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Visit to the United Kingdom of Great Britain and Northern Ireland

Report of the Special Rapporteur on extreme poverty and human rights*

Summary

The Special Rapporteur on extreme poverty and human rights, Philip Alston, undertook a mission to the United Kingdom of Great Britain and Northern Ireland from 5 to 16 November 2018.

Although the United Kingdom is the world's fifth largest economy, one fifth of its population (14 million people) live in poverty, and 1.5 million of them experienced destitution in 2017. Policies of austerity introduced in 2010 continue largely unabated, despite the tragic social consequences. Close to 40 per cent of children are predicted to be living in poverty by 2021. Food banks have proliferated; homelessness and rough sleeping have increased greatly; tens of thousands of poor families must live in accommodation far from their schools, jobs and community networks; life expectancy is falling for certain groups; and the legal aid system has been decimated.

The social safety net has been badly damaged by drastic cuts to local authorities' budgets, which have eliminated many social services, reduced policing services, closed libraries in record numbers, shrunk community and youth centres and sold off public spaces and buildings. The bottom line is that much of the glue that has held British society together since the Second World War has been deliberately removed and replaced with a harsh and uncaring ethos. A booming economy, high employment and a budget surplus have not reversed austerity, a policy pursued more as an ideological than an economic agenda.

* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in English only.

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Annex

Report of the Special Rapporteur on extreme poverty and human rights on his visit to the United Kingdom of Great Britain and Northern Ireland

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I. Introduction

1. The Special Rapporteur on extreme poverty and human rights visited the United Kingdom of Great Britain and Northern Ireland from 5 to 16 November 2018. The purpose of the visit was to report to the Human Rights Council on the extent to which the Government's policies and programmes relating to extreme poverty are consistent with its human rights obligations and to offer constructive recommendations to the Government and other stakeholders. The Special Rapporteur is grateful to the Government for inviting him and facilitating his visit and for its continuing cooperation with the Council's accountability mechanisms.[1] The report is submitted in accordance with Council resolution 35/19.

2. The Special Rapporteur received over 300 written submissions [2] and held consultations in London, Oxford, Bristol, Newcastle upon Tyne, Clacton-on-Sea and Jaywick (all in England), Cardiff (Wales), Edinburgh and Glasgow (Scotland) and Belfast (Northern Ireland).

II. Overview

3. The United Kingdom, the world's fifth largest economy, is a leading centre of global finance, boasts a "fundamentally strong" economy and currently enjoys record low levels of unemployment. But despite such prosperity, one fifth of its population (14 million people) live in poverty. Four million of those are more than 50 per cent below the poverty line[3] and 1.5 million experienced destitution in 2017, unable to afford basic essentials.[4] Following drastic changes in government economic policy beginning in 2010, the two preceding decades of progress in tackling child and pensioner poverty have begun to unravel and poverty is again on the rise.[5] Relative child poverty rates are expected to increase by 7 per cent between 2015 and 2021 and overall child poverty rates to reach close to 40 per cent.[6] For almost one in every two children to be poor in twenty-first century Britain would not just be a disgrace, but a social calamity and an economic disaster rolled into one.

4. But statistics alone cannot capture the full picture of poverty in the United Kingdom, much of it the direct result of government policies (unless otherwise indicated, "Government" in the present report refers to the United Kingdom Government). Official denials notwithstanding, it is obvious to anyone who opens their eyes. There has been a shocking increase in the number of food banks and major increases in homelessness and rough sleeping; a growing number of homeless families – 24,000 between April and June of 2018 – have been dispatched to live in accommodation far from their schools, jobs and community networks;[7] life expectancy is falling for certain groups; and the legal aid system has been decimated, thus shutting out large numbers of low-income persons from the once-proud justice system. Government reforms have often denied benefits to people with severe disabilities and pushed them into unsuitable work, single mothers struggling to cope in very difficult circumstances have been left far worse off, care for those with mental illnesses has deteriorated dramatically, and teachers' real salaries have been slashed.[8] The number of

[1] The Special Rapporteur is grateful for the research and analysis undertaken by Anna Bulman, Bassam Khawaja, Rebecca Riddell, Christiaan van Veen and staff of the United Nations Office of the High Commissioner for Human Rights.

[2] Available at ww.ohchr.org/EN/Issues/Poverty/Pages/UKVisitSubmissions.aspx.

[3] Social Metrics Commission, *A New Measure of Poverty for the UK*, September 2018, p. 97.

[4] Suzanne Fitzpatrick and others, *Destitution in the UK 2018*, Joseph Rowntree Foundation, pp. 2–3.

[5] Joseph Rowntree Foundation, *UK Poverty 2018*, p. 12.

[6] Andrew Hood and Tom Waters, "Living standards, poverty and inequality in the UK: 2017–2018 to 2021–2022", Institute for Fiscal Studies, 2 November 2017, p. 15.

[7] Ministry of Housing, Communities and Local Government, *Statutory Homelessness, April to June (Q2) 2018: England*, 13 December 2018, p. 17.

[8] Howard Reed and Jonathan Portes, *The Cumulative Impact on Living Standards of Public Spending Changes*, Equality and Human Rights Commission, Research Report 120, 2018, p. 37.

emergency admissions to hospitals of homeless people ("of no fixed abode") increased sevenfold between 2008–2009 and 2017–2018.[9]

5. In the past, the worst casualties of these "reforms" would have received at least minimal protection from the broader social safety net. But austerity policies have deliberately gutted local authorities and thereby effectively eliminated many social services, reduced policing services to skeletal proportions, closed libraries in record numbers, shrunk community and youth centres, and sold off public spaces and buildings including parks and recreation centres. It is hardly surprising that civil society has reported unheard-of levels of loneliness and isolation, prompting the Government to appoint a Minister for Suicide Prevention. The bottom line is that much of the glue that has held British society together since the Second World War has been deliberately removed and replaced with a harsh and uncaring ethos.

6. There have been some positive developments as well. The 2018 budget introduced several changes to the Government's flagship benefits programme, Universal Credit (UC), including a welcome increase in work allowances, as a consequence of which an estimated 2.4 million households will be better off in 2019,[10] and some 200,000 people will rise out of poverty.[11] And the introduction of a minimum wage has helped reduce low pay.[12]

7. But these developments have not stemmed the overall direction of the tide. The country's most respected charities, its leading think tanks, its parliamentary committees, independent authorities like the National Audit Office and many others have all drawn attention to the dramatic decline in the fortunes of the least well off. The Special Rapporteur met with people who depend on food banks and charities for their next meal, who are sleeping on friends' couches because they are homeless, who have sold sex for money or shelter; children who are growing up in poverty unsure of their future; young people who feel gangs are the only way out of destitution; and persons with disabilities who are being told they need to go back to work – against their doctor's orders – or lose support. He met many for whom a single crisis, such as an unexpected health condition, a divorce or a disability, led to disaster.

8. The Special Rapporteur also witnessed tremendous resilience, strength and generosity, and heard stories of deeply compassionate work coaches, local officials and volunteers; neighbours supporting one another; councils seeking creative solutions; and charities stepping in to fill holes in government services. People across the United Kingdom made it clear that they want to work, and are taking hard, low-paying and insecure jobs in order to put food on the table. They want to contribute to their society and communities, support their families, live in safe, affordable housing and take control over their lives.

