515	£288,788
Wigan	£553,338	£1,383,345
Wiltshire	£505,756	£1,264,390

Winchester	£96,253	£240,633
Windsor and Maidenhead	£127,755	£319,388
Wirral	£736,570	£1,841,425
Woking	£98,604	£246,510
Wokingham	£81,779	£204,448
Wolverhampton	£685,257	£1,713,143
Worcester	£148,985	£372,463
Worthing	£113,806	£284,515
Wrexham / Wreccsam	£226,785	£566,963
Wychavon	£126,637	£316,593
Wycombe	£190,926	£477,315
Wyre	£128,921	£322,303
Wyre Forest	£127,907	£319,768
York	£177,562	£443,905
Total	£125,000,000	

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Benefits

UK benefits cap is lawful but breaches UN children's rights obligations

Supreme court rules that £500-a-week cap is lawful but incompatible with UK obligations under the UN convention on rights of the child



Iain Duncan Smith said: 'I am delighted that the country's highest court has agreed with this government and overwhelming public opinion that the benefit cap is right and fair.' Photograph: Suzanne Plunkett/Reuters

Patrick Butler Social policy editor

Wednesday 18 March 2015 14.08 GMT

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The government's controversial benefit cap risks leaving claimants unable to house, feed or clothe their family, leaving them in clear breach of UK obligations on international children's rights, the supreme court has found.

Although it did not find the cap unlawful, the court found that the effect of the policy was not compatible with the government's obligations under the UN convention on the rights of the child (UNCRC).

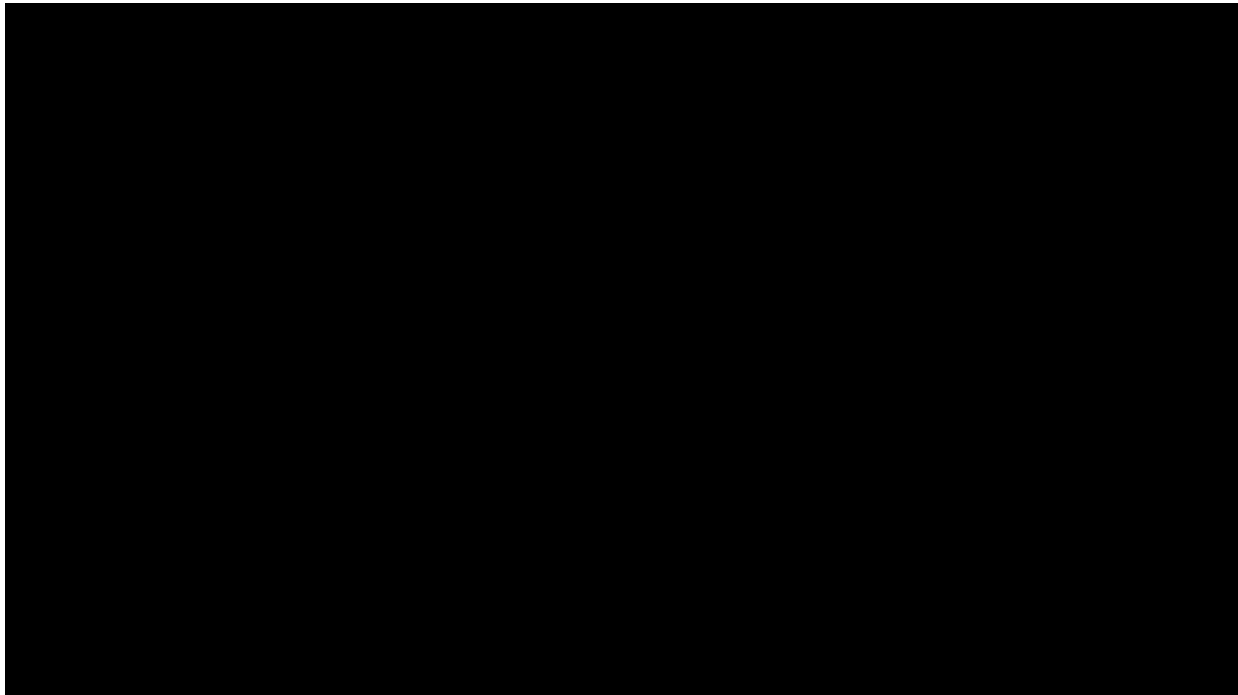
It found the secretary of state for work and pensions, [Iain Duncan Smith](#), had failed to "show how the cap was compatible with his obligation to treat the best interests of children as a primary consideration".

The benefit cap limits the total benefits a family can receive to £500 a week, which is

equivalent to the average earnings of a working household. The cap is applied regardless of the number of children in the family or the level of local rents.

The court had considered a challenge on behalf of two lone mothers who argued that the cap was discriminatory and unfair. Their lawyers argued that the cuts violated human rights laws and had a disproportionate effect on women, especially those seeking to escape violent partners.

One mother, known as SG, was a single mother with six children, the youngest of whom is four. They now live in an overcrowded two-bed flat in east London. After rent, the benefit cap left her and her children with £80 a week to live on.



The supreme court ruling - video

The other mother, NS, had three children and a long history of domestic violence and sexual abuse with her marriage. They now live in a two-bed flat in outer London. After the cap they faced a shortfall of around £50 per week in their rent.

The court ruled by a 3-2 majority verdict that the benefit cap (housing benefit) regulations 2012 were not unlawful. Lord Reed, reading the judgment, ruled the aims of the cap were “legitimate”.

But three of the five judges concluded that the benefit cap was not compatible with article 3(1) of the UN convention on children's rights. Lord Carnwarth said that he hoped the government would address the implications of the ruling when it reviewed the benefit cap.

In a dissenting judgment the deputy president of the supreme court, Lady Hale, said: "The prejudicial effect of the cap is obvious and stark. It breaks the link between benefit and need.

"Claimants affected by the cap will, by definition, not receive the sums of money which the state deems necessary for them adequately to house, feed, clothe and warm themselves and their children."

The work and pensions secretary, Iain Duncan Smith, said: "I am delighted that the country's highest court has agreed with this government and overwhelming public opinion that the benefit cap is right and fair.

Ministers sanctioned over benefit claims | Letters

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"I am proud to say that it is one of the most significant reforms we've implemented over the past five years."

But lawyers acting for the two women called on the secretary of state to commit to amending the benefit cap scheme.

Rebekah Carrier of Hopkin Murray Beskine solicitors, said the secretary of state was wrong to interpret the court's ruling as an endorsement of the fairness of the cap.

