

Response to a call for written submissions regarding a visit by the United Nations Special Rapporteur on extreme poverty and human rights to the United Kingdom - (scheduled for November 2018).

Coventry Citizens Advice.

Coventry Citizens Advice is an independent charity providing information, advice and guidance to Coventry citizens that is free, independent, impartial and confidential. We offer support across 16 different issue areas – including welfare benefits, debts, housing and employment – and are the largest independent multi-issue advice agency in Coventry.

On average we see, primarily face-to face but also through digital channels, over 8,500 'unique' clients per year and deal with approximately 25,000 separate issues. As part of our service we also allocate food vouchers on behalf of the Trussell Trust to those in 'food crisis', and are the biggest single allocator of food vouchers in Coventry.

We have a well-developed 'research and campaigns' function, ensuring the voices of our clients and our advisers are heard by local and national decision-makers, and work through a number of multi-agency forums to 'make society fairer'.

Three such key agencies of relevance to this call for evidence are: the 'welfare reform working together group' – bringing key stakeholders from the public, private and third sector together to deal proactively with issues arising from welfare reform; Advice Services Coventry – bringing together frontline workers from local independent advice services; and Feeding Coventry – a local charity devoted to ending food poverty in Coventry (and strongly affiliated to the national charity Feeding Britain).

If the Special Rapporteur considered visiting Coventry, and we strongly recommend that they do, we would be willing and able to facilitate access to each of these groups, and more.

A. GENERAL

(1) What is the definition of poverty and extreme poverty that your organization employs in the context of the United Kingdom and to what extent do official definitions used by the state adequately encompass poverty in all its dimensions?

(2) What is your view on the current official measurement of poverty by the government, what are the shortcomings of the current measurement and what alternatives would be feasible?

The measurement of poverty cannot be reduced to the generation and comparison of any single or combination of numbers; especially ones based on individual or household income. Averages, medians (or proportions thereof) are either arbitrary or flawed in ways that are already known. Yet, these numbers are still persisted with as, it seems, the official necessity to quantify in order to justify action overrides known flaws in the value of what is being measured. Income based numbers become only more confusing and misleading when separate measures for 'food poverty', 'fuel poverty', 'child poverty' and so on are added to the mix.

The very nature of poverty – causes and consequences varying by individual and household – means that no off-the-shelf measure will suffice. Something different is required but something which reflects a deeper understanding of what 'poverty' means to those who are victims of it but that can be measured consistently and comparably, and can be used in practical policy discussions.

In this vein, our experiences tell us that poverty is not necessarily about material wealth (and, consequently, does not always or often require a material solution) but about having access to adequate emergency support – ongoing if necessary – for those that need it, and opportunity to develop for those who want it. Those that don't receive the adequate emergency support they need or can't access the opportunities they want (on an equal footing to others) are 'poor'. Identifying these people, or whole groups of such people, finding out what their needs are and helping them is, we believe, the way forward. Current approaches, we believe, reflect concerted attempts to make individuals and families 'fit' national systems rather than the other way around.

(3) What are the most significant human rights violations that people living in poverty and extreme poverty in the United Kingdom experience? Please exemplify by referring to specific cases and relevant norms of international human rights law.

We believe all citizens of the UK should have the right to a secure and safe shelter over their heads, secure and materially sustainable employment, accessible and good quality 'social services' (eg health and social care, education). They must also have equal access to the law and equality under the law, in our view.

Those 'in poverty' have none of these as rights and entitlements (and the exercise of them) have been so hollowed out as to undermine the satisfactory provision of each and every one. The consequences can be seen particularly in the rise of homelessness, the rise of food poverty and the structural nature of inequality; but also in the rise of political unrest in its widest sense.

(4) Could you specify how poverty and extreme poverty in the United Kingdom intersect with civil and political rights issues (such as for example the right to political participation or the right to equality before the law)? Please exemplify by referring to specific cases and relevant norms of international human rights law.

Our experience tells us that poverty results in exclusion, isolation, marginalisation and alienation leading to, in equal measure, political apathy or radicalisation. The widespread stereotype of 'the young' not being interested in civil and political rights issues could not be further from the truth. The reality, in our experience, is that more people care about more issues than ever; but that 'official channels' to contribute or protest are not open or relevant to those who have grown up in a digital age.