9. In the face of these problems, the Government has remained determinedly in a state of denial. While local authorities throughout England and Wales are outsourcing or abandoning services, and devolved authorities in Scotland and Northern Ireland are frantically trying to "mitigate" or counteract the worst features of the Government's policies, ministers insist that all is well and running according to plan. Despite some reluctant policy tweaks, there has been a deeply ingrained resistance to change. The good news is that many of the problems could readily be solved if the Government were to listen to people experiencing poverty, the voluntary sector and local authorities, acknowledge their grievances and implement the recommendations below.

10. Most of the political debate around social well-being in the United Kingdom has focused only on the Government's explicit goals. They include a focus on employment, a quest for greater efficiency and cost savings, a determination to simplify an excessively complicated benefits system, a desire to increase the uptake of benefits by those entitled to

[9] See www.theguardian.com/society/2019/feb/20/nhs-england-figures-show-soaring-homeless-patient-numbers.

[10] HM Treasury, Budget 2018, para. 5.32.

[11] Joseph Rowntree Foundation, "Could the Government have done more to enable people to escape poverty?", 1 November 2018.

[12] Joseph Rowntree Foundation, *UK Poverty 2018*, p. 6.

them, removing the "welfare cliff" that deterred beneficiaries from seeking work and a desire to provide more skills training.

11. But in the area of poverty-related policy, the evidence suggests that the driving force has not been economic but rather a commitment to achieving radical social re-engineering – a dramatic restructuring of the relationship between people and the State. Successive Governments have brought revolutionary change in both the system for delivering minimum levels of fairness and social justice to the British people, and especially in the values underpinning it. Key elements of the post-war "Beveridge social contract" are being overturned. In the process, some good outcomes have certainly been achieved, but great misery has been inflicted unnecessarily.

12. Far-reaching changes to the role of Government in supporting people in distress are almost always "sold" as part of an unavoidable fiscal "austerity" programme needed to save the country from bankruptcy. In fact, the reforms have almost certainly cost far more than their proponents will admit. The many billions extracted from the benefits system since 2010 have been offset by additional resources required, by local government, by doctors and hospital accident and emergency centres, and even by the ever-shrinking, overworked and underfunded police force to fund the increasing need for emergency services.

13. The Government has made no secret of its determination to change the value system to focus more on individual responsibility, to place major limits on government support and to pursue a single-minded focus on getting people into employment. Many aspects of this programme are legitimate matters for political contestation, but it is the mentality informing many of the reforms that has brought the most misery and wrought the most harm to the fabric of British society. British compassion has been replaced by a punitive, mean-spirited and often callous approach apparently designed to impose a rigid order on the lives of those least capable of coping, and elevate the goal of enforcing blind compliance over a genuine concern to improve the well-being of those at the lowest economic levels of British society. It might seem to some observers that the Department of Work and Pensions has been tasked with designing a digital and sanitized version of the nineteenth century workhouse, made infamous by Charles Dickens, rather than seeking to respond creatively and compassionately to the real needs of those facing widespread economic insecurity in an age of deep and rapid transformation brought about by automation, zero-hour contracts and rapidly growing inequality.

III. Government's reaction to preliminary findings

14. The Government's response to the Special Rapporteur's preliminary findings has been mixed. The Prime Minister "disagreed" with the preliminary statement,[13] and the Secretary for Work and Pensions was "disappointed"[14] by its language, though the Under-Secretary of State promised the Government would seriously consider the present report.[15]

15. Since the Special Rapporteur's visit, however, the Secretary of State has indicated an intention to soften a number of the harshest aspects of existing policies, has conceded that the rollout of UC terms was linked to increased reliance on food banks and has delayed the transition of 3 million people to UC.[16] And the Secretary of State for Housing, Communities and Local Government, after initially denying any link, acknowledged that the Government's policies may have played a role in rising homelessness.[17]

[13] Brian Wheeler, "Prime Minister's Questions: the key bits and the verdict", BBC, 5 December 2018.

[14] Peter Walker, "Amber Rudd condemns UN poverty report in combative return to frontline politics," *Guardian*, 19 November 2018.

[15] Parliament, UN Special Rapporteur on extreme poverty and human rights, 7 January 2019.

[16] Laura Hughes, "Amber Rudd begins universal credit reforms amid High Court blow", *Financial Times*, 11 January 2019.

[17] Jack Blanchard, "POLITICO London playbook: time to pause – Happy Brexmas (war is over) – Brokenshire exclusive", Politico, 24 December 2018.

16. The principal response, however, has been to fall back on two sets of talking points which fail to address the key concerns. One addresses employment. First, the unemployment rate is the lowest in 40 years, and there are 3.3 million more people in work than in 2010. The latter claim is true, but this is partly due to growth in the workforce over time, and because 2010 represented a low point following the global recession. Indeed, United Kingdom employment statistics mirror those experienced in recent years in many countries of the Organization for Economic Cooperation and Development.[18] Second, youth unemployment has dropped significantly. True, but this is also the case in Europe generally.[19] Third, 79 per cent of the jobs that have been created since 2010 are full-time. True, but even full-time employment is no guarantee against in-work poverty, which is a major and growing problem in the United Kingdom. In fact, in-work poverty rates outstripped the growth in employment in 2018.

17. The second set of talking points relate to poverty. The week after the Special Rapporteur presented his preliminary findings, the Prime Minister told Parliament: "There are 1 million fewer people in absolute poverty today – a record low; 300,000 fewer children in absolute poverty – a record low; and 637,000 fewer children living in workless households – a record low. That is due to the action of this Government and the impact of Universal Credit."[20]

18. Several responses are in order. First, it is true that so-called "absolute" poverty has fallen, but this is a selective, widely criticized and mostly unhelpful indicator, and the Government has failed to adopt an official poverty measure. Widely accepted independent measures find poverty is rising. Second, the reference point for the Government's statistics is 2010, the peak of the impact of the global recession. And third, living in a working household does not bring freedom from poverty, with nearly 60 per cent of those in poverty in a family where someone works, and in-work poverty on the rise.[21]

19. By consistently invoking these talking points, the Government has essentially foregone the opportunity to engage in a discussion about the real issues affecting poverty in the United Kingdom and refused to acknowledge the seriousness of the problem. Impressive employment statistics are a cause for celebration, but they are no substitute for addressing the plight of the one fifth of the population that continues to live in poverty or the large numbers experiencing destitution.

IV. Understanding poverty in the United Kingdom

20. There is a striking and almost complete disconnect between the picture painted by the Government, as noted in the preceding paragraphs, and what people across the country told the Special Rapporteur.

21. People said they had to choose either to eat or heat their homes. Children are showing up at school with empty stomachs, and schools are collecting food and sending it home because teachers know their students will otherwise go hungry. And 2.5 million people in the United Kingdom survive with incomes no more than 10 per cent above the poverty line – just one crisis away from falling into poverty.[22]

[18] See www.oecd.org/sdd/labour-stats/harmonised-unemployment-rates-oecd-02-2019.pdf.

[19] Youth Unemployment Statistics, House of Commons, Briefing Paper No. 5871, 19 February 2019.

[20] See https://hansard.parliament.uk/commons/2018-11-21/debates/A147854B-57FB-4AE8-BA89-1FAC8CE21F2B/Engagements. The origins of these statistics are explained in a press release issued by the Department for Work and Pensions on 22 March 2018, available at www.gov.uk/government/news/one-million-people-lifted-out-of-absolute-poverty.

[21] Social Metrics Commission, *A New Measure of Poverty*, p. 86.

[22] Ibid., p. 7.