"In fact three out of five judges found that the cap breached the UK's obligation under the UNCRC to treat the best interests of children as a primary consideration, and Lord Carnwath, who accepted the cap is lawful, nonetheless called on the government to review the cap."

The UK signed the UN convention on the rights of the child in 1990 and ratified it a year later. The government is committed to ensure its policies comply with it.

Alison Garnham, the chief executive of the Child Poverty Action Group, said: "As three of the judges have said: 'It cannot be in the best interests of the children affected by the cap to deprive them of the means of having adequate food, clothing, warmth and housing'.

"We hope the government will listen to the court and comply with international law on the protection of children."

Hale also criticised the government's justification of the benefit cap on the grounds that it was fair between working families and those on benefits.

"Families in work are already better off than those on benefits and so the cap is not necessary in order to achieve fairness between them; saving money cannot be achieved

by unjustified discrimination.”

She also judged that children should not suffer because of a long-term aspiration on the part of the government to “changing the benefits culture”.

Her judgment said: “The major aim, of incentivising work and changing the benefits culture, has little force in the context of lone parents, whatever the age of their children. Depriving them of the basic means of subsistence cannot be a proportionate means of achieving it.”

Latest official figures show 55,000 households had their benefits capped in the UK in the first 20 months of the policy, and 45% of these were in London. A third of those families affected had five or more children, while 62% were single parents with children.

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joehalewood in Uncategorized ☐ July 6, 2015 ☐ 1,635 Words

The 'disabled' are exempt from the benefit cap? Not even Severe Disablement Allowance exempts

Osborne announces overall benefit cap at £400 per week outside of London.

Severe Disablement Allowance does NOT exempt you from the benefit cap and neither does receiving Incapacity Benefit exempt and neither does Carer's Allowance...

Assuming no related cuts take place such as the speculated 10% further Housing Benefit cut across the board for those of working-age and/or a limitation on Child Tax Credits to the first 2 children then the following all hold.

Follow

Universal Impacts

- **Couple with 2 children** will receive at most **£132.58 pw / £574 pcm** in housing benefit
- **Lone parent with 3 children** will receive at most **£107.30 pw / £464 pcm** in housing benefit
- **A couple with 3 children** will receive **£63.44 pw / £274 pcm** in housing benefit
- **Lone parent with 4 children** will receive **£41.14 pw / £178 pcm** in housing benefit
- **A couple with 4 children** will receive zero in housing benefit

The overall benefit cap reduces housing benefit first and that is how it works. THEN, but only then it reduces other social security benefits.

- The couple with 4 children will have all of their housing benefit removed and lose £1.72 per week in other benefits.
- **The lone parent 5 child** household will lose all housing benefit and then a further £27.01 per week and **the couple with 5 children** will lose all housing benefit and a further £68.87 per week

Housing Benefit as first to be cut

These families will then need to pay the difference between the rent level and the amount they receive as the maximum in housing benefit from other benefit income. Welfare benefit levels are the minimum needed to live on and these levels were set before any notion of an overall cap on total benefit was ever discussed.

In other words, **welfare benefit levels are the minimum needed to live on excluding housing costs** as before the cap housing costs were paid in full, at least in council and housing association housing and additional to other subsistence level welfare benefit.

A 3 bedroom property will have an average social rent outside of London

around £100 per week.

- The couple with 3 children household will need to somehow find £36.56 per week / £158.41 per month and £1900.97 per year to prevent eviction and homelessness and find that from subsistence level welfare benefit.
- The single parent with 4 children in the same 3 bed property will need to find £58.86 per week / £254.86 per month and £3,058.37 per year from subsistence level welfare benefits to prevent homelessness.

It is inevitable given the figures above that tenant households with 3 or more children will be evicted and made homeless even if they live in the cheapest form of rented housing which is council housing.

Currently the often labelled *pernicious* bedroom tax averages £15.05 per week or £65 per month and £783 per year for comparison purposes and those much lower levels of housing benefit reduction is seeing tenants unable to afford and being evicted and homeless.

Who and how many will be affected?

(a) Tenants – The figures above say all social tenants with 3 or more children can be affected outside of London and the South East. All households with 2 children or more in the private rented could be affected as well as all social renting households in London with 2 or more children. After reducing the maximum numbers that could be affected by those who will not be affected such as the pensioner and

...those of working age on DLA and PIP and in ESA support group and a few others such as those in receipt of Armed Forces Compensation Scheme and Widow(ers) Allowance who partly make up the **unable to work category**

A good estimate of who is then liable and likely to be hit will be around 200,000 households containing circa 300,000 adults and 700,000 children and many of these will also come into the **unable to work** category too such as those on ESA and not in the support group and those in receipt of all or any of the benefits below

Benefits that are affected

The cap applies to the total amount that the people in your household get from the following benefits:

- [Bereavement Allowance](#)
- [Carer's Allowance](#)
- [Child Benefit](#)
- [Child Tax Credit](#)
- [Employment and Support Allowance](#) (unless you get the support component)
- [Guardian's Allowance](#)
- [Housing Benefit](#)
- [Incapacity Benefit](#)
- [Income Support](#)
- [Jobseeker's Allowance](#)
- [Maternity Allowance](#)
- [Severe Disablement Allowance](#)
- [Widowed Parent's Allowance](#) (or Widowed Mother's Allowance or Widows Pension you started getting before 9 April 2001)

It will surprise a great deal of people that **if you receive Incapacity Benefit or Carer's Allowance or indeed Severe Disablement Allowance and of working age you are liable for the benefit cap!**

(b) Landlords – will have no choice but to evict given the financial risk these arrears levels of between 2 and 7 times the bedroom tax cuts pose.

(c) Local councils – the real big loser as they will have inescapable mandatory duties towards these families who have been evicted and their costs will be huge and way in excess of any housing benefit saved. As a simple example the couple with 3 children may cost £35 per night or £245 per week to house in temporary homeless accommodation.

