

Social Market Foundation – Making Sense of Sanctions

Call for evidence – response by WinVisible (women with visible and invisible disabilities)

This is an updated version of our [submission](#) to the Parliamentary Public Accounts Committee benefit sanctions inquiry which published its [report](#) in February 2017.

WinVisible (women with visible and invisible disabilities) is a grassroots multi-racial organisation with a UK-wide network: enabling women to have a voice, and providing self-help information, advocacy, campaigning and other activities. We highlight that, in an inaccessible society, coping with disability and ill-health is hard unwaged work. As a claimant-led group we provide benefit rights information and peer support, do policy work, press for entitlements and oppose benefit cuts, sanctions and care charges taken from benefits. We opposed the Work Capability Assessment and approach of Employment and Support Allowance since 2006, campaigning with other disabled people, women and anti-poverty groups, bereaved relatives and others. We help women, including traumatised refugee women, to win paper-based assessment and exemption from the face-to-face exam. We focus on the impact of Employment and Support Allowance on women and children: women with severe illnesses and disabilities, and mothers found fit for work by reason of caring for children. We support a living wage for mothers and other carers, and are part of the Support Not Separation coalition to stop children being taken into care from mothers with disabilities because mothers are denied the financial and other support they are entitled to.

We were among the organisations and individuals who gave evidence to the UN Committee on the Rights of Persons with Disabilities for the UN Inquiry into grave and systematic violations of the rights of persons with disabilities in the UK (2015).

We worked with Gill Thompson whose petition: “*Hold an inquiry into benefit sanctions that killed my brother*”, gained 211,268 signatures, leading to the Work and Pensions Committee [report and recommendations](#) on benefit sanctions policy (2015). Her brother David Clapson was diabetic and died aged 59 in 2013 in during a sanction (stop) of his Jobseekers Allowance. Mrs Thompson called for an inquest and inquiry, as his death was ascribed to “natural causes”. WinVisible encouraged her to seek legal advice and found her representation. Her legal action highlighted that the DWP was aware that Mr Clapson was diabetic, and the [inadequacy of the DWP guidelines](#) concerning diabetic claimants. However, the judge upheld the coroner’s refusal to hold an inquest, which is the first stage towards an inquiry.

The Labour leader Jeremy Corbyn raised the death of Mr Clapson during Prime Minister’s Questions, saying: “It is time that we ended this institutionalised barbarity against often very vulnerable people.” (2 November 2016) This was backed up by a pledge in the 2017 Labour Party [manifesto](#) to “**Scrap the punitive sanctions regime**” along with other profound pro-welfare changes.

Summary

- Benefit sanctions and threat of sanction are brutal, have killed people and must be ended.

- [Research](#) found that more than 900,000 disabled claimants of JSA have been sanctioned since the change of government in May 2010, and that disabled JSA claimants are more likely than non-disabled claimants to be sanctioned.
- Women, mothers and children, and families of colour, are the hardest hit by benefit cuts including the increase in sanctions, and the thrust of benefits being “back-to-work” or “preparation for work” instead of support. It is particularly cruel to sanction, or impose conditions that include the threat to sanction: sick and disabled people, mothers and children where the mother is on Jobseekers Allowance (JSA), mothers of children under five, and full-time carers on Income Support.
- Asylum seekers were the first to be made destitute as a deliberate policy, which has now become mainstream. Now, nearly a quarter of JSA claimants suffer sanction.
- Sick and disabled women on Employment and Support Allowance (ESA) are being sanctioned through “failure to attend” the ESA exam because their ill-health is not accepted as good cause for not attending. Sick and disabled women have been left destitute, without proper food, and death hastened as in the case of Moira Drury.

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Submission

1. **Benefit sanctions** and the threat of sanctions are brutal, have killed people and must be ended.
2. **£132 million withheld from claimants.** The National Audit Office [states](#) that the DWP: “does not track the costs and benefits of sanctions, but estimates that it spends £30-50 million a year applying sanctions, and around £200 million monitoring the conditions it sets for claimants. The NAO estimates the Department withheld £132 million from claimants due to sanctions in 2015, and paid them £35 million in hardship payments. The overall impact of sanctions on wider public spending is unknown.” It is not clear whether this figure includes ESA and Income Support sanctions.
3. A [2016 report](#) by the UN Committee on Economic, Social and Cultural Rights said cuts made to the welfare state since 2010 had damaged people’s right to an adequate standard of living and called on the government to review its policies. The committee said it was seriously concerned about the “disproportionate adverse impact” austerity measures were having on disadvantaged and marginalised groups.
4. Women are hardest hit by welfare reforms, especially disabled and older women, single mothers, and women and families of colour. Women are the target of 85% of the cuts to benefits and tax help by 2020, according to the [Women's Budget Group](#). All benefit cuts and sanctions increase the conditions for violence against women and children to happen.
5. It is particularly cruel to sanction, or impose conditions that include threat to sanction, sick and disabled people, mothers and children where the mother is on Jobseekers Allowance, mothers of children under five, and full-time carers on Income Support who are made to attend work-focussed interviews or risk losing