22. These are not just anecdotes. They are reflected in the numbers. In England, homelessness rose 60 per cent between 2011 and 2017 and rough sleeping rose 165 per cent from 2010 to 2018.[23] The charity Shelter estimates that 320,000 people in Britain are now homeless,[24] and recent research by Crisis suggests that 24,000 people are sleeping rough or on public transportation – more than twice government estimates.[25] Almost 600 people died homeless in England and Wales in 2017 alone, a 24 per cent increase in the past five years.[26] There were 1.2 million people on the social housing waiting list in 2017, but less than 6,000 homes were built that year.[27] And 2.5 million households in England, or 11 per cent of the population, experienced fuel poverty in 2016.[28] Food bank use increased almost fourfold between 2012–2013 and 2017–2018,[29] and there are now over 2,000 food banks in the United Kingdom, up from just 29 at the height of the financial crisis.[30]

23. Living in poverty can also take a severe toll on physical and mental health. More than a quarter of working-age people in the poorest fifth of the population – roughly those in poverty – experience depression or anxiety.[31] The Special Rapporteur heard story after story from people who considered, and even attempted, suicide, and met with multiple organizations that have for the first time instituted suicide prevention training for front-line staff. Life expectancy rates have stalled,[32] and the gap in life expectancy between the most deprived and most affluent communities increased steadily from 2001 to 2016 and is now 7.9 years for women and 9.7 years for men.[33]

A. Measuring and monitoring poverty

24. To address poverty effectively it is essential to know its extent and character. Yet the United Kingdom does not have an official measure of poverty. Instead, it produces four different measures of people who live on "below average income".[34] This allows the Government to choose which numbers to use and to claim that "absolute" poverty is falling. However, independent measures show that progress in reducing poverty has flatlined and poverty is again rising.

25. The "new poverty measure" proposed by the bipartisan Social Metrics Commission represents an attempt to create a single comprehensive measure of poverty and these are the numbers the Special Rapporteur references here, unless otherwise noted. The Government should adopt the Commission's approach, which has received an impressive degree of cross-party support.

[23] National Audit Office, *Homelessness*, 13 September 2017, p. 14; and Ministry of Housing, Communities and Local Government, *Rough Sleeping Statistics, Autumn 2018, England (Revised)*, 25 February 2019.

[24] See https://england.shelter.org.uk/media/press_releases/articles/320,000_people_in_britain_are_now_homeless_as_numbers_keep_rising.

[25] See www.crisis.org.uk/about-us/latest-news/more-than-24-000-people-facing-christmas-sleeping-rough-or-in-cars-trains-buses-and-tents/.

[26] Office of National Statistics, "Deaths of homeless people in England and Wales: 2013 to 2017", 20 December 2018.

[27] Angel Strachan, "Building more affordable homes", Shelter briefing, 19 October 2018.

[28] Department for Business, Energy and Industrial Strategy, *Annual Fuel Poverty Statistics Report, 2018 (2016 Data)*.

[29] The Trussell Trust, "End of year stats", 2018.

[30] Simon Duffy and Claudia Gillberg, *Extreme Poverty in a Time of Austerity* (Sheffield, Centre for Welfare Reform, 2018), pp. 11–12.

[31] Joseph Rowntree Foundation, *UK Poverty 2018*, p. 5.

[32] Office for National Statistics, "National life tables, UK: 2015 to 2017", 25 September 2018.

[33] James Bennett and others, "Contributions of diseases and injuries to widening life expectancy inequalities in England from 2001 to 2016", *Lancet Public Health*, vol. 3, No. 12 (December 2018), pp. 586 and 590.

[34] Department for Work and Pensions, "Households below average income: 1994/95 to 2017/18", 28 March 2019.

B. Employment alone is insufficient

26. The Government says work is the solution to poverty and points to record employment rates as evidence that the country is going in the right direction. But the fact that a fifth of the population of the United Kingdom lives in poverty, despite record employment levels, makes clear that employment alone does not keep people out of poverty.

27. Four million workers live in poverty, an increase of more than half a million in the last five years. In-work poverty is rising faster than employment and is higher than any time in the last 20 years, driven by rising poverty among working parents. Half of working-age people in poverty are working,[35] and one in six people referred to Trussell Trust food banks is working.

28. Almost 60 per cent of those in poverty in the United Kingdom are in families where someone works, and a shocking 2.8 million people are in poverty in families where all adults work full-time.[36] According to the Equalities and Human Rights Commission, 10 per cent of workers over 16 are in insecure employment.[37] And 10 years after the 2008 financial crisis, employees' median real earnings are, remarkably, still below pre-crisis levels.[38]

V. Dismantling the social safety net

29. The United Kingdom should be proud of its historically strong safety net. Like public health care and education – services which benefit nearly everyone in the United Kingdom at some point in their lives – the social safety net has supported many Britons during periods of hardship. In fact, a majority of the United Kingdom population will use some form of means-tested benefit over an 18-year period.[39] Most British people thus have a personal stake in the social safety net functioning effectively. Yet, it has been systematically and starkly eroded, particularly since 2010, significantly compromising its ability to help people escape poverty. The Special Rapporteur heard time and again about important public programmes being pared down, the loss of institutions that previously protected vulnerable people, social care services at a breaking point, and local government and devolved administrations stretched far too thin. Considering the significant resources available in the country and the sustained and widespread cuts to social support, which have resulted in significantly worse outcomes, the policies pursued since 2010 amount to retrogressive measures in clear violation of the country's human rights obligations.

30. The ideological rather than economic motivation for the cutbacks is demonstrated by the fact that the United Kingdom spends £78 billion per year to reduce or alleviate poverty, quite apart from the cost of benefits; £1 in every £5 spent on public services goes to repair what poverty has done to people's lives.[40] Cuts to preventive services mean that needs go unmet and people in crisis are pushed toward services that cannot turn them away but cost far more, like emergency rooms and expensive temporary housing.

31. The voluntary sector has done an admirable job of picking up the slack from these cuts. But it is not an adequate substitute for a Government fulfilling its obligations. Food banks cannot do the Government's job, and teachers – who may very well rely on food banks themselves – are not equipped to ensure that their students have clean clothes and food to eat.

[35] Joseph Rowntree Foundation, *UK Poverty 2018*, pp. 4 and 34.

[36] Social Metrics Commission, *A New Measure of Poverty*, p. 86.

[37] Equality and Human Rights Commission, *Is Britain Fairer? The State of Equality and Human Rights 2018*, pp. 38, 46 and 52.

[38] Jonathan Cribb and Paul Johnson, "10 years on – have we recovered from the financial crisis?", Institute for Fiscal Studies, 12 September 2018.

[39] Robert Joyce and Barra Roantree, "Who benefits from benefits?", Institute for Fiscal Studies, 1 March 2018.

[40] Glen Bramley and others, *Counting the Cost of UK Poverty*, Joseph Rowntree Foundation, 1 August 2016.

32. By treating work as a panacea for poverty while dismantling the social safety net, the Government has created a highly combustible situation that will have dire consequences, especially if and when there is prolonged economic contraction.

A. Weakening benefits' capacity to help people escape poverty

33. Benefits reductions since 2010 have saved money for the Government but undermined the capacity of beneficiaries to escape from the grip of poverty.

