



Building dignity into the social security system

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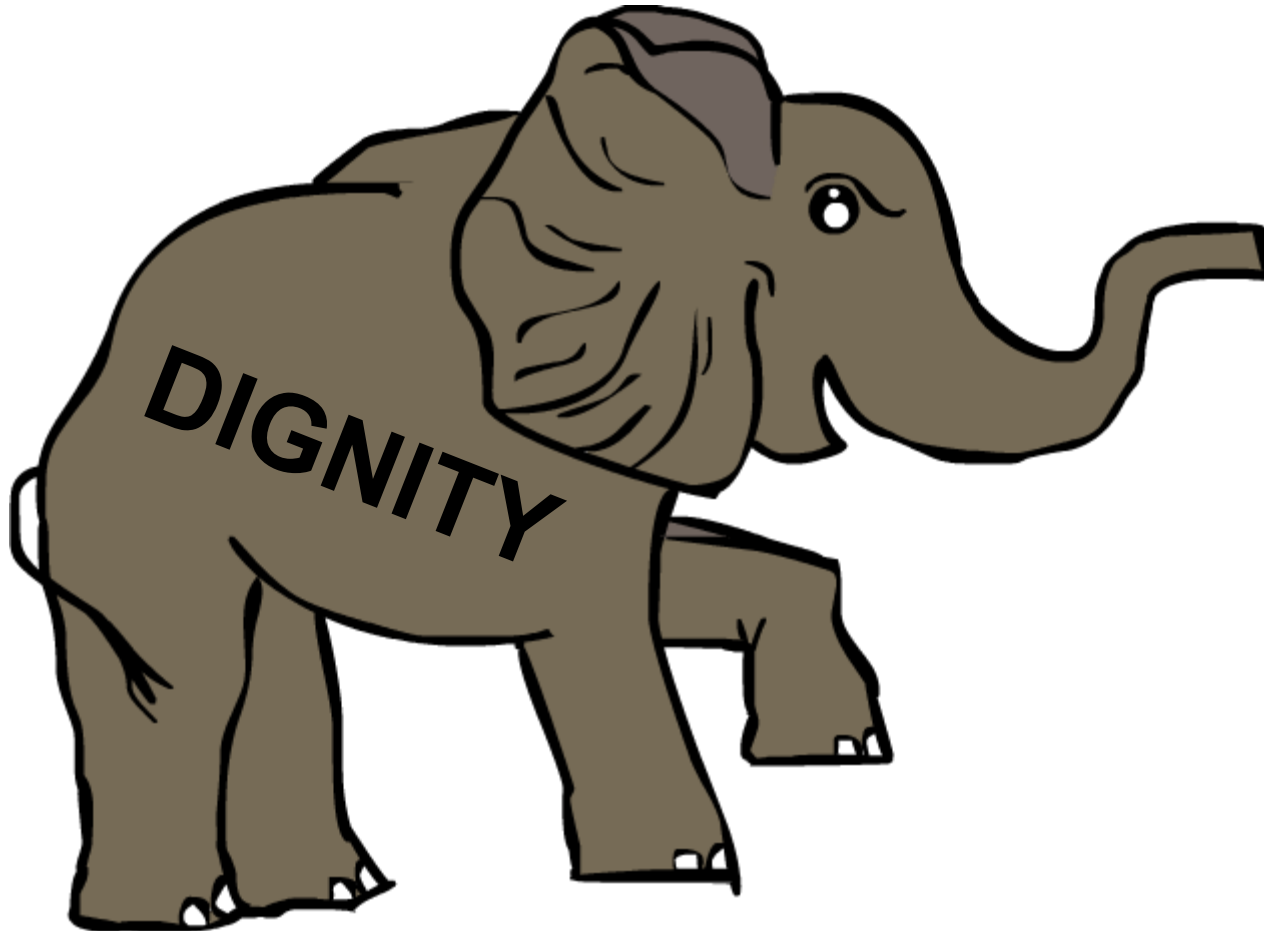
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Dignity in social security



Dignity in social security

McCrudden's definition

- Prohibition of inhuman and degrading treatment
- Ability to satisfy essential needs
- Assurance of individual autonomy
- Protection of group identity/culture

→ Articles 3 & 8, European Convention on Human Rights

Dignity in social security

Essential needs

- Not limited to survival needs
- Goods, services and activities necessary for a normal lifestyle



Dignity in social security

Essential needs

- Housing, furniture, council tax & utility bills
- Food, clothing, toiletries, essential travel, communication with emergency services, education & socialisation of children
- Cleaning products, formula milk, nappies, non-prescription drugs, minimum of social participation
- Phone calls to family & legal representatives, writing materials

Refugee Action [2014]

Dignity in social security

Essential needs

- Immigration & asylum legislation recognised as legal destitution threshold – SG [2014]

| | Weekly amount |
|------------------------|----------------|
| Single adult | £36.62 |
| Lone parent | £43.94 |
| Couple | £72.52 |
| Child | £52.96 |
| LP + 2 children | £149.86 |

Dignity in social security

Essential needs and conditionality

Sanctions regime “deliberately designed to reduce people... to complete destitution” (Webster)

Lone parent with two children:

- £149.86 below destitution threshold
- Income if subject to sanction: £148.80
- Income with hardship payment: £191.82

“Manifestly unreasonable” to deprive children of essential needs – SG [2015]

Dignity in social security

Protecting dignity



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The Scottish
WELFARE FUND



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hearing ONLY 0545 500051

SEEKER'S ALLOWANCE
CHANGES IN YOUR JOBSEEKER'S ALLOWANCE
We have looked at your claim again following a recent change.
We cannot pay you Jobseeker's Allowance from 29 July 2014.
This is because we recently told you that a decision would be made about a doubt:
• on whether you failed to comply with the requirements of the scheme to which you have been referred. We have now decided that you did not comply with the requirements of the scheme to which you have been referred, and that you did not have sufficiently good reasons for doing so. This decision applies from 29 July 2014 to 27 October 2014.
If you are looking for work, and you intend to dispute or appeal against this decision, you should continue to provide signed declarations as instructed on your ES40.
We cannot award National Insurance contribution credits for this period.
From 28 October 2014 your Jobseeker's Allowance will be £72.40 a week.
We will use the tax years ending 5 April 2008 and 5 April 2009 to assess your tax position.

References

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- M Simpson, 'The social citizenship of lone parents, 2010-2015' (PhD thesis, Ulster University, 2016)
- D Webster, 'Independent review of jobseeker's allowance sanctions: evidence submitted by Dr David Webster' (London: CPAG, 2014) <<http://www.cpag.org.uk/content/sanctions>>
- R (on the application of Refugee Action) v Secretary of State for the Home Department* [2014] EWHC 1033 (Admin)
- R (on the application of SG) v Secretary of State for Work and Pensions* [2014] EWCA Civ156; [2015] UKSC 16

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