Equality, Human Rights and the Public Service Spending Cuts: Do UK Welfare Cuts Violate the Equal Right to Social Security?

Jonathan Butterworth and Jamie Burton[1]

> *"Too often when countries undertake major consolidations (...) it is the poorest – those who had least to do with the cause of the economic misfortunes – who are hit hardest. Perhaps that has been a mistake that our country has made in the past. This Coalition Government will be different."*
>
> Chancellor of the Exchequer,[2] Rt Hon George Osborne MP
> (22 June 2010)[3]

1. Introduction

The UK ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR)[4] in 1976. As such, the UK is legally bound to guarantee the right to social security for everyone without discrimination.[5] In particular, indirectly discriminatory measures, which appear neutral at face value but have a discriminatory impact on the exercise of Covenant rights, are prohibited under Article 2(2) of the Covenant.[6] Even in times of economic crisis, the UK is under a duty to avoid at all times taking decisions which might lead to the denial of economic, social and cultural rights.[7]

In 2010, the UK government announced that it intended to cut the amount it spends each year by at least £83 billion, or around 14% of all public spending, by 2015.[8] Cuts to social security totalling £22 billion[9] have been implemented through a range of changes including the limiting, freezing and capping of a broad range of welfare benefits.[10]

The government stated that the cuts would be fair, evenly spread across all sectors of society and, as such, would not have a disproportionate impact on marginalised and disadvantaged groups.[11] Section 4 of this article examines the legality of the social security cuts and finds that they have been distributed in an indirectly discriminatory manner, having a disproportionate impact on the rights of "at risk" groups, particularly women and disabled people, contrary to Articles 2(2) and 9 of the Covenant.[12]

In turn, section 5 examines whether the cuts may be justified on the grounds of necessity and proportionality. In accordance with guidance issued by the Committee on Economic, Social and Cultural Rights (CESCR), rights infringements amount to rights violations if state parties are unable to demonstrate that the measures in question are both necessary and proportionate.[13] In making this assessment, the CESCR looks carefully at, first, whether there is a reasonable justification for the relevant action and second, whether every effort has been made to use all resources that are at a state party's disposal in an effort to realise the full content of the right, and eliminate discriminatory provision, as a matter of priority.[14]

The government has sought to defend its welfare reforms on the grounds of budget deficit reduction. However, for the reasons presented in section 5, the changes fail to establish a reasonable justification for the infringement of the right to social security. Further, section 5 argues that, by introducing a range of revenue-raising and cost saving measures, the government could have reduced the budget deficit without discriminatorily limiting the right to social security. As such, section 5 concludes that the UK government has failed to use all resources at its disposal to secure the right to social security, free from discrimination, as a matter of priority, contrary to Articles 2(2) and 9 of the Covenant.

2. The Right to Social Security and the Duty of Non-Discrimination

The Right to Social Security

By Article 9 of the Covenant, the UK is obliged to secure the right to social security, which encompasses the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, *inter alia*, from lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, death of a family member, unaffordable access to health care or insufficient family support.[15]

In accordance with CESCR General Comment No. 19,[16] benefits, whether in cash or in kind, must be adequate in amount and duration in order that everyone may realise his or her rights to family protection and assistance, an adequate standard of living and adequate access to health care, as contained in Articles 10, 11 and 12 of the Covenant respectively.[17]

The Duty of Non-Discrimination

Under Article 2(2) of the Covenant, the UK is under a duty to guarantee the rights contained in the Covenant, including the right to social security, without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. "Other status" has been interpreted by CESCR to include disability, nationality, health status, sexual orientation, age and economic and social situation.[18]

Discrimination constitutes any distinction, exclusion, restriction, preference or other differential treatment that is directly or indirectly based on prohibited grounds, and which has the intention or effect of impairing the enjoyment, on an equal footing, of Covenant rights.[19]

Under the Covenant, both direct discrimination (when an individual is treated less favourably than another person in a similar situation for a reason related to a prohibited ground) and indirect discrimination (laws, policies or practices which appear neutral at face value, but have a discriminatory impact on the exercise of Covenant rights) are prohibited under Article 2(2) of the Covenant.