34. Commendably, the Government has sought to protect the benefits of older people, especially by introducing in 2010 a "triple lock" to ensure that annual pension levels rise with whichever is highest among the rate of inflation, average earnings, or 2.5 per cent. This helped reduce poverty among pensioners by half, although that progress is now unravelling.[41]

35. The triple lock contrasts dramatically with the freeze on benefit rates for working-age people since 2016. Poor households typically spend a higher proportion of their income on consumer goods and necessities, and often struggle to put food on the table after bills are paid. Despite this, the Government froze benefit rates in 2016, allowing inflation to systematically reduce the value of benefits. Poor families have had to do more with less as the price of goods has gone up and the value of their income has declined. Households are expected to cope with a reduction of £4.4 billion in 2019–2020 alone.[42] Last year, the Chancellor of the Exchequer could have used the revenue windfall to end the benefit freeze a year earlier than planned, but instead chose to change income tax thresholds in a way that will help those who are better off but does nothing to move the needle on poverty.

36. Housing Benefit has been decimated amidst a real crisis in affordable housing. Housing costs are rising disproportionately for people on low incomes, and the recent uptick in pensioner poverty is driven by increasing poverty among renters.[43] While the Government has recognized the challenges, and pledged to invest billions in improving the housing supply,[44] targeted support for low-income people has been repeatedly reduced and restricted. Similarly, the Government has refused to walk back the benefit reduction for renters in so-called "underoccupied" social housing, despite consistent feedback that this reduction can pose immense hardship for low-income families and individuals who may not be able to relocate easily.

37. These and other reductions and restrictions, such as the imposition and subsequent intensification of a cap on benefits for working-age households and limiting benefits to two children per family, have made it much harder for people to make ends meet and stymied progress in reducing poverty.

B. Decimating legal aid

38. Legal aid has been dramatically reduced in England and Wales since 2012. The LASPO Act (Legal Aid, Sentencing and Punishment of Offenders Act) made most housing, family and benefits cases ineligible for aid; ratcheted up eligibility criteria; and replaced many face-to-face advice services with telephone lines. Consequently, the number of civil legal aid cases declined by a staggering 82 per cent between 2010–2011 and 2017–2018.[45] As a result, many poor people are unable to effectively claim and enforce their rights, have lost access to critical support, and some have even reportedly lost custody of their

[41] Joseph Rowntree Foundation, *UK Poverty 2018*, p. 39.

[42] Adam Corlett, "Despite 'the end of austerity', April promises another deep benefit cut", Resolution Foundation, 17 October 2018; and Joseph Rowntree Foundation, "Could the Government have done more to enable people to escape poverty?"

[43] Joseph Rowntree Foundation, *UK Poverty 2018*, pp. 25 and 39.

[44] 2017 Budget speech.

[45] Parliament, "The future of legal aid", p. 4.

children.[46] Lack of access to legal aid also exacerbates extreme poverty, since justiciable problems that could have been resolved with legal representation go unaddressed.[47]

C. Shrinking local government funding

39. In 2010, the Government pledged to radically change public services by cutting funding to local authorities in England. As a result, the National Audit Office estimates that local governments in England saw a 49 per cent real-term reduction in government funding allocations from 2010–2011 to 2017–2018, at the same time that demand for key social services was rising. This has had extremely negative consequences for critical social services, since English local authorities have extensive social care responsibilities, limited authority and ability to raise their own revenue, and are obligated to balance their books.

40. As a result, local governments have reduced services, shuttered many public facilities and transferred a greater share of service costs to users, who are often the least able to pay. More than 500 children's centres closed between 2010 and 2018,[48] and between 2010 and 2016 more than 340 libraries closed and 8,000 library jobs were lost.[49] These services are of particular significance to those living in poverty for a variety of reasons, including access to a computer or a safe community space.

41. Local authorities cut net spending on services in real terms by 19 per cent from 2010–2011 to 2016–2017 and focused remaining spending on statutorily mandated social care and child protection services, demand for which has increased.[50] The leader of one city council explained that while being forced to cut preventive services, local governments have faced increased demands for even costlier crisis interventions. Between 2011–2012 and 2016–2017, cash-strapped local authorities reduced spending on preventive housing services by £590 million or 46 per cent, but increased crisis spending on housing by £360 million or 58 per cent.[51]

42. As a result of cuts, large numbers of vulnerable children in places like Northamptonshire are at greater risk of harm due to rapidly deteriorating front-line child protection services.[52] In March 2018 the National Audit Office criticized the lack of ongoing, coordinated monitoring of the impact funding cuts are having on local authority services, and warned that statutory services are at risk.[53]

43. Local emergency welfare funds, a vital resource for people on the brink of crisis, have been another casualty of a shredded safety net. The United Kingdom Government abolished its centralized Social Fund in 2013 and many local governments in England have had to close or cut their Local Welfare Assistance Schemes, leaving vulnerable people and those facing emergencies without anywhere to turn. At least 28 authorities in England have shuttered their local welfare funds, and councils reported reducing related expenditures by 72.5 per cent between 2013 and 2018.[54] The proportion of destitute people who reported receiving in-kind help from local welfare funds dropped 28 per cent between 2015 and

[46] Owen Bowcott and others, "Revealed: legal aid cuts forcing parents to give up fight for children", *Guardian*, 26 December 2018.

[47] G. McKeever, M. Simpson and C. Fitzpatrick, "Destitution and paths to justice", Joseph Rowntree Foundation, 7 June 2018.

[48] Parliament, "Children's centres: closures: written question – 123506".

[49] See www.bbc.co.uk/news/uk-england-35707956.

[50] National Accounting Office, "Financial sustainability of local authorities 2018", p. 28. This figure excludes spending on schools and public health.

[51] Adam Tinson, Carla Ayrton and Issy Petrie, *A Quiet Crisis: Local Government Spending on Disadvantage in England*, New Policy Institute and Lloyds Bank Foundation for England and Wales, September 2018, p. 29.

[52] Patrick Butler, "Task force to be sent to protect vulnerable children in Northamptonshire", *Guardian*, 13 November 2018.

[53] National Accounting Office, "Financial sustainability of local authorities 2018," pp. 10–11.

[54] Gavin Aitchison, "Compassion in crisis: how do people in poverty stay afloat in times of emergency?", Church Action on Poverty and End Hunger UK, October 2018, p. 4.

2018.[55] The collapse of this vital resource has apparently been of little concern to the Government, which decentralized responsibility for the funds and does not collect any information on what has become of them.

D. Privatization

44. The United Kingdom was a pioneer in privatizing previously public services across a wide range of sectors. In 2018, the National Audit Office concluded that the private finance initiative model had proved to be more expensive and less efficient than public financing in providing hospitals, schools and other public infrastructure.[56] Studies of the results of privatization in sectors such as water, energy and public transportation suggest that prices have been raised excessively while access for low-income households has been restricted and capital investments have been inadequate. One study concludes that "private providers of basic services are creating structures for sweating capital assets and extracting revenue at the expense of households".[57]

45. The Special Rapporteur heard a great many complaints from people in rural areas that the privatization and deregulation of public transport outside London had made trains unaffordable and led to many bus routes being cut. The resulting isolation and inability to afford basic transport had serious negative consequences in terms of access to jobs, schools, health care and community engagement. Local authorities have often simply abandoned their responsibilities by relegating key services to the private sector and failing to take any regulatory measures to ensure basic service provision. Abandoning people to the private market in relation to services that affect every dimension of their basic well-being, without guaranteeing their access to minimum standards, is incompatible with human rights requirements.

VI. Shortcomings of Universal Credit

46. Social support should be a route out of poverty, and Universal Credit (UC) should be a key part of that process. Consolidating six different benefits into one makes good sense, in principle. But many aspects of the design and ongoing roll-out of the programme raise grave concerns about the adequacy of the country's flagship benefits programme.