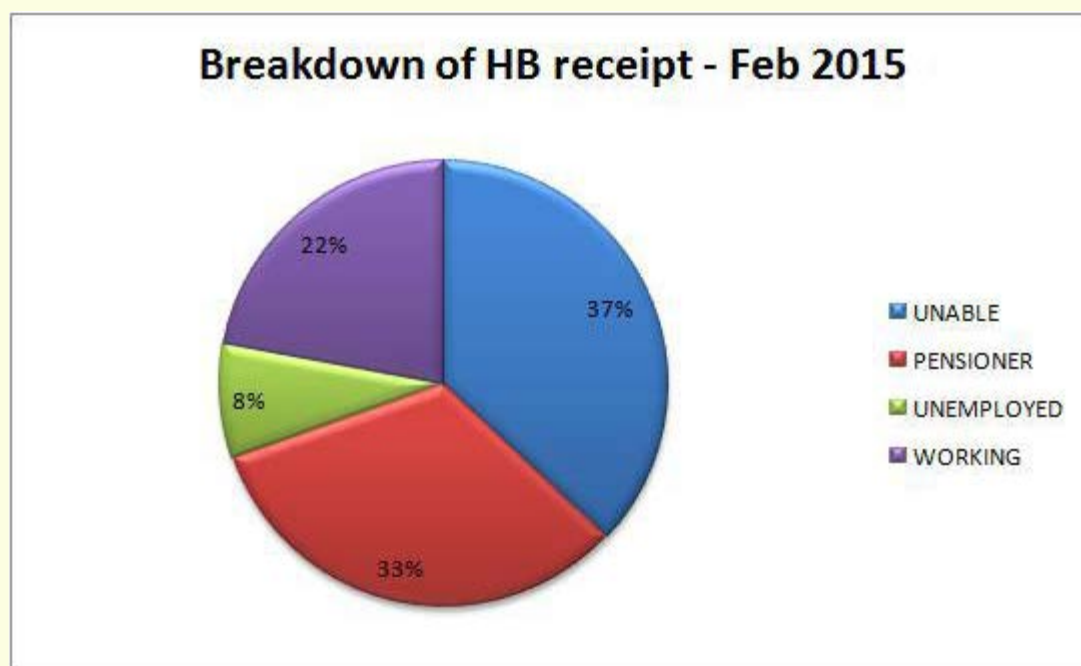
Of that £245 the local council will receive back from central government the £63.44

of housing benefit the family is entitled to and so incur an additional cost of £181 per week or £9,400 per family per year and that is just in accommodation cost. If my home city of Liverpool has 2000 such families then that is an additional £18.8 million per year.

Unable to work?

Above I used this categorisation and the same is used in the English Housing Survey and as you can see it includes many families in receipt of disability welfare benefits yet who are still liable for the overall benefit cap and not exempted from it.

Here is a pie chart representing those who receive housing benefit at the latest official figures from February 2015 and note the unable to work prominence



37% of all Housing Benefit recipients fall into the total *unable to work* category and from complex extrapolations made from the Family Resources Survey and other detailed data that only nerds look at in the real detail needed which is way beyond what the latest in vogue think thank in the IFS have done reveals that at least half of this 37% will NOT be exempted from the overall benefit cap.

Those in receipt of ESA and not in the exempted support group account for over 70% of all ESA recipients for one example. A high percentage of exempted DLA recipients are already exempt as they are pensioners is also largely missed by the all

too cursory 'investigations' made even by think tanks such as the IFS and so the numbers affected will be much higher than most believe.

Many even believe that receipt of any 'disability' benefit makes the household exempt from the benefit cap yet as the DWP themselves state those in receipt of Incapacity Benefit and even Severe Disablement Allowance are NOT exempt from the benefit cap.

Far too many buy into the political rhetoric which sees the Conservatives and even Labour MPs say the disabled are exempt from the benefit cap which is a patent falsehood and a further example of naive, negligent and incompetent thinking from our politicians.

Let's see what Wednesday's budget brings?

I strongly doubt we will see the full detail as the Conservatives are delivering this policy on political rhetoric and not on fact or evidence base – seeking approval to cut the burgeoning "welfare" bill and attempting to convince the public via a complicit media happy to report on think tanks when it suits but not when it doesn't in the hope that the public perceive that savings have been made and made fairly.

A classic example of that in the speculative frenzy we have seen since the election the media have latched onto (alleged) detail provided by the (allegedly) independent IFS think tank...but only when it suits! I leave you with what the IFS have said unambiguously about housing benefit under the Conservatives since 2010 – the period which has seen the benefit cap and the bedroom tax and the LHA and SAR caps; a period which has seen IDS and every other DWP minister say we have cut housing benefit; a period which has seen Cameron say he has cut housing benefit as well as saying the bedroom tax does not apply to the 'disabled' which is also false yet believed; a period in which the BBC, ITV, the leftist and rightist press and even the Labour and other opposition parties say the benefit cap is right and the bedroom tax and benefit cap saves money...and so much more.

Yet in all that time can you remember any media outlet at all reporting that the

housing benefit bill has INCREASED BY A BILLION POUNDS PER YEAR IN SPITE OF THE BENEFIT CAP? No neither can I find such an article in the mainstream TV news or mainstream newspapers that quotes this gem from the dahlings called the IFS: –

Housing benefit

The coalition government made cuts to the generosity of housing benefit totalling about £2 billion per year – though underlying trends (rising private rents relative to earnings and the growth of the private rented sector) meant that real housing benefit spending was still £1 billion higher in 2015–16 than in 2010–11. Given the scale of housing benefit, it is likely to be considered as part of any £12bn package of further cuts. As with the housing benefit cuts made in the previous parliament, further cuts may be accompanied by some additional funding for the protection of particularly vulnerable claimants, which could slightly reduce the net saving.

Bias anyone?



PS While the IFS is correct that the overall housing benefit bill has increased in real terms the reason is not the private rented sector who despite getting 24% more than social landlords receive per housing benefit case have seen their level of HB received fall and been overtaken by housing associations as the biggest recipients in cash terms and percentage terms. The in-work housing benefit paid has also increased from £2.8 billion per year inherited in May 2010 to £5.3 billion per year (both in nominal terms yet still a huge real term increase) at February 2105.

PS1 – Did you know that working-age people receive less as a percentage of UK GDP in welfare benefits today than they did under Thatcher which official DWP figures prove? Probably not as you believe the Conservative statement that the welfare benefit bill is 'burgeoning' and we cannot afford it blah blah blah

PS2 – Does anyone actually give a shit that that is what they are being fed knowingly by the Conservatives....Probably not, ah plus ca change! Pesky facts eh!

2014/15 DWP figures sees the number of claimants as:

Carer’s Allowance 1,151,000

ESA (not in support group) 1,618,560

Incapacity Benefit – 137,000

Severe Disablement Allowance – 166,000

In total 3,072,560 either with a disability or looking after someone with a disability and they are expected to work under the benefit cap else they could be evicted. Osborne & IDS says this is FAIR!

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☐ Get a job and a snip and then maybe, just maybe Lazarus, you can have a house

The Benefit Cap SAVES money?? ☐

27 thoughts on “The ‘disabled’ are exempt from the benefit cap? Not even Severe Disablement Allowance exempts”



samedifference1

July 6, 2015 at 12:53 pm

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Mark Catlin

July 6, 2015 at 1:00 pm

Reblogged this on [markcatlin3695's Blog](#).