benefit, despite the obvious obstacles to attending. Women and children, including terminally-ill, sick, disabled and older women in their 60s whose health has been destroyed by a lifetime of work, suffer the consequence of “a single gateway for all claimants” of working age, where the thrust of benefits is “back-to-work” or “preparation for work” instead of support, and recognition of unwaged caring work.

6. Those of us seeking asylum, excluded from the benefit system and also denied the right to work, were the first to suffer destitution as a government policy. This is now widely applied to claimants, and usual practice. Lillian Oluk, 36, and her two-year-old daughter Lynne Mutumba were [found dead](#) in March 2016 of starvation and dehydration in their one-bedroom flat in Gillingham, Kent, after the Home Office told Ms Oluk she could no longer stay in Britain, so Medway Council Social Services stopped their food vouchers.
7. A single mother had completed several jobseeking tasks, except for a minor one, such as looking in a newspaper. For this trivial reason, her JSA was stopped. Because she was no longer receiving JSA, her Housing Benefit was stopped, causing untold stress and threatening the children with homelessness!
8. Ken Loach’s excellent film, “*I, Daniel Blake*”, is scripted from real-life experiences and publicises what we know to be true. Katie played by Hayley Squires, starves to feed her children (like 1:4 low-income mothers) after her benefit is stopped for missing a Jobcentre appointment; she then goes into prostitution so they can survive. The English Collective of Prostitutes [highlights](#) that benefit sanctions, the benefit cap and other cuts have disproportionately affected women and have been identified specifically as the reason for the big increase in prostitution in some areas: ‘[Doncaster](#) reports a 60 per cent increase with charities saying: “Women are being forced to sell sex for £5 because of benefit sanctions.” [Sheffield](#) reports a 166% increase (2014) while charity workers in [Hull](#) report: “ . . . women who are literally starving and they are out there to feed themselves.”
9. **Income Support sanctions against mothers and other carers.** Mothers of children under five, and carers providing a minimum of 35 hours a week unwaged care (for sick and disabled adults, disabled children or pensioners), are threatened with a [cut to their benefit](#) if they do not attend work-focussed interviews. This is scandalous and an attack on the crucial unwaged work of bringing up children and caring for people. Unwaged caring work for sick and disabled people saves the government at least £132 billion per year. A joint lobby of Parliamentarians in 2009 which we were involved in, secured some protection, exempting mothers of infants and babies under one, who until then were expected to attend “work-focussed” activities. However, no exemption from work-focussed interviews for carers was agreed by either the 2009 or 2010 governments. And now Universal Credit abolishes Income Support, imposing even harsher conditions and sanctions.
10. **Carers must prove “good cause”** to change or postpone a [work-focussed interview](#), and are at risk of losing benefit if “good cause” is not accepted.
11. **Sanctions through “failure to attend”.** Sick and disabled women on ESA are being sanctioned through ill-health not being accepted as good cause for “failure to

attend” the ESA exam. Sick and disabled women have been left destitute, without proper food, and their death hastened, as in the tragic case of Moira Drury.