47. The Special Rapporteur heard countless stories of severe hardships suffered under UC. These reports are corroborated by an increasing body of research that suggests UC is being implemented in ways that negatively impact claimants' mental health, finances and work prospects.[58] Where UC has fully rolled out, food bank demand has increased,[59] a link belatedly acknowledged by the Work and Pensions Secretary in February 2019.[60]

48. Local authorities, devolved administrations and the voluntary sector described their preparations for the roll out of UC as if they were preparing for an impending natural disaster or health epidemic. They have expended significant money and energy to protect people from what is supposed to be a support system.

[55] Fitzpatrick, *Destitution in the UK 2018*, p. 9.

[56] See National Audit Office, *PF1 and PF2*, report by the Comptroller and Auditor General (2018).

[57] Kate Bayliss and Giulio Mattioli, "Privatisation, inequality and poverty in the UK: briefing prepared for UN Rapporteur on extreme poverty and human rights", Sustainability Research Institute, December 2018.

[58] See, e.g., Joseph Rowntree Foundation, "Briefing: where next for Universal Credit and tackling poverty?", 2019.

[59] The Trussell Trust, "The next stage of Universal Credit: moving onto the new benefit system and foodbank use", 2018, p. 10.

[60] Parliament, "Oral answers to questions", 11 February 2019, vol. 654.

49. For years the Government has responded to criticism by pointing to its "test and learn" approach, but there seems to be an unacknowledged risk that this approach could treat vulnerable people like guinea pigs and wreak havoc in real peoples' lives. It is eminently reasonable to change a programme based on feedback, but "test and learn" cannot be a decade-long excuse for failing to properly design a system that is meant to guarantee the social security of so many.

50. When asked about these problems by the Special Rapporteur, government ministers were almost entirely dismissive, blaming political opponents for trying to sabotage their work, suggesting that the media did not fully comprehend the system, and claiming UC was unfairly maligned for problems caused by the previous benefits system. Ministers described UC as a nearly unmitigated success.

51. Reforms are urgent and should go well beyond tinkering. While surveys indicate positive experiences for some UC claimants – and the Special Rapporteur heard high praise for some work coaches and other officials – the bottom line is that a system supposedly designed to bring major and much-needed improvements is fast falling into Universal Discredit.

A. Improving the social protection system

52. The UC system is designed with a perverse and catastrophic five-week delay built in between when people file a claim and when they receive benefits. This "waiting period", which in practice can actually stretch up to 12 weeks, pushes many who may already be in crisis into debt, rent arrears and serious hardship.[61] In response to persistent community pressure, the Government points to the availability of "advance payments and claims that 'no one needs to wait for their money'".[62] But this is misleading, since the loans, as well as debt to third parties, can be deducted from already meagre UC payments, potentially rendering people destitute.[63] The bottom line remains horrendous. As a routine matter, 40 per cent of the standard allowance portion of the payment can be deducted (set to change to 30 per cent later in 2019), and additional clawbacks can be made for rent, gas and electricity arrears. In reality, at least a whopping 60 per cent of a person's UC standard allowance can be deducted to cover debt before the payment is even disbursed, and advance payment clawbacks are exempted from the 40 per cent cap.[64]

53. The rationale offered for the delay – that in analogous employment contexts wages are only paid at the end of the period – is illusory and relies on a set of false assumptions about the real world.[65]

54. The default payment structure and rigid system of assessment stand in sharp contrast to the Government's message that the benefit is always carefully tailored to an individual's needs and circumstances. Because eligibility for and the amount of UC are calculated using a rigid monthly assessment period, claimants can endure huge fluctuations month-to-month merely because their paydays and assessment periods do not coincide. It also looks exclusively to a claimant's circumstances on the last day of the monthly assessment period, which can result in troubling underpayment.[66] The difficulty of arranging payments more frequently than once per month often causes hardship. And UC childcare support requires

[61] Mandy Cheetham, Suzanne Moffatt and Michelle Addison, "'It's hitting people that can least afford it the hardest': the impact of the roll out of Universal Credit in two North East England localities; a qualitative study", November 2018, p. 3.

[62] Parliament, "Engagements", 5 December 2018, vol. 650.

[63] Fitzpatrick, *Destitution in the UK 2018*, p. 31.

[64] David Webster, "Briefings on benefit sanctions", Child Poverty Action Group, 13 December 2018, p. 18.

[65] Mike Bewer, David Finch and Daniel Tomlinson, *Universal Remedy: Ensuring Universal Credit is Fit for Purpose*, Resolution Foundation, 31 October 2018.

[66] Josephine Tucker and Dan Norris, "Rough justice", Child Poverty Action Group, August 2018, pp. 5–6 and 21–22.

families to pay for childcare up front and then seek reimbursement, meaning families may have to go into debt to take a job.[67]

B. Conditionality underpinned by punitive sanctions

55. One of the key features of UC involves the imposition of strict conditions enforced by draconian sanctions for even minor infringements. As the system grows older, some penalties will last years. The Special Rapporteur reviewed seemingly endless evidence illustrating the harsh and arbitrary nature of some sanctions, as well as the devastating effects of losing access to benefits for weeks or months at a time.

56. Many detailed studies give substance to the dire consequences for vulnerable claimants who are sanctioned.[68] A recent book characterized the sanctions as cruel, inhuman and degrading,[69] and the Committee on the Rights of Persons with Disabilities found "evidence of grave and systematic violation of the rights of persons with disabilities", partly on the basis of the sanctions regime.

57. Departmental and ministerial insistence notwithstanding, there is no clear evidence that blunt and harsh sanctions actually help claimants move closer to work. A recent Work and Pensions Select Committee report referred to the evidence as "patchy" and called the Government's failure to evaluate changes to the sanctions regime "unacceptable".[70] The Special Rapporteur spoke with claimants who felt forced to jump through bureaucratic hoops, fill out pointless job applications for positions that did not match their qualifications and take inappropriate temporary work just to avoid debilitating sanctions.

58. A deficiency in sanctions data makes it difficult to assess the regime. What is clear from those with whom the Special Rapporteur has spoken is that sanctions succeed in instilling a fear and loathing of the system.

C. Universal Credit and the digital welfare State

59. UC was the first major United Kingdom government service to be made "digital by default", thus putting some of the most vulnerable first in line for what amounts to a nationwide digital experiment.[71] Benefit claims are made online and the claimant interacts with authorities primarily through an online portal. The British welfare state is gradually disappearing behind a webpage and an algorithm, with significant implications for those living in poverty.

60. The prevailing belief within the Department for Work and Pensions has been that the overwhelming majority of UC claimants are online, digitally skilled and confident enough to claim and maintain benefits digitally.[72] In reality, UC has built a digital barrier that

[67] House of Commons Work and Pensions Committee, "Universal Credit: childcare". Twenty-second Report of Session 2017–2019, 23 December 2018, p. 8.

[68] See, for example, Welfare Conditionality project, "Final findings", May 2018; Peter Dwyer, "Punitive and ineffective: benefit sanctions within social security", *Journal of Social Security Law,* vol. 25, No. 3 (October 2018); Lisa Scullion and others, "Sanctions, support and service leavers", April 2018; and Rachel Loopstra and others, "Impact of Welfare Benefit sanctioning on food insecurity: a dynamic cross-area study of food bank usage in the UK", *Journal of Social Policy*, vol. 47, No. 3 (July 2018), pp. 437–457.

[69] Michael Adler, *Cruel, Inhuman or Degrading Treatment? Benefit Sanctions in the UK* (Palgrave Pivot, 2018).

[70] House of Commons Work and Pensions Committee, "Benefit sanctions". Nineteenth Report of Session 2017–2019, p. 3.