Given that everyone has the right to social security, state parties to the Covenant must give special attention to those individuals and groups who traditionally face difficulties in exercising this right. In particular, General Comment No. 19 requires state parties to the Covenant to give special attention to the rights of women, the unemployed, workers inadequately protected by social security, persons working in the informal economy, sick or injured workers, people with disabilities, older persons, children and adult dependents, domestic workers, home-workers, minority groups, refugees, asylum-seekers, internally displaced persons, returnees, non-nationals and prisoners and detainees.[20]

Obligations and Violations

CESCR recognises that the realisation of the right to social security carries significant financial implications for state parties, but notes that the fundamental importance of social security for human dignity means that the right should be given appropriate priority in law and policy.[21]

As such, in response to the economic crisis, CESCR declared that state parties should avoid, at all times, taking decisions which might lead to the denial or infringement of economic, social and cultural rights, and emphasised that any proposed austerity measures or public service spending cuts must meet a set of key requirements.[22]

First, measures must be temporary, covering only the period of crisis.[23] Second, measures must be necessary and proportionate, in the sense that the adoption of any other policy would be more detrimental to economic, social and cultural rights.[24] In particular, failure to remove differential treatment on the basis of a lack of available resources is not an objective and reasonable justification unless every effort has been made to use all resources that are at the state parties' disposal in an effort to address and eliminate the discrimination, as a matter of priority.[25]

Third, the policy must not be discriminatory and must comprise all possible measures, including tax measures, to support social transfers to mitigate inequalities that can grow in times of crisis, and to ensure that the rights of disadvantaged and marginalised individuals and groups are not disproportionately affected.[26]

Fourth, the policy must identify, and ensure the protection of, a minimum core content of rights at all times. In order for a state party to be able to attribute its failure to meet at least its minimum core obligations to a lack of available resources, it must demonstrate that every effort has been made to use all resources that are at its disposal in an effort to satisfy, as a matter of priority, these minimum obligations.[27]

Beyond this, there is a strong presumption that retrogressive measures taken in relation to the right to social security are prohibited under the Covenant.[28] In accordance with General Comment No. 19, if any deliberately retrogressive measures are taken, the state party has the burden of proving that they have been introduced after the most careful consideration of all alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant, in the context of the full use of the maximum available resources of the state party. The Committee will look carefully at whether: (a) there was reasonable justification for the action; (b) alternatives were comprehensively examined; (c) there was genuine participation of affected groups in examining the proposed measures and alternatives; (d) the measures were directly or indirectly discriminatory; (e) the measures will have a sustained impact on the realisation of the right to social security, an unreasonable impact on acquired social security rights or whether an individual or group is deprived of access to the minimum essential level of social security; and (f) whether there was an independent review of the measures at the national level.[29]

3. Public Service Spending Cuts

In 2010, the UK government announced cuts totalling £83 billion which would be implemented by 2015. Overall, these cuts form 14% of all public spending.[30] By 2015, annual spending in real terms on local government will be cut by £16 billion, university spending will be cut by £6.4 billion, criminal justice spending will be cut by £5.9 billion, and spending on benefits and tax credits will be cut by £22 billion.[31]

As such, the cuts to English local government (41.9%), benefits (18.6%), universities (32.1%) and criminal justice (26.4%) together make-up about 70% of all cuts, despite only representing 33% of all government expenditure.[32] Over 60% of relevant local government expenditure is for social care for children or adults. By 2015 social care in England will have been cut by £8 billion. This is a real term cut of about 33%. Together the cuts to English local government (whose main function is social care) and on welfare benefits (the main focus of which is to reduce poverty) make up 50.8% of all cuts, despite the fact they represent only 26.8% of central government expenditure.[33]

In contrast, spending on the National Health Service and pensions has been ring fenced. Together they represent over 30% of all government expenditure. In contrast, some departments have been allocated extra funds. Spending on foreign aid will increase by £2 billion (20.7% growth) and spending on the Cabinet office[34] and Treasury[35] will rise by £2.2 billion (241.9%).[36]