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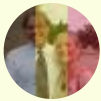


Paul Smyth

July 6, 2015 at 1:14 pm

Reblogged this on [The Greater Fool](#).

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Caroline Egglestone

July 6, 2015 at 1:51 pm

hi Joe I thought child tax credits, dla, and child ben were exempt towards income for welfare cap?

[□ Reply](#)



joeahlewood

July 6, 2015 at 2:07 pm

No. DLA makes you exempt but CB and CTC count towards the cap. The picture is direct from DWP website and says what benefits are counted

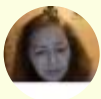
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Caroline Egglestone

July 6, 2015 at 3:18 pm

Thank you



Carole Frost

July 6, 2015 at 1:55 pm

more and more disabled people are being targetted ..just not on..i guess we are not immune from this government..just have to wait on tenderhooks what more damage osborne can throw at us ..i dread the outcome.

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sdbast

July 6, 2015 at 2:49 pm

Reblogged this on [sdbast](#).

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lichtielass

July 6, 2015 at 3:03 pm

Reblogged this on [lichtielass](#) and commented:

Don't I know about this!!!! have had nothing but bother since Jan 2013 and maybe sorted now but my health has suffered big time

On another note I think my case was done like that Coz I lived in Scotland and like the poll tax was first in Scotland I think they have been doing this again before England, but might

b wrong but funny how this has already happened to me over the 2 years I lost roughly £500 a month was taken and just like that no warning struggling making life hard but hey ho that's life but not good 😞

□ Reply



Julie Miles

July 6, 2015 at 3:32 pm

People need to lobby their MP even if it's a conservative. I can't understand where the human rights lawyers are in all this since to leave a person with no money for life's essentials due to council tax, housing costs not covered by housing benefit, reductions in housing allowance isn't going to get anyone a well paid job. Food banks can't supply all food required. How are diabetics and other medically unfit going to control their conditions?

□ Reply



kiddycapfury

July 6, 2015 at 4:18 pm

Rebekah Carrier has challenged the DWP regarding human rights and the benefit cap, losing on a 3:2 judgment:

http://www.hmbsolicitors.co.uk/news/category/item/index.cfm?asset_id=1601

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Alisdair Cameron

July 6, 2015 at 3:42 pm

Reblogged this on [Launchpad: By and for mental health service users](#) and commented: Sobering thoughts indeed:

□ Reply

Jayson Carmichael



July 6, 2015 at 4:38 pm

Fighting bedroom tax in supreme court next yr, if we lose due to cap will make sure solicitor is informed

[□ Reply](#)



argotina1

July 6, 2015 at 5:22 pm

Reblogged this on [Benefit tales](#).

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chantalchaervey

July 6, 2015 at 8:05 pm

Reblogged this on [chantalchaervey](#).

[□ Reply](#)



A6er

July 6, 2015 at 10:43 pm

Reblogged this on [Britain Isn't Eating](#).

[□ Reply](#)



collectivismsucks

July 6, 2015 at 11:04 pm

This site was better without all the JavaScript nonsense. Can't view it without scripts running now. Bah Humbug.

[□ Reply](#)



leonc1963

July 6, 2015 at 11:48 pm

Reblogged this on [Diary of an SAH Stroke Survivor](#).

[□ Reply](#)



Bernadette Cafferty

July 7, 2015 at 12:09 am

i wish we had the strength they have shown in Greece this government is a disgrace and we are letting them do what they want when are we going to say enough is enough

[□ Reply](#)



watermelonbloke

July 7, 2015 at 12:38 am

Reblogged this on [Neo-Feudal News](#).

[□ Reply](#)



watermelonbloke

July 7, 2015 at 12:48 am

This is sadism and open class warfare.

[□ Reply](#)

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Pingback: [Benefit cap will pitch thousands more British children into poverty | Patrick Butler | New Feeds UK](#)



jaypot2012

July 7, 2015 at 2:14 pm

“Shit!”

[□ Reply](#)



jaypot2012

July 7, 2015 at 2:14 pm

Reblogged this on [Jay's Journal](#).

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FalseFabs

July 9, 2015 at 10:25 am

Reblogged this on [falsefabs](#).

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Pingback: [Harman: Labour to defend severely disabled — by asking the Tories nicely! | Political Scrapbook](#)

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Observations

Coping with the cap?

Date: 15 December 2014

Authors: [Carl Emmerson](#) and [Robert Joyce](#)

Publisher: Institute for Fiscal Studies

In 2013 the government introduced a cap on the amount that some working-age families can receive in benefits. Today the Department for Work and Pensions (DWP) [published quantitative analysis](#) of the direct impacts of the cap and of how the affected people might have responded. We peer-reviewed this work and offered advice on the methods used, and in this observation we draw out some of the key findings. (A [previous observation](#) gave an overview of the benefits cap and commented on the potential rationale – or otherwise – for such a policy.)

The cap, which works by reducing housing benefit awards, was set at £500 per week (except for childless single people, for whom it is £350), and those receiving Working Tax Credit and some claiming disability benefits are exempt. These choices mean that the cap does not affect many people and that the overall fiscal consequences are small. About 27,000 families (less than 1% of working-age families receiving housing benefit) were being capped once the policy was fully rolled out in late 2013, with their benefit income reduced by a total of about £100 million per year. Essentially all the families who receive enough benefit income for the cap to be binding have a large number of children or high rents (and often both).

However, the relatively small number of affected families can lose substantial amounts. Half of those capped in November 2013 lost at least £46 per week as a result. Some recipients lost much more than this, so the mean loss among those capped was much higher still, at £70 per week. Given these large impacts on those affected, it is important to understand how they are responding.