[71] United Kingdom Government, *Government Transformation Strategy*, 9 February 2017, p. 4.

[72] Department for Work and Pensions, *Universal Credit: Welfare that Works*, November 2010.

obstructs access to benefits, and particularly disadvantages women, older people, people who do not speak English and persons with disabilities.[73]

61. Overall roll-out of broadband Internet in the United Kingdom may be high, but many poorer and more vulnerable households are effectively offline.[74] According to the Department's own 2018 survey, only 54 per cent of all claimants were able to apply online independently, without assistance. One third of new UC claims fail in the application process and never reach the payment stage.[75] The Special Rapporteur is unaware of any effort by the Department to estimate the number of people who do not attempt to apply due to digital exclusion.

62. Despite official protests to the contrary, "digital by default" is really much closer to "digital only". Since UC was announced in 2010, the Department has always emphasized that alternative routes needed to be "kept to a minimum". According to its own figures, 95 per cent of UC claims are made online. The Department points to the UC Helpline as an alternative route, but long waiting times and poorly trained call centre staff make this a frustrating and inadequate alternative. Jobcentres, many of which have been closed, offer online access, but very little digital assistance is available and official policy is to keep "face-to-face" help to a minimum.[76]

63. The reality is that digital assistance has been outsourced to public libraries and civil society organizations. While library budgets have been severely cut across the country, they have to deal with an influx of UC claimants.[77] Many claimants rely on organizations and charities that are already inadequately funded and under pressure. As of 2019, the Department will fund Citizens Advice as the sole provider of Assisted Digital Support, with £39 million spread out over several years – which must also cover personal budgeting support. Not only is this a small amount in light of the need, but it diverts funding from public libraries and other organizations which have already set up digital support programmes.

64. "Digital by default" UC is also a major automation project. One example is the Real Time Information (RTI) system, which uses Revenue and Customs data on earnings from employers to automatically calculate monthly benefits. But with automation comes error at scale. Various experts and civil society organizations pointed to problems with the data feed, including incorrect or late information. According to the Department, a team of 50 civil servants work full-time on dealing with the 2 per cent of the millions of monthly transactions that are incorrect. The Special Rapporteur found that claimants sometimes wait weeks to be paid the proper amount, even when they have written proof that the digital information is wrong.

65. Fraud and error detection and prevention is also being automated. The Department has invested in data matching to identify fraud and error.[78] It has subsidized "risk-based verification systems", mostly built by private IT vendors, which flag claimants as being at low, medium or high risk of fraud and error and covertly subject those flagged as high risk to more intense scrutiny.[79] The Department is also developing a "fully automated risk analysis and intelligence system for fraud and error".[80]

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[73] See, e.g., written submissions by Citizens Advice Flintshire; Friends, Families and Travellers and National Federation of Gypsy Liaison Groups; Good Things Foundation; and Trussell Trust. Available at www.ohchr.org/EN/Issues/Poverty/Pages/UKVisitSubmissions.aspx.

[74] Ofcom, "Internet use and attitudes: 2017 Metrics Bulletin", 3 August 2017.

[75] Department for Work and Pensions, *Universal Credit Full Service Survey*, June 2018.

[76] Department for Work and Pensions, *Universal Credit: Welfare that Works*, p. 38.

[77] Lorensbergs, "Netloan public library customer survey results 2017", February 2018.

[78] HM Revenue and Customs and Department for Work and Pensions, "Tackling fraud and error in the benefit and tax credit system", October 2010.

[79] Submission by Big Brother Watch. Available at www.ohchr.org/EN/Issues/Poverty/Pages/UKVisitSubmissions.aspx.

[80] Department for Work and Pensions, *Rolling Out Universal Credit*, report by the Comptroller and Auditor General, National Audit Office, 15 June 2018, p. 61.

66. More public knowledge about the development and operation of automated systems is necessary. In the absence of transparency about the existence and workings of automated systems, the rights to contest an adverse decision and to seek a meaningful remedy are illusory.

VII. Poverty among specific groups

67. Women, racial and ethnic minorities, children, single parents, persons with disabilities and members of other historically marginalized groups face disproportionately higher risks of poverty.

68. Changes to taxes and benefits since 2010 have been highly regressive, and have taken the highest toll on those least able to bear it. The Government paints a picture of austerity in which everyone has tightened their belt together but, according to the Equality and Human Rights Commission, while the bottom 20 per cent of earners will have lost on average 10 per cent of their income by 2021–2022 as a result of these changes, top earners have actually come out ahead. This is compounded by cuts to public spending, including on housing and education, that have hit the lowest-income households the hardest, and in England amount to cuts of 16 per cent or £1,450 per person.[81] The cumulative impact of these changes on particular groups, and the stubborn refusal of the Government to heed recommendations, including by the Treasury Committee, that they produce and publish a robust equalities impact assessment suggest that the country's policies do not conform with the principle of non-discrimination enshrined in international law.

A. Women

69. Recent policies have too often perpetuated rather than tackled the gendered aspects of poverty. Women in the United Kingdom earn less than men, shoulder a greater amount of unpaid labour and are more likely to experience poverty.[82] Single female pensioners consistently experience poverty at a higher rate than others.[83] In 2018, women were paid 17.9 per cent less per hour on average than men,[84] made up 60 per cent of the workers receiving low pay[85] and were disproportionately engaged in part-time work with little wage progression.[86]

70. Given the structural disadvantages faced by women, it is particularly disturbing that so many policy changes since 2010 have taken a greater toll on them. Changes to tax and benefit policies made since May 2010 will by 2021–2022 have reduced support for women far more than for men.[87] Reductions in social care services translate to an increased burden on primary caregivers, who are disproportionately women. Under UC, single payments to an entire household, which are the default arrangement, can entrench problematic and often gendered interpersonal dynamics, including by giving control of payments to a financially or physically abusive partner.[88] The theoretical availability of alternative payment arrangements in exceptional circumstances is insufficient, and a 2019 commitment to pay benefits to the main carer in a household does not go far enough.[89]

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[81] Reed and Portes, *The Cumulative Impact on Living Standards of Public Spending Changes*, pp. 29 and 43.

[82] Sara Reis, "The female face of poverty", Women's Budget Group, July 2018, pp. 7 and 15–16.

[83] Joseph Rowntree Foundation, *UK Poverty 2018*, pp. 13–14.

[84] Office for National Statistics, "Gender pay gap in the UK: 2018".

[85] Conor D'Arcy, *Low Pay Britain 2018*, Resolution Foundation, May 2018.

[86] Monica Costa Dias, Robert Joyce and Francesca Paroli, *Wage Progression and the Gender Wage Gap: The Causal Impact of Hours of Work*, Institute for Fiscal Studies, 2018.

[87] Jonathan Portes and Howard Reed, *The Cumulative Impact of Tax and Welfare Reforms*, Equality and Human Rights Commission, Research Report 112, March 2018, p. 99.

[88] House of Commons Work and Pensions Committee, "Universal Credit and domestic abuse". Seventeenth Report of Session 2017–2019", 18 July 2018.

[89] United Kingdom Government, "Universal Credit: personal welfare", 11 January 2019.