Against this backdrop, prices have risen sharply, while incomes have remained static and unemployment has grown steadily. For instance, at the end of 2007 there were 122,000 long term Job Seekers Allowance claimants, but at the end of 2011 there were 279,000.[37] In the past four years, the official inflation rate has shown prices rising by a total of 15%, but food has gone up by 23% and domestic fuel by 53% - over three times the official rate.[38] In contrast, median income in the UK will fall by 1% in real terms, relative to inflation, between 2016 to 2020, ending the decade at 4.5% below its 2010 level.[39]

Social Security Spending Cuts

Cuts to social security have been implemented through a range of welfare reforms, including the move to Universal Credit,[40] introduction of the benefit cap,[41] the switch from the Retail Price Index to the Consumer Price Index,[42] freezing of housing benefit,[43] freezing of child benefit,[44] the move from income support to Job Seekers Allowance,[45] tax credit alterations,[46] abolition of pregnancy grants, restriction of maternity grants[47] and replacement of the disability living allowance with personal independence payments.[48] Further, the government has time-limited employment support allowance,[49] introduced a “bedroom tax”,[50] cut the social care budget[51] and closed off the Independent Living Fund.[52] Overall, these cuts indirectly discriminate against marginalised groups, including women and disabled people, to the extent that they disproportionately impact on their access to the right to social security, as can be seen from the evidence presented in the following sections.

4. Do UK Cuts to Welfare Infringe the Right of Equal Access to Social Security?

In accordance with CESCR General Comment No. 20, indirect discrimination, namely laws, policies and practices which appear neutral at face value, but have a discriminatory impact on the exercise of Covenant rights, are prohibited under Articles 2(2) and 9 of the Covenant.[53] In particular, the CESCR has declared that states parties to the Covenant must ensure that the rights of disadvantaged and marginalised individuals and groups are not disproportionately affected by austerity measures.[54]

Contrary to the UK's legal obligations under the Covenant, the government's cuts to welfare are indirectly discriminatory, to the extent that they disproportionately impact on the enjoyment of the right to social security with regards to marginalised and disadvantaged groups, particularly women and disabled people.

4(A) Women

The Covenant pays special attention to the rights of women. Under Article 2(2) of the Covenant, the UK is under a duty to guarantee the rights contained in the Covenant, including the right to social security, without discrimination of any kind as to sex.[55]

Women in the UK are particularly vulnerable to cuts and changes to social security. Women are already at greater risk of poverty than men. For instance, 22% of women have a persistently low income as compared to 14% of men.[56] Further, 64% of low-paid workers are women, 40% of ethnic minority women live in poverty and women experience a full-time pay gap of 14.9%.[57]

As a result of this "gender poverty", women are more reliant on social security than men. On average, one-fifth of a woman's income in the UK is made up of welfare payments and tax credits (18% for women) compared to one-tenth for men (8% for men).[58] Further, twice as many women (30%) as men (15%) rely on state support for at least three quarters of their income.[59]

In sum, women comprise the larger part of the disadvantaged and marginalized groups in the UK.. As such, Articles 2(2) and 9 place the UK government under a legal duty to take all possible measures, including tax measures, to support social transfers to mitigate inequalities that can grow in times of crisis, and to ensure that the rights of women are not disproportionately affected as a result of indirectly discriminatory measures.[60]

Discriminatory Impact of Social Security Cuts on Women

Taken as a whole, welfare cuts disproportionately impact on women's enjoyment of the Article 9 right to social security. Analysis of the 2010 cuts package by the House of Commons Library found that 72% of social security cuts came from women's incomes.[61] The cost to women of all tax and benefit changes, particularly when combined with the changes to housing benefit, will be £5.76 billion. In contrast, the cost to men will be £2.295 billion.[62] As such, the changes disproportionately impact on women's enjoyment of the right to social security.