In direct response to the question at hand, we believe those with less material wealth have fewer choices. They see themselves ignored and blamed for their own difficulties by the 'powers that be' (including influential elements of the press) and feel both disenfranchised and powerless. Poverty makes it difficult to contribute constructively to pluralist debate on civil and political issues for various reasons. Now, most people in poverty find it pointless; which makes them all the more susceptible to populists who reflect their prejudices and make easy promises that are impossible to keep.

(5) Could you specify how poverty and extreme poverty in the United Kingdom intersect with economic and social rights issues (such as the right to education or the right to health care)? Please exemplify by referring to specific cases and relevant norms of international human rights law.

Individual and family poverty – the absence of community or State support for those who are victims of material emergencies – is being made structural by the broadening of a ‘poverty of opportunity’. An ideologically driven unwillingness to support vital public services - specifically public education, health and social care services, and publicly delivered affordable housing – has disproportionately impacted on those already in difficulties, prevented whole communities from ‘escaping’ their material poverty, and preserved privilege for the already privileged.

To use a ‘sinking ship’ analogy here, as the ice-berg of financial sector collapse threatened the national economy, lifeboats were launched for those who could get hold of one and ‘steerage’ were abandoned to sink or swim.

Those without material security simultaneously saw their earned incomes disappear / benefit income diminish below subsistence levels, the ‘safety net’ (built to catch them when they fell) become full of holes and their opportunities to escape their circumstances (through application, flexibility and talent) diminish. The result has been access to education, housing, health and social care, and to justice, so hollowed out as to undermine any meaningful government claims to a working safety net and effective public services. In short, ‘poor people don’t get what they need’ to cope with, let alone escape, poverty.

(6) Which areas of the United Kingdom should the Special Rapporteur visit in light of the poverty and human rights situation in those locations?

We urge the Special Rapporteur to visit Coventry in the West Midlands. The city has been portrayed, by others, as mirroring the national economy in microcosm with its changing economic circumstances, its multi-ethnic / multi-national character and the existence side-by-side of significant wealth and significant poverty. As an independent local Citizens Advice office we have an active research and campaigns function and are plugged in to various multi-agency forums as well as working closely with our local authority and DWP. We would be happy to host and / or co-ordinate a visit.

(7) Which individuals and organizations should the Special Rapporteur meet with during his country visit to the United Kingdom?

Among others, we would recommend the following:

- Chief Executive, Citizens advice (national body) – Gillian Guy
- CEO Coventry CA – Kate Algate
- National Director of Feeding Britain (charity) – Rosie Oglesby
- CEO of Trussell Trust – Emma Reevey.

B. AUSTERITY

Since 2010, successive governments have engaged in fiscal consolidation, the process of reducing the amount of fiscal deficit of the United Kingdom. This process is popularly referred to as 'austerity' or 'budget cutting'.

(8) To what extent has austerity been necessary given the fiscal outlook of the United Kingdom in the last decade?

Others are better qualified to comment on this than we are. From afar, in the face of accumulated corporate debt (driven by avarice, incompetence and / or criminality), the government of the day had no choice but to take on this debt through a 'bail out' of the financial services sector; or risk an economic depression. It is important to remember that this was a corporate catastrophe which became a massive public burden.

The government of the day identified the need to stimulate economic growth while simultaneously squeezing public budgets. Governments from 2010 focused only on the latter at the expense of the former (and the general public). Austerity was not necessary in the form it took.

(9) Have austerity measures implemented by the government taken adequate account of the impact on vulnerable groups and reflected efforts to minimize negative effects for those groups and individuals?

Governments since 2010 have taken no meaningful account of the impact of vulnerable groups. An evident need for some squeeze on public finances has been used, some have argued, as an excuse for engaging in ideologically driven attacks on public services and those that work in them. The results, in the shape of rising inequality, homelessness and child poverty for example, are there for all to see.

By contrast, those that caused the economic collapse have benefited from monumental 'corporate welfare' just as the 'safety net' has been taken away from everyone who actually needs it.

(10) What have the effects of austerity been on poverty (and inequality) levels in the United Kingdom in the last decade?

Others are better placed to provide the appropriate data. Locally, the following has been evident:

- Child poverty has increased
- Fuel poverty has increased
- Homelessness has exploded
- Food poverty has exploded
- The disabled community and the young have been discriminated against.