71. Single parents, 90 per cent of whom are women, are more than twice as likely to experience persistent poverty as any other group, and 50 per cent of children in single-parent households are in poverty.[90] Benefits changes – including the benefit cap, the two-child limit and the introduction of full job-seeking requirements for single parents of children as young as 3 – have had a stark impact on single parents. And as of August 2018, two thirds of UC recipients who had their benefits capped were single parents.[91] Single parents in the bottom 20 per cent of income will have lost 25 per cent of their 2010 income by 2021–2022 as a result of changes to tax and benefit policies, and the poverty rate for children in single-parent households will jump to a shocking 62 per cent by then.[92]

72. While the Government's gender pay gap reporting initiative is very welcome, it must look at how its own policies are affecting women. It may well appear that women, particularly poor women, have been intentionally targeted. It should shock the conscience that since 2011, life expectancy has stalled for women in the most deprived half of English communities, and actually fallen for women in the poorest 20 per cent of the population.[93]

B. Children

73. Many of the recent changes to social support in the United Kingdom have had a disparate impact on children, including the deeply problematic two-child policy (the full impact of which is yet to be felt), the offensively implemented rape exception and the benefits cap.

74. The Social Metrics Commission found in 2018 that almost a third of children in the United Kingdom were in poverty.[94] After years of progress, child poverty has been rising since 2011–2012, almost entirely in working families.[95] The Equality and Human Rights Commission forecasts that 1.5 million more children will fall into poverty between 2010 and 2021–2022, bringing the child poverty rate to a shocking 41 per cent.[96] One in 10 girls in the United Kingdom has been unable to afford menstrual products, and many have missed school because of their period.[97]

75. Changes to benefits, and sanctions against parents, have unintended consequences on children and are driving the increase in child poverty. The Child Poverty Action Group found that Child Benefit will have lost 23 per cent of its real value between 2010 and 2020, due to sub-inflationary uprating and the current freeze. And low-paid jobs and stagnant wages have a direct effect on children, with families where two adults earn the minimum wage still falling 11 per cent short of the adequate income needed to raise a child.[98]

C. Persons with disabilities

76. Nearly half of those in poverty – 6.9 million people – are from families in which someone has a disability.[99] Persons with disabilities are more likely to be in poverty and are more likely to be unemployed, in insecure employment or economically inactive.[100] They

[90] Joseph Rowntree Foundation, *UK Poverty 2018*, p. 4.

[91] Department for Work and Pensions, "Benefit cap: data to August 2018", 1 November 2018, p. 9. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753093/benefit-cap-statistics-august-2018.pdf.

[92] Portes and Reed, *The Cumulative Impact of Tax and Welfare Reforms*, pp. 19, 25, 82, 153 and 165.

[93] Bennett and others, *Contributions of Diseases and Injuries to Widening Life Expectancy Inequalities in England*, p. 590.

[94] Social Metrics Commission, *A New Measure of Poverty*, p. 111.

[95] Joseph Rowntree Foundation, *UK Poverty 2018*, pp. 3 and 12.

[96] Portes and Reed, *The Cumulative Impact of Tax and Welfare Reforms.*

[97] Plan International, "Plan International UK's research on period poverty and stigma", 20 December 2017.

[98] Donald Hirsch, *The Cost of a Child in 2018*, Child Poverty Action Group, August 2018, p. 16.

[99] Social Metrics Commission, *A New Measure of Poverty*, p. 84.

[100] Equality and Human Rights Commission, *Is Britain Fairer?*, pp. 38, 46 and 52.

have also been some of the hardest hit by austerity measures. As a result of changes to benefits and taxes since 2010, some families with disabilities are projected to lose £11,000 on average by 2021–2022, more than 30 per cent of their annual net income.[101] Persons with disabilities told the Special Rapporteur repeatedly about benefits assessments that were superficial, dismissive, and contradicted the advice of their doctor.

77. Those with disabilities are also highly vulnerable to cuts in local government services, particularly within social care, which has left them shouldering more of the costs of their care. This has driven many families with a person with a disability to breaking point.

D. Older persons

78. Targeted efforts in the past two decades saw pensioner poverty drop by half to 13 per cent in 2012–2013. But despite the protections of the triple lock, pensioner poverty has begun to rise and by 2016–2017 reached 16 per cent, with 330,000 additional pensioners below the poverty line. The Housing Benefit has failed to keep up with actual rents, driving a rise in poverty among pensioners who rent.[102]

79. An abrupt and poorly implemented change in the State pension age for women from 60 to 66 has severely and unconscionably penalized those who were on the cusp of retirement and who had well-founded expectations of entering the next phase of their lives. And a change, quietly announced in January 2019, means pensioners with a partner below the retirement age of 65 would need to apply for UC instead of Pension Credit, a potential loss of £7,000 per year in support.[103]

80. Human Rights Watch found in 2019 that older people in England are at risk of being unable to access assistance needed to live independent, dignified lives due to uneven social services assessments, pointing to pressure on local authorities to reduce social care costs and a 140 per cent increase in social care complaints since 2010.[104]

E. Ethnic minority groups

81. Ethnic minorities are at a higher risk of becoming homeless, have poorer access to health care and experience higher rates of infant mortality. Black people and people from a South Asian background are the most likely to live in poverty and deprivation,[105] yet as a result of changes to taxes, benefits and public spending from 2010 to 2020, Black and Asian households in the lowest fifth of incomes will experience the largest average drop in living standards, about 20 per cent.[106] In England and Scotland, changes to public spending from 2010–2011 to 2021–2022 will fall the hardest on Black households.[107]

82. Gypsy, Roma and Travellers, who generally face multiple disadvantages, may be put at particular risk by "digital by default" UC and by benefit cuts due to their larger family sizes, discrimination and educational barriers.[108]

[101] Portes and Reed, *The Cumulative Impact of Tax and Welfare Reform*.

[102] Joseph Rowntree Foundation, *UK Poverty 2018*, pp. 13–14 and 39–40.

[103] Parliament, "Pensions update: written statement – HCWS1239", 14 January 2019.

[104] Human Rights Watch, "Unmet needs: improper social care assessments for older people in England", 9 January 2019.

[105] Equality and Human Rights Commission, *Is Britain Fairer?* p. 10.

[106] Women's Budget Group and Runnymede Trust, *Intersecting Inequalities: The Impact of Austerity on Black and Minority Ethnic Women in the UK*, 2017, p. 10.

[107] Reed and Portes, *The Cumulative Impact on Living Standards of Public Spending Changes*, p. 10.

[108] Submission by The Traveller Movement. Available at www.ohchr.org/EN/Issues/Poverty/Pages/UKVisitSubmissions.aspx.

F. Asylum seekers

83. Destitution appears to be a design characteristic of the asylum system. Asylum seekers are banned from working and limited to a derisory level of support that guarantees they will live in poverty. The Government promotes work as the singular solution to poverty, yet refuses to allow this particular group to work. While asylum seekers receive some basic supports such as housing, they are left to make do with an inadequate, poverty-level income of around £5 a day.[109] They also face major barriers to health care.[110]

G. Rural poverty

84. Despite the idyllic traditional image of the English countryside and lower rates than in urban areas, poverty persists in rural areas and can be particularly harsh. Rural dwellers are particularly affected by cuts to transportation and public services and are at a higher risk of loneliness and isolation. Without adequate access to transportation, people may not be able to reach places of employment where they could otherwise get a job. And in an era of "digital by default", lack of broadband Internet or access to libraries is particularly problematic. Government officials claim that anyone can walk off the street and get support to apply for benefits, but that is simply not the case for people living outside major cities.

VIII. Devolved administrations

85. Devolved administrations have tried to mitigate the worst impacts of austerity, despite experiencing significant reductions in block grant funding and constitutional limits on their ability to raise revenue. Scotland and Northern Ireland each report spending some £125 million per year to protect people from the worst impacts of austerity and, unlike the United Kingdom Government, the three devolved administrations all provide welfare funds for emergencies and hardships.