Women are losing income through the scrapping, freezing, down-rating, limiting and capping of benefits which help to lift low-income women out of poverty. From May to August 2011, there was an 8% drop recorded in women's incomes from £1,935 (May 2011) to £1,777 (Aug 2011).[63] Single mothers have been particularly affected by the cuts. losing an average 8.5% of their income after tax by 2015 – the equivalent of more than a month's income each year. This is in stark contrast to the loss of income of 7.5% for single fathers, 6.5% for couples with children and 2.5% for couples without children.[64] Moreover, by

2014-15, lone mothers will lose public services worth 18.5% of their income, compared to 6.8% for the average household and lone parents will lose services worth £1,900 each year due to the spending cuts.[65] As such, the evidence indicates a pattern of indirect discrimination contrary to Articles 2(2) and 9.

While women are losing out heavily from social security cuts, women's unemployment has continued to rise. The Office for National Statistics said 32,000 women became unemployed between October and December 2011, compared with only 16,000 men.[66] During that period, the number of unemployed women also hit its highest level since 1987,[67] thereby compounding the discriminatory impact of the welfare changes.

Looking in more detail, we can see that women's enjoyment of social security has been particularly restricted as a result of the move to Universal Credit, introduction of the benefit cap, freezing of housing benefit and child benefit, tax credit alterations, abolition of pregnancy grants and restriction of maternity grants.[68]

Tax Credits

Childcare in the UK is amongst the most expensive in the world with 33% of average net income going towards childcare.[69] In 2010, 30% of working mothers depended on paid childcare. This included 56% of lone mothers with a child under five and 34% of mothers with partners.[70]

The cut in childcare tax credits, detailed in section 3 above, will affect nearly half a million families with the average family losing £436 a year and some losing as much as £1,300 annually.[71] Cuts and adjustments to tax credits are worth £3,870 per year, or more than £70 per week, to families earning less than £17,000. However, cuts to tax credits for part-time workers will hit women hardest, as nearly three times as many women as men work part-time in the UK.[72] Government figures show that 212,000 households could be hit, including 470,000 children. Overall, 24% of mothers have had to give up work as a result of the changes.[73]

On the other hand, while the 2012-13 rise in the personal allowance for income tax[74] to £8,105 lifts 260,000 people out of taxation, it does nothing to boost the incomes of the 3,769,525 people who earn too little to pay tax, 73% of whom are women.[75] As a result, the tax credit changes disproportionately impact women's enjoyment of social security.

Child Benefit

Traditionally, child benefit has been a universal benefit paid to the main carer, which in 94% of cases is the mother.[76] Due to the freezing and clawing back of child benefit, by 2014, a family with one child will be around £130 a year worse off than if child benefit had been increased each year in line with inflation and a family with three children will be £285 a year worse off.[77] Figures show that 4.6 million women who receive Child Tax Credit (CTC) will be affected by the changes to the benefit which came in force in January 2013 and 98% of those affected by the changes to Child Benefit will be women, including women caring for a child and working women with children.[78] In sum, women will be overwhelmingly affected rather than men.

Maternity and Pregnancy Grants

Welfare entitlements are crucial in helping women cope with the costs of pregnancy and a new child, a time when many families are under considerable financial pressure. Families with female heads of household will be disproportionately affected by these changes. In total, the abolition of the pregnancy grant and the restriction of the maternity grant amount to a loss of £500 for low-income mothers and will affect 150,000 families.[79]

Universal Credit

The introduction of Universal Credit will disproportionately affect women. Currently in the UK, the average second earner, who will predominately be a woman, keeps only 32% of their earnings once childcare costs are taken into account, compared with 48% on average in OECD countries. This situation will be exacerbated by the single payment of Universal Credit going to the highest earner, which is disproportionately likely to be a man.[80] As a result of this "bread-winner bias", Universal Credit will have a differential impact on women, leaving 150,000 single working mothers up to £68 a week worse off.[81] As such, the indirectly discriminatory nature of the welfare reforms becomes increasingly apparent.

Housing Benefit

The freezing and limiting of housing benefit will hit women hardest. The National Housing Foundation has warned that housing benefit reductions could put 200,000 people at risk of losing their homes.[82] Single women constitute approximately 50% of recipients, with couples composing around 20% and single males 30%. Overall, almost one million more women claim Housing Benefit than men – many of whom are single mothers at risk of poverty.[83] It is expected that 60% of single women, many of whom are lone parents, will receive less housing benefit under the housing benefit cap, compared to 3% of single men. To compound the matter, between 2011 and 2012 there was a 40% drop in the proportion of homelessness services specifically targeted at women.[84] Overall, women stand to lose more than men.