(11) Have the human rights of individuals experiencing poverty been affected by austerity measures?

Yes – see answers to questions 3 and 4.

(12) How have local governments been affected by austerity measures in the last decades? If possible, please specify the impact on public services such as police and fire departments, public libraries, and the administration of the welfare system by local authorities.

The ability of local government to provide services for those who need them has always been dependent on two factors: having the autonomy to set their own objectives; and financial wherewithal to fund services adequately. Local government independence was severely undermined in the 1980's. The role of austerity in the past decade (since 2010) has been to reduce central funding for local government while also reducing the opportunities open to LAs to generate funding for themselves.

Simultaneously, recent governments have devolved important (and costly) central government functions to local government without the adequate transference of associated funding to manage these new responsibilities (eg council tax, social fund, homelessness prevention etc).

The consequences of this 'triple whammy' of reduced central funding, restrictions on LA financial flexibility and the devolution of central functions without sufficient funding has led to an unprecedented budget squeeze on those local authorities previously most reliant on central government funded anti-poverty programmes. In reality, among other things, this has resulted in the contraction or closure of those 'community spaces' most needed by 'the poor' (eg libraries / childrens' centres and community centres). This has manufactured structural poverty out of individual / family emergency. Local authorities in areas of poverty cannot support their citizenry in the way they know they need to.

(13) What alternatives to austerity might have been considered by governments in the last decade? Could any such alternatives have had a more positive impact on poverty (and inequality) levels in the United Kingdom?

Austerity, in a pre-existing culture of significant inequality, has been defined by the poorest sections of society being made to pay the bills of the richest sections of society. 'Corporate welfare' has exploded while the 'safety net' for families has diminished. Public expenditure savings were essential but the depth and the targets were ideologically driven; not based on long term attempts to invest in people, skills or new technologies for the benefit of all. Huge opportunities were missed to invest in the socially responsible roll out of 'future technologies' and the people needed to run them. Separately, a huge opportunity was missed to convert an unsustainable and ecologically devastating 'fossil fuel economy' with a clean, ecologically regenerative and sustainable 'green' economy.

(14) What are the potential implications of Brexit on austerity measures in the coming years?

Brexit is likely to perpetuate austerity and give the ideological right more political cover to make irrevocable attacks on the foundations of pluralist social democracy through the undermining of public education, health and social care and implicit rights to secure housing and secure and sustainable employment.

C. UNIVERSAL CREDIT

Universal Credit, which was first announced in 2010, is a key element of welfare reform in the United Kingdom. Its stated aims are to simplify and streamline the benefits system for claimants and administrators, to improve work incentives, to tackle poverty and to reduce fraud and error. The Special Rapporteur is interested in learning more about Universal Credit, including its impact on poverty in the United Kingdom and on the human rights of those living in poverty. Below are some of the questions the Special Rapporteur has in that regard:

(15) To what extent has the Universal Credit been able to achieve the goals identified above?

Universal Credit has not achieved any of its goals, from whichever perspective it is viewed. Operations on the ground do not match political rhetoric. Comprehensive and rigorously derived evidence outlining its shortcomings have been repeatedly dismissed right up to the moment adjustments have been made. It is creating poverty, homelessness and hunger, creating (inadvertently) fraud and error, not improving work incentives, discriminating against the young and the disabled, confusing vulnerable clients, frustrating those who are trying to help them and has cost the government much more than it projected to spend (with years left before a full roll out is expected to be achieved).

Through its 'digital by default' approach it is also trying to force tens of thousands of vulnerable clients to 'go digital' against their expressed wishes. Though being digitally savvy is unquestionably a useful skill, acting on the basis that all claimants already are is a huge mistake and one, more importantly, where the entire risk of a digital communications breakdown is borne by the claimant.

(16) What has the impact of Universal Credit been on poverty and the lives of the poor in the United Kingdom until now? It would be helpful to also distinguish the specific impact of Universal Credit on specific groups, including for example children, persons with disabilities, women and other groups which may be more vulnerable on the basis of their identity and circumstances.

It is too early to be definitive about the long term local impact of UC full service roll out. However, through work done by the Citizens Advice service as a whole, the national picture is clear. Rent arrears have grown causing or triggering homelessness, food poverty has grown, family debt burdens have increased and those who are digitally illiterate or inadequate are disadvantaged at every turn. These are just some of the primary

consequences. Secondary consequences include exacerbated ill-health, particularly mental health, fuel poverty and much more.