86. But mitigation comes at a price, and is not sustainable. The Scottish Government said it had reached the limit of what it can afford to mitigate, because every pound spent on offsetting cuts means reducing vital services. The mitigation package in Northern Ireland runs out in 2020, leaving vulnerable people facing a "cliff edge" scenario. For devolved administrations to have to spend resources to shield people from government policies is a powerful indictment.

A. Northern Ireland

87. In Northern Ireland, the suspension of the devolved coalition government forecloses the possibility of any major efforts to tackle poverty and results in an accountability vacuum. Steps have been taken to mitigate some of the worst effects of austerity, including adopting a more humane approach to certain aspects of UC. But a £500 million mitigation package is set to run out in 2020, and its expiration could have dire consequences for people living in poverty. Long-term unemployment rates are more than twice those of the United Kingdom as a whole.

88. In Belfast, communities are still segregated by physical barriers and inequalities have persisted along religious lines, official denials notwithstanding. As of 2016, a startling 69 per cent of those long-term unemployed are Catholic, compared with 31 per cent of Protestants.[111] People in Belfast said that the government was not building sufficient social

[109] See http://liftthe ban.co.uk/.

[110] Laura B. Nellums and others, *The Lived Experiences of Access to Healthcare for People Seeking and Refused Asylum*, Equality and Human Rights Commission, Research Report 122, November 2018, p. 32.

[111] The Executive Office, *Labour Force Survey Religion Report 2016: Annual Update – January 2018*.

housing in predominantly Catholic areas,[112] and the Northern Ireland Equality Commission found that Catholics experience the longest wait times for social housing among all religious groups.[113]

B. Scotland

89. Scotland, despite having the lowest poverty rates in the United Kingdom,[114] has the lowest life expectancy[115] and pockets of profound poverty. The Special Rapporteur met with children in Glasgow's North East neighbourhood where, according to one local councillor, 48 per cent of people are out of work, life expectancy is six years lower than the national average, about half of families are single-parent households and about a third of households lack an Internet connection.

90. Scotland has recently put in place ambitious schemes for addressing poverty, including the Fairer Scotland Action Plan and the Tackling Child Poverty Delivery Plan. It has also used newly devolved powers to establish a promising social security system, guided by the principles of dignity and social security as a human right and co-designed with claimants on the basis of evidence. The system eschews sanctions entirely and, in contrast to UC, is decidedly not digital by default. Rather, the stated goal is to make benefits equally accessible however people want to access them.

91. It is too soon to say whether these steps – and Scotland's new powers of taxation – will make a difference for people in poverty. However, it is clear that there is still a real accountability gap which can and should be addressed. The Social Security (Scotland) Act of 2018 provides no redress for violations of the right to social security. But if the compelling recommendations made by the First Minister's Advisory Group on Human Rights Leadership[116] are adopted, and if the Scottish Government acts swiftly on its commitment to incorporate the principles of the Convention on the Rights of the Child into Scottish law, these steps will make a huge difference.

C. Wales

92. Wales faces the highest relative poverty rate in the United Kingdom, with almost one in four people living in relative income poverty.[117] Twenty-five per cent of jobs pay below minimum wage.[118] There is wide consensus among stakeholders that benefit changes are one of the structural causes behind the increase in poverty, rough sleeping and homelessness in Wales.[119]

93. The Welsh Government has shifted its focus to increasing economic prosperity and employment as the gateway to poverty reduction. A poverty-specific action plan and the post of Minister for Communities and Tackling Poverty were scrapped in 2017. The new Prosperity for All Strategy, however, has no strategic focus or ministerial responsibility for poverty reduction, and lacks clear performance targets and progress indicators.

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[112] Participation and Practice of Rights, "Build Homes Now! Briefing for UN Special Rapporteur Philip Alston", November 2018.

[113] Equality Commission for Northern Ireland, *Statement on Key Inequalities in Housing and Communities in Northern Ireland*, April 2017.

[114] Joseph Rowntree Foundation, "Poverty levels and trends in England, Wales, Scotland and Northern Ireland" (n.d.).

[115] Office for National Statistics, "National life tables, UK: 2015 to 2017", 25 September 2018.

[116] First Minister's Advisory Group on Human Rights Leadership, "Recommendations for a new human rights framework to improve people's lives" 10 December 2018.

[117] Welsh Government, "Poverty statistics", available at https://gweddill.gov.wales/statistics-and-research/households-below-average-income/?lang=en.

[118] IHS Markit, "Living Wage Research for KPMG: 2017 Report".

[119] National Assembly for Wales, *Life on the Streets: Preventing and Tackling Rough Sleeping in Wales*, April 2018, pp. 33–34 and 36.

IX. Brexit

94. If Brexit proceeds, it is likely to have a major adverse impact on the most vulnerable.

X. Conclusion and recommendations

95. **The philosophy underpinning the British welfare system has changed radically since 2010. The initial rationales for reform were to reduce overall expenditures and to promote employment as the principal "cure" for poverty. But when large-scale poverty persisted despite a booming economy and very high levels of employment, the Government chose not to adjust course. Instead, it doubled down on a parallel agenda to reduce benefits by every means available, including constant reductions in benefit levels, ever-more-demanding conditions, harsher penalties, depersonalization, stigmatization, and virtually eliminating the option of using the legal system to vindicate rights. The basic message, delivered in the language of managerial efficiency and automation, is that almost any alternative will be more tolerable than seeking to obtain government benefits. This is a very far cry from any notion of a social contract, Beveridge model or otherwise, let alone of social human rights. As Thomas Hobbes observed long ago, such an approach condemns the least well off to lives that are "solitary, poor, nasty, brutish, and short". As the British social contract slowly evaporates, Hobbes' prediction risks becoming the new reality.**

96. **The United Kingdom Government should:**

(a) **Introduce a single, multidimensional measure of poverty;**

(b) **Systematically measure food security;**

(c) **Request the National Audit Office to assess the cumulative social impact of tax and spending decisions since 2010, especially on vulnerable groups, with a view to identifying what would be required to restore an effective social safety net;**

(d) **Reverse particularly regressive measures such as the benefit freeze, the two-child limit, the benefit cap and the reduction of the Housing Benefit, including for underoccupied social rented housing;**

(e) **Restore local government funding needed to provide critical social protection and tackle poverty at the community level, and take varying needs of communities and differing tax bases into account in the ongoing Fair Funding Review;**

(f) **Initiate an independent review of the efficacy of changes to welfare conditionality and sanctions introduced since 2012 by the Department of Work and Pensions;**

(g) **Train Department staff to use more constructive and less punitive approaches to encouraging compliance;**

(h) **Eliminate the five-week delay in receiving initial UC benefits;**

(i) **Ensure that the benefit truly works for individuals, including by facilitating alternative payment arrangements and reviewing the monthly assessment practices;**

(j) **Review and remedy the systematic disadvantage inflicted by current policies on women, as well as on children, persons with disabilities, older persons and ethnic minorities;**

(k) **Re-evaluate privatization policies to ensure that the approach adopted achieves the best outcomes for the citizenry rather than for the corporate sector; transport, especially in rural areas, should be considered an essential service and the Government should ensure that all areas are adequately and affordably served.**

97. **Brexit presents an opportunity to reimagine what the United Kingdom stands for. Legislative recognition of social rights should be a central part of that reimagining. And social inclusion, rather than increasing marginalization of the working poor and those unable to work, should be the guiding principle of social policy.**