12. [Moira Drury](#) survived a horrific hammer attack by her partner, which left her with permanent disabilities. Years later, she applied for ESA for multiple health problems. Too ill to attend the re-test, her reasons for not attending were dismissed and she was cut off. She died months later of cancer aged 61 still without income. See the interview with her daughter Nichole Drury (link above).
13. Ms E, who has multiple severe conditions including breathing problems from COPD, was cut off for being 10 minutes late for an ESA exam. Until we complained to the DWP, [her ill-health was not accepted as good cause](#), even though she had previously been in the Support Group of ESA and the severity of her ill-health was known. She had attended the assessment centre twice previously without being seen. On one occasion, she was rung by Maximus while on her way, and was told to go home as they didn't have enough doctors. Another time, people were having to wait hours in overcrowded conditions, facilities were inadequate, she was unable to sit or stand for that long and therefore she asked for the appointment to be rearranged. On the day in question, she overslept as she has trouble sleeping. She was unable to run for the bus due to her breathing problems, and had to wait ten minutes for the next one. She called the assessment centre and told them she would be 10 minutes late. They said that was too late and she would have to fill in a BF223 form to explain why she missed the appointment. A welfare rights service helped her to fill in the form. According to regulations, state of health at the time and nature of any disability should be taken into account, which Ms E clearly described on the form. But the stop was upheld by the DWP: *“You have not provided evidence that you were prevented from [attending the exam].”* This caused her to become suicidal. She lost weight and suffered deterioration in physical health due to lack of proper food and her only income Disability Living Allowance of £21.80 per week -- £3.26 per day. She did not claim JSA meanwhile as she was unable to take on jobseeking. Hardship payments are not available over “failure to attend”. Due to stop of Housing Benefit tied to ESA, she went into rent arrears and was terrified of eviction. Camden Council ignored her request for nil income Housing Benefit payments. With our help, her benefits were restored.
14. **Benefit cut-offs due to lack of access – disability discrimination.** Disabled people have been cut off benefit due to letters not being accessible. Rob Powell, who told the DWP he is blind, [suffered repeated cut-offs](#) after being sent print letters, and had to turn to payday loans to survive. Claimants who are unable to read and understand letters, including visually impaired people, people with learning disabilities and dyslexia are [easy targets for fulfilling benefit sanction quotas](#). People whose first language is not English are also cut off for not complying when they did not know exactly what they were being asked.
15. **Massive [increase in ESA sanctions](#).** In the first three months of 2014, there were 15,955 sanctions on ESA claimants, compared with 3,574 in the same period in 2013.

16. **Deaths as a result of ESA sanctions.** [Figures](#) which the government has been pressured to make public, include the statistic that between December 2011 and February 2014, 7,200 sick and disabled people died after being placed in the ESA work-related activity group (WRAG). The threat of benefit sanction if they did not attend interviews and back-to-work activities, will have caused untold stress and forced many people to undertake journeys and activities which they could not physically manage, so must have contributed to many deaths of people who should never have been put under work conditions for benefit.
17. From April 2017, new claimants of ESA in the Work-Related Activity Group (WRAG) were no longer eligible to receive the additional component, only the personal allowance. At the same time, **ESA WRAG claimants** are under threat of sanction if they do not attend or keep to compulsory preparation for work. According to latest figures, the [mortality rate](#) of ESA WRAG claimants appears to be increasing.
18. **Universal Credit.** Department for Work and Pensions (DWP) figures [show](#) that 1,108 claimants of Universal Credit were being sanctioned in February 2018, even though they had been moved into the “working enough” or “no work-related requirement” group. The “no work-related requirement” is for sick and disabled people who are considered to be unable to do any type of work or preparation for work.
19. From claimants attending Ashton Jobcentre, in her blog *The Poor Side of Life*, Charlotte Hughes [documents](#) a woman sanctioned for a year for volunteering with a charity (that is, not jobseeking enough hours) and a man who works 25 hours a week who is frightened of being sanctioned for not working full-time.
20. Elaine Morrall, a single mother of four who struggled with anorexia, [died](#) in freezing conditions at home in November 2017. According to her mother Linda: “No income but expected to be able to pay full rent. Was told being in intensive care was not sufficient reason for failing to attend a universal credit interview. I went to the job centre to inform them that she couldn’t attend. But benefits stopped again.”
21. **An attack on dignity.** The sanctions regime forces people to grovel for benefits which they and their children need and are entitled to. Sanctions and the threat of sanction bring a terrifying insecurity where you can lose even the roof over your and your children’s head, driving people to feel suicidal. Benefits were established to guarantee people not only the right to life but the right to live with dignity, which has been taken away as everyone is treated as a scrounger.

Ms E wrote on her good cause form: “I am very sorry re: missing the appointment. I did phone up and explained. . . I apologise sincerely.” But she had compelling medical reasons which were clearly stated. She commented about the humiliation of being treated like a naughty child: “You wouldn’t treat a dog like that, would you? You wouldn’t take it out into the street and leave it there, with nothing to eat, and say, ‘go on then’. It’s madness. I feel like I’m back at school – they say, ‘sorry, you’re late’, that’s that, then.”

22. **Shortage of advice and help services.** Cuts to local services have deprived people of places to turn for help with challenging sanctions. Services that are open are overstretched. People are not getting the in-depth help they need.
23. We have benefits rights information on our [website](#), with a section on challenging sanctions, giving people information on what they can do, including applying for hardship payments.

14 September 2018

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