Identifying causal impacts of policies on behaviour is rarely easy, but DWP’s analysis allows us to draw some conclusions about the likely effects. The Figure below illustrates perhaps the most striking evidence. It plots the amount of weekly benefit income (before any cap is applied) against the probability of claiming working tax credit (WTC) a year later, for four groups (‘cohorts’) of benefit recipients: those receiving benefits in May of 2010, 2011, 2012 and 2013 (excluding those exempt from the cap, and excluding the single childless who are subject to a different cap

level). The May 2012 cohort is the first that we might expect to see changing its behaviour in light of the cap: from May 2012, claimants who looked like they were set to be affected were sent a letter notifying them of this and were offered support

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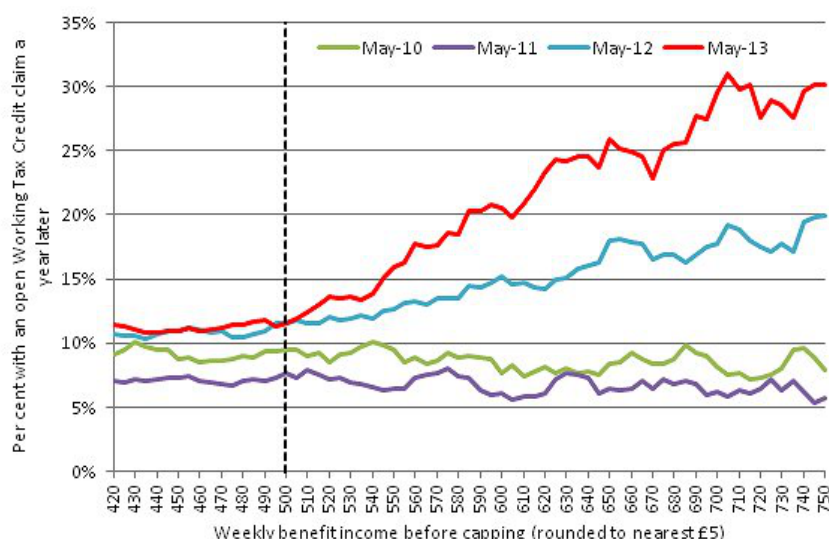
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through Jobcentre Plus. The cap was then rolled out from April 2013.

The May 2012 and 2013 cohorts were more likely to flow onto WTC than the earlier cohorts at all benefit levels shown – including for recipients below the cap level, which suggests that some of this difference is due to a wider recovery in the economy after 2011 rather than the cap. Crucially though, the divergence between cohorts begins to widen at just around the £500 point at which the cap binds. The divergence grows consistently as one moves to the very highest levels of benefit entitlement, i.e. to those who were hit hardest by the cap. (Note that there are very few claimants at these very high levels of entitlement.)

Figure: Movements onto Working Tax Credit after one year by benefit income (before capping)



Notes: £500 benefit cap introduced in 2013. Excludes single adults without dependent children, for whom a lower cap level applies (£350 rather than £500 per week). Figures are four-point moving averages.

Source: Chart 8.2 of DWP report “Benefit Cap: Analysis of outcomes of capped claimants”, [available here](#).

DWP conducted some more formal econometric analysis of the kinds of patterns documented in the Figure. On average, claimants with benefit income exceeding the impending cap level in the May 2012 cohort – who received warning of the cap and support in dealing with it - were 1.5 percentage points more likely to flow onto WTC within a year than their counterparts just below (within £50 per week of) the cap. This is over and above any gap that would be expected simply because of observed differences in the characteristics of these two groups, such as the number of children that they have. The difference grew to 4.7 percentage points for the May 2013 cohort, after implementation of the cap. These differences did not exist for the earlier May 2010 and May 2011 cohorts (indeed prior to the cap those with higher levels of benefit income were slightly less likely subsequently to move onto WTC). This suggests that these differences provide a reasonable sense of the likely effect of the cap on movements onto WTC.

It is worth bearing in mind the caveat that starting a WTC claim is not the same thing as moving into paid work. Some people may move into work but not work enough hours to be entitled to WTC or not take up the WTC to which they become entitled. On the other hand, some might start a WTC claim when they were in work all along, perhaps because claiming this entitlement is a relatively easy way of exempting oneself from the benefit cap. To the extent that additional moves onto WTC are an accurate indicator of moves into work, these estimates suggest that around 2,000

families who were claiming benefits in May 2013 had someone move into paid work twelve months later in response to the cap. (Note: this estimate is for this cohort, rather than an overall estimate of total additional moves to WTC.)

We might also expect some claimants to move house in response, as many affected claimants are above the cap because they have high rents and hence have a large housing benefit claim. There is evidence of this, but (at least so far) only for the small number of claimants who lost particularly large amounts of benefit income as a result of the cap. For those with benefit entitlement at least £200 above the cap level, 14% of the May 2010 cohort moved within the next year; this had risen to 20% for the May 2013 cohort once the cap was in place. For benefit claimants just under the cap level, the proportion moving house within a year stayed constant at 11% for each of the May 2010, 2011, 2012 and 2013 cohorts.

This evidence helps us to learn about the behaviour of a group of benefit claimants who we previously knew little about. At its Autumn conference, the Conservative Party suggested lowering the benefits cap by approximately a further £60 per week (to about £440 per week). On the basis of the analysis published today, it would be reasonable to expect this to result in some of the affected claimants moving into work, but few moving house – the maximum possible loss of benefit income, from this additional hypothetical cut, would be £60 per week, and the current cap seems to have increased house moves only among those who lost substantially more than that.

Nevertheless, there is still much we do not know. There are various other possible responses to this reform, including cutting back on spending, running down savings (or building up debts) or getting help from family or friends. Analysis of benefits data cannot tell us about this (although DWP have also conducted surveys of, and in-depth interviews with, those subject to the cap and these provide some information on other potential responses). What the quantitative analysis does tell us is that the large majority of affected claimants responded neither by moving into work nor by moving house. For this majority, it remains an open question as to how they adjusted to what were, in many cases, very large reductions in their income.

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DWP cuts discretionary housing payments by £40m

30 January 2015 3:42 pm | By Carl Brown

The Department for Work and Pensions (DWP) has slashed funded for an emergency hardship fund by £40m.

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Benefits Second thoughts

Severely disabled people face disaster if the Independent Living Fund ends

Mary O'Hara



Campaigners say closure of the Independent Living Fund will exacerbate 'grave and systematic violation' of disabled people's rights



People with disabilities protest outside the Department of Work and Pensions, London. Photograph: Graham Turner/Guardian

Tuesday 10 March 2015 11.00 GMT

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Stop what you're doing and ask yourself this question: "If you were to have a serious accident that left you with a severe disability, would you want to be shut away, out of sight and out of mind?" This is a scenario no one wants to imagine, but for Linda Burnip, a spokeswoman for the campaign group [Disabled People Against Cuts \(DPAC\)](#), it illustrates what is at stake for people with severe disabilities if last-ditch efforts to save a vital benefit fail in the run-up to the election.

Short of a late surge of widespread public outrage and an inconceivable volte-face on the part of the government, one of the most important protections for disabled people, the Independent Living Fund (ILF), will soon cease to exist in England. Despite vigorous [campaigning](#), [protests](#), [petitions](#) and [legal challenges](#), the ILF will close in June.