(17) Claimants apply for Universal Credit online. What has been the impact of Universal Credit being a 'digital-only benefit' on the ability of potential claimants to apply for this benefit? How does this relate to broadband internet access in the UK and the so-called 'digital divide'? What is the role of public libraries and Jobcentres in enabling access to broadband internet for those applying for Universal Credit and have these public services been adequate for the purpose?

After 3 months of full service a local picture is already clear. Those without digital skills are disadvantaged. Claims are delayed, maybe incorrectly completed (leading to inadvertent fraud/error) or not made at all. The digital divide is widened. On the ground the degree of digital support offered by the DWP and LA has changed in recent months – as a reaction to national concerns over the impact of digital by default. More is being offered but capacity is still not there. Outside official sources of support other potential centres of support, such as local libraries are either closing or have IT facilities but not the trained support staff required to make best use of this facility. We believe any picture drawn of a widening access to supported IT is an illusion.

(18) What has the impact been of various forms of 'welfare conditionality' in the context of Universal Credit in terms of incentivizing work?

Recently published government research, 'Universal Credit: In-Work Progression Randomised Controlled Trial' (DWP – Government Social Research - Sept 2018) points to the lack of positive impact of UC work incentives to support more people into better jobs.

Our experience is that increased / widened conditionality has only confused claimants and made them more concerned as to what constitutes looking for work (and avoiding a sanction) rather than actually encouraging them to develop their employability or rewarding them for finding work. The lack of one-to-one support, something UC was meant to address, is holding people back; especially those with enhanced barriers to employability. Issues are particularly difficult for those who are self-employed or trying to set themselves up as self-employed.

More fundamentally, we believe no element of UC should be determined by whether a claimant is looking for work. Earnings replacement benefits should be provided solely because the claimant has no other income. No strings should be attached. Those who want to work – the enormous majority of claimants – don't need incentivising but do need support. Those not looking for work, for reasons which may vary with each individual and should not be subject to stereotyping, should be given the money anyway as without it they will starve.

The entire presumption underpinning the current benefit system seems to be that claimants are lazy and will cheat the system every chance they get unless monitored, controlled,

threatened and punished. We believe this is fundamentally wrong and reflects an institutional discrimination against the disadvantaged.

(19) To what extent has the introduction of Universal Credit reduced the incidence of fraud and error in the welfare system?

In reality it is too early to tell. What is evident is that fraud and error are two completely different things being conflated for no justifiable reason – or as a way to exaggerate the perception of fraud levels and minimise the perception of official error levels for political reasons. Much so-called fraud from clients is caused by their poor understanding of their own responsibilities. With a changed 'claimant commitment' nothing in UC reduces this confusion. Digital communications involving those not digitally literate exaggerate this.

D. NEW TECHNOLOGIES IN THE WELFARE SYSTEM

The Special Rapporteur is interested in learning more about the impact of new technologies including the use of 'big data', artificial intelligence, algorithms and automated decision-making processes on the human rights of those living in poverty in the United Kingdom, especially in terms of the functioning of the welfare system. Below are some of the questions the Special Rapporteur has in that regard:

(20) What use does the national government, as well devolved governments and local governments, make of such new technologies in the context of decision-making in the welfare system? A recent report by the House of Commons Science and Technology Committee on 'Algorithms in decision-making' (May 2018) concluded that the central government does not currently produce, publish or maintain a list of algorithms it uses for public purposes, despite the fact that some of the new technologies that are employed, for example in welfare fraud and error investigations, can may have major negative human rights implications, especially for the poor. The Special Rapporteur is especially interested in learning more about concrete examples of the use of such new technologies by governments in the welfare system.

(21) What is the relevant regulatory framework for the use by government of such new technologies, especially in the context of the welfare system, and are there any shortcomings in the current legal framework?

(22) Which government agencies and departments are responsible for and have oversight over the use of new technologies by governments in the UK, especially in the context of the welfare system? Are their respective responsibilities clearly defined and delineated and are they able to effectively perform their responsibilities?

(23) What are the relevant policies of the central government vis-à-vis the use of these new technologies by the government, including especially in the context of the welfare system, and do these policies take into account the potential impact of the use of these technologies on the human rights of those living in poverty?

