Stories From The Benefits Front Line

Battling For Fairness and Dignity
The Poverty Truth Commission (PTC), in Scotland, brings together some of Scotland’s key decision makers with those living at the sharp end of poverty. We work to overcome poverty in Scotland, ensuring that those affected by decisions are central to decision making.

The Commission believes poverty will only truly be addressed when those who experience it first-hand are at the heart of the process.

During the 4th round of the Commission our working group on Benefits Cuts and Assessment Processes looked at some of the stories behind the statistics.
Our working group sought to expose the way recent welfare reforms have affected two groups in particular: women affected by the two child policy and children with disabilities who are entering adulthood. We found that the system is effectively castigating women who are on low incomes and pregnant with their third or subsequent child by threatening them with crippling poverty if they continue with their pregnancies. This is condemning whole families to poverty and hardship and forcing many women into making impossible decisions. Our report also highlights the extent to which the two child clause fails to capture the complexities of rape victims’ lives and compels women, who have had pregnancy forced upon them, to relive their harrowing ordeal several times in order to qualify for government money.

With regards to children with disabilities, we found that they and their parents/carers are being subjected to a soul-destroying bureaucratic gauntlet upon entering adulthood. This includes prolonged phone calls involving being put on hold and having to duplicate information for several different faceless strangers (and paying for the privilege); unnecessarily long, repetitive application forms; pointless 13-week assessment periods with inadequate backdating of payments; an interrogatory, suspicious approach adopted by DWP doctors at interviews and tribunals; long journeys to Jobcentres, especially given recent closures; avoidable errors made by poorly trained staff; evidence-gathering when all the evidence is already in the hands of the DWP, placing extra burdens on healthcare professionals and social work. This is even more of a nightmare for people with communication barriers.

The general feeling expressed by victims of government cuts to benefits is that they are discriminatory, prejudiced and contain no compassion or understanding for the multidimensional nature of disability and illness. Nor do they respect having children as a natural human right which should not depend on income, especially not in an economic environment in which comfortable incomes are so difficult to attain. This report uses powerful personal testimonies to show how any humanity once contained in the benefit system has been hollowed out and replaced with a regressive cynicism which is eroding people’s dignity and crushing their spirit. This is the disturbing truth of poverty caused by the recent welfare reforms.

Jackie
(PTC commissioner, on behalf of the cuts and assessments working group)
A Britain that is 

**Failing on Fairness**

The Commission recognises that the current benefits policy does not exist in isolation and has to be understood within the context of extensive reductions in support, as a result of cuts which have been ongoing since 2013.

Comparing the benefit system as currently legislated\(^1\) with the 2013/14 system when Universal Credit commenced, it is apparent that Families With Children will lose more than any other group.

Analysis shows that as a result of the cuts, on average\(^2\)

- **Couples with children** will be £960/year worse off.
- **One parent families** will be £2380/year worse off.
- **Families with one child** will be £930/year worse off.
- **Families with two children** will be £1100/year worse off.
- **Families with three children** will be £2540/year worse off.
- **Working-age couples without children** will be £160/year worse off.
- **Single working-age people without children** will be £220/year worse off.
- **Pensioner couples** will be £40/year worse off.
- **Single pensioners** will be £40/year worse off.

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**The Two Child Policy**

The introduction of the cuts to Child Tax Credits (CTC) since April 2017, including the two child limit, has been of particular concern to members of the working group.

- **200,000**
  Children will be pulled into poverty by the two child limit

The Commission heard personal testimony as to the negative impact of the policy on individuals and families, which we reproduce here with permission.

- **71,000**
  Families have lost their entitlement to child allowances in tax credits or universal credit in the first year of the policy
  (Source: DWP, June 2018)

- **190**
  Women have been forced to disclose that their child was the result of a “non-consensual conception”
  (Source: DWP, June 2018)

- **41,900**
  Of the 71000 families affected by the two child limit in the first year of the policy are classified as in work i.e. 59%
  (Source: DWP, June 2018)

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\(^1\) Incorporating Universal Credit and Child Benefit \(^2\) Source: CPAG Broken Promises report 2017

Statistics courtesy of the Child Poverty Action Group
A parent interviewed by Child Poverty Action Group (CPAG) thought that she would be exempt from the two child limit because her first child was conceived without consent, when she was a teenager. She currently has two children but would like to start a family with her new partner. She will not receive additional money for any new baby because exemptions to the two child clause only apply to third and subsequent children who are declared to having been conceived without consent and not to first and second children, limiting the number of children a mother may plan to have following the birth of a child conceived without consent.