Disabled men lose high court bid to stop

This ringfenced pool of money – introduced almost 30 years ago to help around 18,000 of the most

Independent Living Fund closure

[Read more](#)

severely disabled people live independently in their own homes and communities – should never have been a target for government cuts. It is an essential benefit is often used to supplement other support. By paying for full-time home care packages, for example, people can work or participate in the kinds of

everyday activities the rest of us take for granted.

The [culling of the ILF](#) is one of the most regressive, inexplicable and indefensible actions taken under the coalition's austerity programme (and let's face it there's no shortage of competition), adding to a raft of reforms and cuts that have [already disproportionately affected disabled people](#), and in particular those with severe impairments.

As Burnip puts it: "The closure of the ILF in England will exacerbate the grave and systematic violation of disabled people's rights to live independently in the community."

Over the years, the ILF has represented much more than vital financial support as a route to independence for individuals with severe disabilities, including thousands with learning disabilities. It has been a potent symbol of progressive shifts in how society views disability and disabled people. Its loss, as one campaigner told me, "is like 30 years of campaigning and progress have been stripped away in one go". And, just in case anyone out there is assuming Labour would reverse the coalition's decision, think again. Despite pleas from campaigners, [Labour has refused to halt the closure if elected](#).

This month, disability rights activists are stepping up efforts to highlight what the loss of ILF will mean. They will be protesting at Labour's policy launch in Birmingham at the weekend, and are calling on the government to agree to a UN rapporteur visiting the UK to investigate policies that have an impact on disabled people.

Scotland, Northern Ireland and Wales are making their own arrangements to safeguard funds for severely disabled people. The Green party has announced that reinstating the benefit will be one of its top election campaign priorities.

A Green party spokeswoman described its scrapping as "shortsighted [and] yet another onslaught on the rights and benefits of the disabled".

The government has repeatedly denied that the abolition of ILF in England is a cut, saying it is transferring millions of pounds to local authorities "to ensure disabled people get the targeted support they need". But with cash-strapped councils teetering on the brink of financial meltdown and [redrawing the eligibility criteria for disabled people](#) applying for additional support, disability campaigners are right to fear that

there is no guarantee that their needs, other than the most basic, will be met.

Sometimes it is absolutely necessary to defend something on principle. This is one of those occasions. If we stand back and say nothing while something so critical to protecting the dignity and rights of disabled people disappears, we are as much to blame as the government for the consequences.

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Welfare

Disabled payment delay unlawful, judge rules

UK government took ‘unlawful and unacceptably long time’ to pay welfare benefits to two disabled people



Two claimants asked Mrs Justice Patterson to declare that Iain Duncan Smith breached his common law and human rights duties to make payments within a reasonable time. Photograph: Reuters

Patrick Butler Social policy editor

Friday 5 June 2015 19.19 BST

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This article is 1 year old

The work and pensions secretary, [Iain Duncan Smith](#), has suffered legal embarrassment after a judge ruled that delays in the payment of disability benefits, which left two vulnerable claimants isolated, depressed and unable to afford food, were unacceptable and unlawful.

The high court heard that failures by the Department for Work and Pensions (DWP), and its private contractors, Atos and Capita, left the seriously disabled claimants waiting months for the personal independence payment (PIP) support to which they were entitled, causing considerable and unnecessary distress.

Cameron fails to rule out cuts to disability

Their experiences were shared by hundreds of thousands of individuals who had [waited for long periods](#) for their claims to be processed, in some

benefits

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cases for more than a year, because of delays and backlogs to the Pip scheme since its phased introduction two years ago, the court heard.

Mrs Justice Patterson ruled there had been a “breach of duty on the part of the secretary of state to act without unreasonable delay in determination of the claimant’s claims for Pip”.

However, she concluded that there had not been a breach of the claimants’ human rights and that the Pip system had shown “vast improvement” in recent months after the DWP and its contractors devoted huge resources to clearing the backlog.

Pip, which will eventually replace disability living allowance (DLA), is a non-means-tested benefit introduced in 2013 to help with the additional costs of disability or chronic illness. It is not an employment-related benefit. An additional 1.5 million DLA recipients will be assessed for Pip from October.

Anne-Marie Irwin, the specialist public lawyer at Irwin Mitchell who led the cases, said: “This is a significant legal judgment. A huge number of vulnerable people have been left in the lurch as a result of unacceptable flaws in the Pip system.”

She added: “While the decision is undoubtedly welcome and emphasises the clear failings seen with this scheme, attention must now turn to rethinking the planned wider rollout in October until reassurances can be provided that the delays seen in the past are not repeated in the future.”

The minister for disabled people, Justin Tomlinson, said: “The court has rightly dismissed the claimants’ absurd suggestion that their human rights had been breached. As a result they are not entitled to damages.

“We have taken decisive action to speed up Pip waiting times and we are pleased the court has recognised the huge progress made. The average new Pip claimant now waits only seven weeks for an assessment.”

Between April 2013 and the end of March 2015 742,800 new Pip claims were made, of which 130,000 were still outstanding. According to Irwin Mitchell, 12,600 claimants are still waiting after seven months and 3,200 have been waiting for more than a year.

One of the claimants, known as Ms C, was diagnosed with ME in 2009 and forced to give up work three years later. The court heard that the 27-year-old, who lives alone, suffered from severe vertigo, collapses and visual impairment, and rarely left her home. She was reliant on unemployment benefit and spent just £8 a week on food.

Although she made it clear her medical conditions made it difficult to travel, Atos twice told her to go to their office for a face-to-face assessment. On one occasion it threatened to cancel her Pip application if she did not attend. After 13 months' delay, Ms C was assessed as eligible for enhanced rates of Pip and awarded £8,000 in backdated payments.

Devastating impact of cuts on disabled people | Letters from Armando Iannucci, Bianca Jagger and others

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Patterson said in her judgment: "To require [Ms C] to attend a face-to-face assessment on two separate occasions was both inappropriate, causing her considerable distress, and was irrational in her circumstances."

Ms C said after the ruling: "While my 13-month wait came to an end, thousands of people have not had the same luck. It is vital that the government makes sure that everyone affected in the past gets help and also that the system is fit for purpose before it is rolled out further."

Despite ministers promising that the application process for Pip would take just two and a half months, poor planning and over-optimistic assumptions about demand meant the system developed backlogs. A year after its introduction many applicants were waiting more than six months, a state of affairs a parliamentary committee described at the time as "[nothing short of a fiasco](#)".

The DWP has since been forced to hire 800 extra staff to deal with the delays, while Atos and Capita have quadrupled the number of clinicians they employ to carry out assessments, and opened more assessment centres.