(24) What are the potential human rights issues faced by individuals living in poverty as a result of the use of new technologies in the UK welfare system?

The consequences of the 'digital-by-default' approach is that government no longer talks to its citizens, but (through interpreting big data) it actually thinks it is communicating with the public at a deeper level. The lack of personal dialogue creates a lack of understanding which creates a social and political disconnect. That disconnect generates marginalisation, isolation, exclusion and alienation amongst ever larger groups of people.

The administrative consequences of these new technologies are that 'computers make mistakes', errors are made and service users suffer. Service users have no choice other than to engage or be excluded. But effective data out requires reliable IT and well-designed software; neither of which have been consistently apparent across a swathe of public services.

New digital technologies are not used, primarily, to enhance the experience of the service user (the claimant) but have been overwhelmingly introduced to either generate 'administrative efficiencies' (ie cost savings) or allow central government to target individual groups for special treatment (ie to generate cost savings). The core value of these technologies is not to the claimant but to the administrator; supposedly simplifying and speeding up administrative processing. But people, and the vital income they need to survive, are 'lost in the shuffle'.

E. CHILD POVERTY

(25) What is the extent of child poverty in the United Kingdom, and how has it evolved over the last decade?

Others are better placed to comment on this issue. Our experiences, through our clients, is that child poverty is increasing in its breadth (if not its depth). More children are being affected.

Our experiences, particularly, through our Children and Young Persons Project (Chypp), is that how children are being affected by poverty – in ways separate to their parents – is becoming clearer. In short, individual problems of homelessness, fuel poverty, food poverty, school attendance (and attainment), digital exclusion and psychological and social isolation have been exacerbated by the damaging consequences of structural issues such as impoverished education, training and employment options, poor quality and insecure housing and contracting health and social care.

(26) What are the implications of child poverty for the rights enumerated in the Convention on the Rights of the Child?

They will become impossible to achieve in any meaningful sense.

(27) What are the main causes of child poverty in the United Kingdom, what have been the main government responses, and how effective have they been?

This question requires a comprehensive response but here is the short version...

the unemployment or underemployment of parents at wages that have not kept up with inflation (direct consequences of the rise of the 'gig' economy), requiring maximum flexibility from parents, has created family poverty (even for those in work) and degrees of unavoidable child neglect. Poor national housing standards, not enforced for a lack of resources on behalf of local authority enforcement agencies, and insecure tenure and tenants' rights in name only, have eroded family 'security of place' and left poor children living in sub-standard conditions. Underfunded schools and colleges (including the introduction of university fees), plus the contraction of health and social care services, have made providing services for parents and hope for children more difficult.

Parents' needs and childrens' aspirations are undermined at every turn.

F. 'BREXIT'

(28) What are the potential implications of Brexit for the situation of those living in poverty in the United Kingdom?

How Brexit rolls out is still extremely unclear which, itself, makes planning for it impossible (on an individual, family or organisational level). Our current clients are overwhelmingly those who are either struggling with incomes that don't cover essential expenditures or struggling to understand, access and exercise their rights and entitlements as citizens.

By all accounts Brexit will damage the national economy and require/generate massive amounts of re-regulation; a 'regulatory reformation' as it were. Putting aside specific concerns over impacts on immigrants and those disadvantaged by an expansion of the so-called 'gig economy', all predictions point to increased demand for our services.

(29) What are the potential implications of Brexit in terms of protecting the human rights of low-income groups and of persons living in poverty?

The human rights of low income groups and of persons living in poverty – specifically monitored in the rise of social and financial exclusion, the denial of legal aid and the rise of homelessness – have been under attack for some time and pre-dates the Brexit debate. The expected dividends from Brexit will intensify this attack as EU driven measures and policy frameworks which protect these groups (social and economic) are reformed/dismantled and economic stagnation and/or decline create the conditions for a semi-permanent austerity.

(30) To what extent does government planning for Brexit explicitly address the issues arising under questions 28 and 29 above?

We believe it does not. Those who promote Brexit deny there will be a detrimental economic impact, so no need to change current direction of policy travel (ie inequality is good, small government is good and austerity is necessary and manageable). Those who believe Brexit will be a catastrophe are either not in positions of influence or are 'hiding'.

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