Capping Family Life

Angela’s Story

“The poor and innocent should not be the first people penalised.”

“The Benefit Cuts did not affect me until I had my fourth child. Of course we would be much better off without these cuts to an already tight budget. It causes stress and you have to be very careful with budget and spending. It makes treating your family a thing that you need to save up and sacrifice for. I don’t know where we should go from here, but the poor and innocents should not be the first people penalised with these immoral cuts.

I didn’t realise how much we were missing out on until a friend told me. There is a lot we could do with the money and we would be a lot better off. Right now I would need to plan and save for a night out well in advance. I can’t afford a car or even lessons. I need to sacrifice something I need so I can do something, go somewhere or get treats. It’s a juggling act.

PTC Recommendation

The Immediate Abolition of the Entire Two Child Policy For Child Tax Credits and Universal Credit
Disability Benefits and the Assessment Process

As well as hearing evidence around the impact of the two child policy the working group gave a voice to the concerns and ideas of parents and carers of young people in receipt of disability benefit who find the assessment process to be very demeaning, degrading, inaccurate and unfair.

Gail and Colin’s Story

Colin has a dual diagnosis of learning disability and autism. His mother and carer Gail reflects on the transition from child to adult benefits and services.

“The Personal Independance Payments (PIP) application form at 48 pages is far too long and repetitive. They seem to be trying to catch you out by asking the same things in slightly different ways.

If you sound articulate and managing, when in fact you are not really coping and are instead developing a stress related problem... you hear comments from assessors such as, ‘we didn't think someone like you would be having a problem.’

The Work Capability Assessment was far too stressful and upsetting for Colin to have to cope with, it was not a dignified or fair process for Colin to have to go through given his disabilities.”

Barbara and James’s Story

“I thought carefully about when I should start the Employment and Support Allowance (ESA) process for my disabled son James who has and always will require 1 to 1 care, when he was transitioning from school to adult services. The ESA Application is a minefield. As soon as you make an application for it, your Child Tax Credits and Child Benefit stop.

Previously I had to give up full-time employment to care for my son: I had managed a very high pressured, well paid job and dealt with stressful situations on a daily basis. I have thus far, or at least until James’s transition from child services to adult benefits successfully navigated my way through many situations relating to his care and benefits. I have never come up against anything as complicated, frustrating and stressful as I have with the whole ESA process. My mental health suffered. I really didn’t need this on top of caring for my son. I am extremely concerned for adults and parents of adults less able to successfully apply for and understand these benefits.

In my opinion the 13 week assessment period is nothing but a saving for the government. It’s a huge loss of money, but some people working for the DWP would say to me ‘it’s only one week that you’re owed.’

The whole system seems disjointed. What hope have you got. There are a few members of staff who have a good level of understanding, but that’s not enough.”

“Honesty punished and a culture of disbelief”
Amy and Janice’s Story

Amy is 20 and has had ME for 7 years now. It causes her great pain and fatigue as well as cognitive impairment. The illness previously kept her almost completely bedbound and extremely isolated. She also suffers from anxiety and ‘complex trauma’. The last 3 years had been a time of gradual recovery and Amy had returned to education, albeit on a part-time basis.

At an Appeal Tribunal, Amy showed great bravery and resilience in achieving the overturning of the PIP Assessor’s original decision to score her only 4 points for ‘Daily Living’. The original decision had impacted negatively on family income as it had the effect of rescinding Amy’s entitlement to PIP. As a result of the Appeal, Amy’s Daily Living score was increased to 8 points. However, despite her evidence at the Appeal, Amy was still assessed as having no need for ‘Help to Plan a Journey’. The PTC is entitled that Amy and Janice (her mother and carer) have given us permission to share their own story in their own words here.

Janice said “Amy improved steadily (in 2016) in several ways. In November I wrote to the DWP to tell them this. She was reassessed by ATOS in May 2017. The ATOS interviewer didn’t seem to believe Amy’s account of the reality of her life. The interviewer suggested that Amy could make more of an effort at home, and Amy replied that if she did more at home, she wouldn’t have the energy to attend college. Amy explained that she suffers from anxiety…Nevertheless, the assessor scored Amy 4 points for Daily Living, 4 for limited mobility but zero for needing help planning a journey. We felt that she was entitled to the standard rate for Daily Living, and we also knew that she could not plan a journey by herself yet. (Nevertheless)…we were denied Mandatory Reconsideration.”