Gillian Guy, the chief executive of Citizens Advice, said: "Delays to Pip assessments are unacceptably common. Over two years since [their] introduction they are still not fit for purpose.

"People are turning to local Citizens Advice in their thousands as they are left high and dry without the financial support they need to live with their health condition or disability.

"Pip is a key part of our welfare system. It defies common decency that some disabled people are waiting months on end just to find out if they're entitled to the necessary support."

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George Osborne



£1bn further cuts to social



Cameron fails to rule out

7% of the global welfare spend?
under pressure to slow welfare cuts
care will hit tens of thousands, say experts
cuts to disability benefits

True total would lower Britain’s proportion but not enough to make George Osborne’s claim false
17 Jun 2015

Chancellor urged to accept some ‘loss of face’ to avoid lasting damage to Tories amid warnings his spending plans will force him to slash child tax credits
11 Jun 2015

Council care bosses urge ‘sustained and substantial’ extra funds to help older and disabled people in England
4 Jun 2015

Asked in the Commons if he stood by the commitments he made on disability benefits during the election campaign, the PM declined to comment
3 Jun 2015

Why sorry is the hardest word for the DWP over disability benefit fiasco

Patrick Butler
9 Jun 2015

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2015

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Disability

UN inquiry considers alleged UK disability rights violations

Committee on the Rights of Persons with Disabilities' confidential investigation into effects of coalition's welfare cuts will not publish report until 2017



Linda Burnip of disability rights group Disabled People Against Cuts, which has provided the UN with evidence of the consequences of UK welfare policy changes. Photograph: David Sillitoe for the Guardian

Patrick Butler Social policy editor

Tuesday 20 October 2015 13.50 BST

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This article is 1 year old

The findings of a UN inquiry investigating alleged violations of disabled people's human rights in the UK as a result of welfare reforms will not be published for two years, the Guardian has learned.

The UN launched its confidential investigation at a closed hearing in London on 14 October, at which UN officials took evidence on the effects of welfare cuts from UK campaigners, lawyers and disability service users.

The inquiry by the [UN Committee on the Rights of Persons with Disabilities](#) (CRPD) marks the first time a country has been investigated by the committee over human rights breaches.

Disabled people's

The investigation is asking witnesses for testimony

rights threatened by government cuts, campaigners warn

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and evidence on the how welfare changes and cuts introduced under the coalition government have affected the right of disabled people to live independently.

The Guardian understands the hearing in London included a series of emotional and often distressing accounts from people who had experienced the welfare changes first hand, or seen the impact on family members.

The UN has insisted on conducting the inquiry in private, with witnesses asked to sign an agreement preventing them from speaking about the meeting, or identifying who gave evidence. It said confidentiality is necessary to secure the co-operation of the host country and to protect witnesses.

The UN told the Guardian evidence submitted to the inquiry, its subsequent report to the UK government and the government's response will not be published until the CRPD meets to discuss the inquiry in Geneva in 2017.

Although the UK government has to accept the findings of the final UN report, there is no legal obligation for it to act on it.

Campaigners have welcomed the inquiry, pointing out that an investigation is only triggered if the CRPD considers the submission of "reliable information indicating grave and systematic violation" of disabled people's rights is strong enough to warrant further scrutiny.

The process was initiated in May 2012 by grassroots campaign group [Disabled People Against Cuts](#) (Dpac) under article 6 of the optional protocol within the UN convention on the rights of persons with disabilities (UNCRPD).

Dpac submitted to the UN scores of documents and testimonies detailing the impact on disabled people of a range of policies, including the work capability assessment "fit for work" tests, the bedroom tax, benefit sanctions, [personal independence payments](#) and the [abolition of the Independent Living Fund](#).

Dpac co-founder [Linda Burnip](#) told the Guardian: "As this is the first time any country has been investigated by the UN using the optional protocol in the UNCRPD, it is a historic and momentous event that would make most politicians recoil in shame. Whether or not it will have this effect on the Tories we will have to wait and see."

The Department for Work and Pensions said: "We strongly reject the allegations made by Dpac. The UK has a proud record of furthering the rights of disabled people, with the

principles of the UN convention at the heart of our approach.

“We are committed to supporting disabled people in society and spend around £50bn every year on disabled people and their services. We are happy to inform the inquiry of this.”

The disability activist who called in the UN

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It is believed UK ministers contested Dpac’s evidence in private correspondence with the UN over the past two years but failed to persuade the committee not to launch an investigation. The government, which is expected to give evidence to the inquiry, finally gave formal approval for the UN visit in the summer.

After the committee members have studied the evidence its findings will be put to the UK government. Ministers will then have six months to respond. The UN will consult with Dpac and again with the UK government before finalising its report.

According to the [Disability News Service](#), UN investigation team’s two-week inquiry is holding hearings in Manchester, Bristol, Scotland, Northern Ireland and Wales.

Signatories to the convention agree to “protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity”.

The government has previously [criticised a UN investigation](#) into UK housing. In February 2014 special investigator on housing [Raquel Rolnik advocated the abolition of the bedroom tax](#). The housing minister at the time, [Kris Hopkins, criticised her report as a “misleading Marxist diatribe”](#).

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Convention on the Rights of Persons with Disabilities (CRPD)



Convention

- Ratifications/Accessions: 168
- Signatories*: 160

Optional Protocol

- Ratifications/Accessions: 92
- Signatories*: 92

(* Signatories include countries or regional integration organizations that have signed the Convention and its Optional Protocol)

- [Infographic on the CRPD and the COSP](#) (prepared October 2016: [Word](#), [PDF](#))
- [Status of Ratifications to the CRPD](#) (prepared May 2016) ([JPG](#), [PDF](#)) (also available at the [UN Enable Facebook page](#))
- [Support UNiversal ratification of the CRPD](#)
- [The Convention in Brief](#)
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The CRPD

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The Convention on the Rights of Persons with Disabilities and its Optional Protocol ([A/RES/61/106](#)) was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. There were 82 signatories to the Convention, 44 signatories to the Optional Protocol, and 1 ratification of the Convention. This is the highest number of signatories in history to a UN Convention on its opening day. It is the first comprehensive human rights treaty of the 21st century and is the first human rights convention to be open for signature by regional integration organizations. The Convention entered into force on 3 May 2008.

The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. It takes to a new height the movement from viewing persons with disabilities as “objects” of charity, medical treatment and social protection towards viewing persons with disabilities as “subjects” with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.

The Convention is intended as a human rights instrument with an explicit, social development dimension. It adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms. It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced.