Benefits Cap

The cap on total benefits that a family can receive will disproportionately affect women. The Department of Work and Pensions' own Equality Impact Assessment of this policy recognises that the cap will affect women more than it will affect men:

"Modelling suggests that around 60% of customers who are likely to have their benefit reduced by the cap will be single females but only around 10% will be single men. Most of the single women affected are likely to be lone parents: this is because we expect the majority of households affected by the policy to have children and around 50% to be single parents."[85]

The Department argues that these impacts will be mitigated by policies to support lone parents into paid work. However, this will still leave women who are unable to find work, particularly work that fits round their childcare responsibilities, facing a significant drop in income.

In summary, evidence indicates that the government's agenda of cuts and changes to social security are indirectly discriminatory, contrary to Articles 2(2) and 9 of the Covenant, to the extent that they disproportionately impact on the enjoyment of the right to social security with regards to women.

4(B) Disabled People

Furthermore, government cuts and changes to social security are indirectly discriminatory with regards to disabled people, to the extent that the measures disproportionately impact on disabled people's enjoyment of the right to social security.

Even without cuts, disabled people are a disadvantaged and marginalised group within society. When the additional costs disabled people face as a result of their impairment are factored in, figures suggest that well over half of disabled people in the UK could be living in poverty.[86] Nearly nine in ten disabled people (87%) say their everyday living costs are significantly higher because of their condition, and 13% of households with a disabled member experience "great difficulty" in "usually making ends meet", nearly double the number compared with the general population.[87]

A substantially higher proportion of individuals who live in families with disabled members live in poverty, compared to individuals who live in families where no one is disabled. Overall, 19% of individuals in families with at least one disabled member live in relative income poverty, on a Before Housing Costs basis, compared to 15% of individuals in families with no disabled member. In total, 21% of children in families with at least one disabled member are in poverty, a significantly higher proportion than the 16% of children in families with no disabled member.[88] At least five million people have impairments that are so significant that they are currently entitled to attendance allowance or disability living allowance; this is 8% of the population.[89]

As a result, disabled people constitute a disadvantaged and marginalised group in the UK. Thus, Articles 2(2) and 9 of the Covenant place the UK government under a legal obligation to take all possible measures to ensure that the rights of disabled people are not disproportionately affected as a result of indirectly discriminatory measures.[90]

Discriminatory Impact of Social Security Cuts on Disabled People

Cumulatively, disabled people have been disproportionately affected by welfare reforms. Disabled people and their carers have experienced a drop in income of £500 million since the emergency budget in 2010.[91] 85% of councils now restrict care to people with "substantial" and "critical" needs, and, as a result, increasing numbers of disabled people are left without care.[92] Overall, Britain's 3.6 million people claiming disability benefits will be £9 billion worse off from 2010 to the end of this Parliament in 2015.[93]

The Centre for Welfare Reformestimates that in real terms the total level of cuts is equal to £75.2 billion.[94] Given that the population of the UK is 63 million, the mean level of cuts is just over £1,200 per person. In contrast, the overall burden on disabled people will be an average of £4,410 per person. This means the cuts targeting disabled people are 9 times more than those placed on most other citizens. As such, disabled people total only 8% of the population (one in 13) but bear 29% of all cuts. However, the total burden on the 1.3 million severely disabled people who rely on social care will be higher still. On average, severely disabled people will lose £8,832 per person. This means that people with the severest disabilities, 2% of the population (one in 50) bear 15% of all cuts.[95] According to this statistical analysis, the welfare reforms *prima facie* infringe disabled people's enjoyment of the right to social security.

From the macro to the micro, evidence cited in the sections below indicates that disabled people will be particularly affected by the closure of the Independent Living Fund (ILF), replacement of the disability living allowance with the personal independence payment, time-limiting and means-testing of employment support allowance, the introduction of Universal Credit and cuts to housing benefit.