On the day of the Appeal tribunal, no one appeared from the DWP. Janice and Amy describe an experience of undergoing a “grilling for the next hour and 15 minutes, until Amy broke down…their questioning was extremely leading and constantly framed in terms of asking her to prove she is really ill. The Tribunal asked Amy what grade she’d earned in the Higher Exam she’d done last year, and as it was a good grade, they said something like “Well there you are then.” At this point I (Janice) thought to myself that a person could do the West Highland Way on their hands and knees over the course of a year. Just because they’ve done the West Highland Way does not mean they aren’t disabled!”

Amy- “when I had spoken to the panel, I felt personally attacked. that the tribunal system was operating from a ‘guilty until proven innocent’ standpoint.” Despite the traumatic process this vulnerable young adult endured Janice told us “the panel finally decided in favour of Amy and she received 8 points for daily living, which had the effect of reinstating her PIP entitlement. She now has a letter from a judge stating that her ME and anxiety significantly affect her daily life.

Not only is the current system dehumanising for the powerless person who is asking for help, it is dehumanising for those in a position of power. The members of the panel at my daughter’s tribunal did not behave in a way that did credit to them. Whereas she went to the tribunal so that the reality of her disability would be believed, in fact the panel members appeared to display the same ignorance and disbelief of the reality of ME as so many others.”

Amy is relieved that I finally won my case after a very traumatic assessment process that ended up at a tribunal which seemed to display a culture of disbelief. I felt as if I were on trial for benefit fraud rather than having my needs fairly assessed. Damagingly for Amy she has had a bad relapse since the tribunal and has had to drop out of college. She feels that the stress of the tribunal was a big contributor to her relapse.

Janice said “Amy improved steadily (in 2016) in several ways. In November I wrote to the DWP to tell them this. She was reassessed by ATOS in May 2017. The ATOS interviewer didn’t seem to believe Amy’s account of the reality of her life. The interviewer suggested that Amy could make more of an effort at home, and Amy replied that if she did more at home, she wouldn’t have the energy to attend college. Amy explained that she suffers from anxiety…Nevertheless, the assessor scored Amy 4 points for Daily Living, 4 for limited mobility but zero for needing help planning a journey. We felt that she was entitled to the standard rate for Daily Living, and we also knew that she could not plan a journey by herself yet. (Nevertheless)…we were denied Mandatory Reconsideration.”

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PTC Recommendations

A) A more holistic understanding within government of disability and its impact on the financial, social and health needs of benefit claimants applying for PIP and/or ESA.

B) A major reduction in the current minimum benefits assessment period of 13 weeks for ESA.

C) The backpayment of eligible benefits to the date of first application.
Dignity, Fairness and Respect

The common thread heard across all of these stories is of individuals fighting for fairness in a system which robs them of their dignity and treats them with suspicion or disbelief. What is needed is a benefits system that starts from the premise that all of us may need support from benefits at some point(s) in our lives; therefore as a society we have a shared interest in ensuring that applicants to the system are treated with dignity and respect.

We seek an approach that fully and meaningfully recognises people as individuals in possession of rights as well as responsibilities.

Rights and responsibilities are critical to creating a dignified culture.

 Recommendations

In summary, The Poverty Truth Commission make the following recommendations:

- Benefit levels are not frozen, but are uprated annually, at least in line with inflation (CPI).

- The immediate abolition of the entire Two Child Policy For Child Tax Credits and Universal Credit

- A more holistic understanding within government of disability and its impact on the financial, social and health needs of benefit claimants applying for PIP and/or ESA.

- A major reduction in the current minimum benefits assessment period of 13 weeks for ESA.

- The backpayment of eligible benefits to the date of first application.
The Poverty Truth Commission wishes to thank all Commissioners who served on the Commission from 2017-18.

In particular, we express our gratitude to the following members of the Benefits Cuts and Assessment Processes Working Group who devoted time and effort to researching stories and data, to considering the implications of the same and to agreeing the content and recommendations of this Report:

Carole, Jackie, Brian, Pat, Jane, Corrinna, Joanne.

Finally, the PTC is very grateful to those with direct experience who bravely shared their stories with us for the purposes of this report.

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