The Convention was negotiated during eight sessions of an Ad Hoc Committee of the General Assembly from 2002 to 2006, making it the fastest negotiated human rights treaty.

Read the complete text of the Convention on the Rights of Persons with Disabilities:

- Convention: English [[HTML](#)] – Optional Protocol: English [[HTML](#)]
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- Convention and Optional Protocol: Français [[Print PDF](#)] [[Word](#)]
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- Convention and Optional Protocol: 中文 [[Print PDF](#)] [[Word](#)]

Other translations *

- ALBANIA – Albanian [[PDF](#)]
- ARUBA – Papiamentu [[PDF](#)]
- BRAZIL – Convention Portuguese [[MS Word](#)] and [Optional Protocol Portuguese](#) [[MS Word](#)]
- BANGLADESH – Bangla [[PDF](#)]
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Sign Language*

- [Accessible PDF](#)
- World Federation of the Deaf: [International Sign Language videos](#)
- World Federation of the Deaf: [National Sign Languages](#)
- New Zealand Office for Disability Issues: [Sign language videos](#) and [Audio version](#)
- Canadian Association of the Deaf: [American Sign Language](#)
- Australian Department of Social Services: [Australian Sign Language videos](#)
- Institute of Educational Policy Greece: [CRPD in in all accessible formats](#)
- [Serbian Sign Language version](#) (Summary)

Easy read versions*

- [It's about Ability!](#) An explanation of the Convention on the Rights of Persons with Disabilities (UNICEF)
- [Easy-read version of the CRPD – Dutch](#)
- [Easy-read version of the CRPD – English](#)
- ~~[Easy-read version of the CRPD – Finnish](#)~~
- [Easy-Read version of the CRPD – Hungarian](#)
- [Easy-read version of the CRPD – Portuguese](#)
- [A human rights handbook for people with developmental disabilities](#)
- [We are ABLE!](#) (Singapore)
- Institute of Educational Policy Greece: [CRPD in in all accessible formats](#)

Other related publications

[CRPD Training Guide](#) – PDF (OHCHR, 2014)

- [CRPD Training Guide – PDF](#) (OHCHR, 2014)
- [Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities](#)
- [The Convention on the Rights of Persons with Disabilities: A Training Guide \(Website\)](#) ([PDF](#)). Professional Training Series No. 19 (OHCHR, 2014)

- [Monitoring the Convention on the Rights of Persons with Disabilities: Guidance for human rights monitors](#). Professional Training Series No. 17 (OHCHR, 2010)

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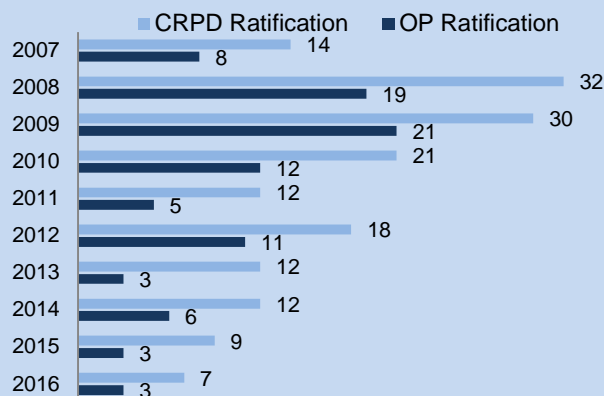
United Nations Convention on the Rights of Persons with Disabilities (CRPD)

The Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol (OP) were adopted on 13 December 2006, as the first comprehensive human rights treaty of the 21st century. It entered into force on 3 May 2008. **2016 marks the 10-year anniversary of the CRPD.**

Ratifications to the CRPD and OP by Year

87% UN Members States have ratified the CRPD (168)

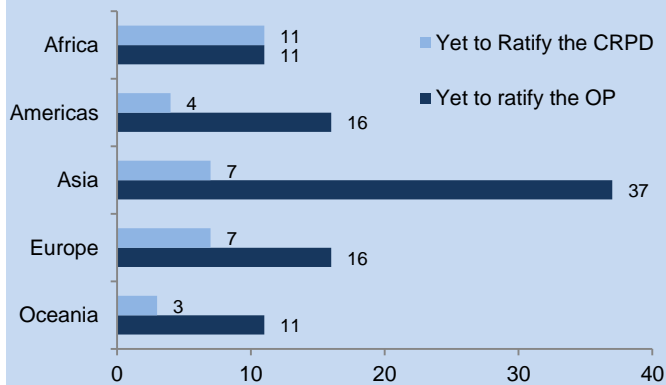
47% UN Member States have ratified the OP (91)



Member States yet to ratify the CRPD and OP

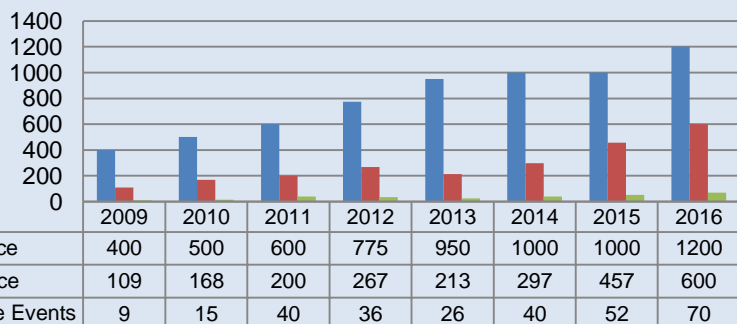
26 UN Members States have yet to ratify the CRPD

98 UN Members States have yet to ratify the OP



The Conference of State Parties (COSP) to the CRPD

The COSP is the largest and most diverse international disability meeting in the world. It provides a launching pad to advance the human rights and inclusion of persons with disabilities in society and development. The annual Conference sees participation from Government delegations, UN Agencies, Civil Society and non-governmental organisations, National Human Rights Institutes, and Disabled Persons Organisations, and has grown in recent years.



Articles of the CRPD

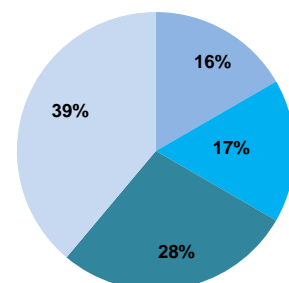
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Full Convention available for download at www.un.org/disabilities

The Committee of the CRPD

The Committee of the CRPD is the body of independent experts which monitors implementation of the Convention by States Parties. There are 18 members of the Committee. Currently, they represent the following regions:

- Africa
- Americas
- Asia
- Europe



As of 11 May 2016