Employment Support Allowance

In April 2012, 40,000 disabled people lost more than £90 a week as contributory employment support allowance was capped to just a twelve month payment.[96] By April 2013, 10 times that number, 400,000 disabled people, lost some or all of their employment support allowance meaning they face a future of unemployment and on average a £52 a week drop in income.[97]

Disability Benefits Consortium found that more than half of those respondents who had been for a medical assessment for employment support allowance found it stressful, and more than four in 10 said it actually made their health condition or impairment worse because of the stress and anxiety caused.[98] More than half of those respondents who had received a decision on their application for employment support allowance did not agree with the decision and, of these, half planned to appeal against it.[99]

Social Care

Social care for working age disabled adults is underfunded by at least £1.2 billion.[100] At the same time, the number of disabled adults needing care and support is increasing. In 2010-11, 1.1 million disabled people relied on the social care system, but by 2020 the number of people in need of care will have risen to 1.3 million.[101] The squeeze on funding is being exacerbated by cuts to local authority budgets. Between 2010-2011 and 2014-2015, local authority budgets will have shrunk by 28%,[102] which will be further compounded by an extra two percent cut announced in 2012.[103]

Regressive cuts are deeply affecting social care services, forcing councils to reduce the numbers of disabled people who are eligible for free care and support. Research shows that at least 36,000 working age disabled people may lose the care and support they currently receive. A further 69,000 disabled people will continue to live at crisis point without even a basic level of care. Overall, more than 105,000 working age disabled people are set to miss out on vital care and support.[104]

Recent evidence has highlighted the discriminatory impact of social care cuts on disabled people. Nearly four in ten disabled adults (36%) are unable to eat, wash, dress or get out of the house due to underfunded services in their area; nearly half (47%) say the services they receive do not enable them to take part in community life and over one third (34%) are unable to work or take part in volunteering or training activities after losing support services. Further, nearly four in ten disabled people seeking support services (38%) say they experienced added stress, strained relationships and overall decline in the wellbeing of friends and family, and over half (53%) say they felt anxious, isolated, or experienced declining mental health, because they had lost care and support services.[105]

Personal Independence Payment

The move from to disability living allowance to personal independence payment will save the government over £2 billion, and an estimated 500,000 disabled people are expected to lose out on this vital support as a result.[106] Research suggests a reduction in disabled people's cash incomes leads to an increase in deprivation, but the first working age people undergoing reassessments for personal independence payment risk losing some or all of their extra costs benefits as soon as October 2013. As the allowance is replaced by personal independence payments, disabled people will be affected by a total budget cut of 20%.[107]

Consumer Price Index

The government has stated that its disability living allowance reforms are intended to help disabled people "with the greatest needs".[108] However, the April 2011 change in the indexation from the higher retail price index to the lower consumer price index represents a total loss of £360 per year for higher care claimants.[109] Even if modest growth returns in the coming years, low and middle income households that receive support from the state will see their living standards fall steadily further behind.

"Bedroom Tax"

In April 2013, the government removed the Housing Benefit Spare Room Subsidy, better known as the "bedroom tax". According to the government, the Spare Room Subsidy has been removed in order to contain growing housing benefit expenditure, encourage mobility within the social rented sector, strengthen work-incentives and make better use of available social housing by introducing size criteria for working age Housing Benefit claimants living in the social rented sector.[110]

The removal of the spare room subsidy will disproportionately impact on the enjoyment of social security for disabled people. According to the governmental impact assessment, the policy will affect an estimated 660,000 housing benefit claimants living in the social rented sector at the time of its introduction in 2013-14. This is approximately 31% of all working age Housing Benefit claimants living in social housing. However, the government failed to disaggregate this data in order to examine the impact on disabled people. When disaggregated, the data reveals that just under two-thirds of families affected by the bedroom tax include a disabled adult.[111] In sum, the policy is, *prima facie,* indirectly discriminatory, with regards to its impact on disabled people.

The Closure of the Independent Living Fund

Ostensibly, the government decided to close the ILF[112] in order to localise the provision of care:

"Currently some ILF users receive different levels of funding compared to people with similar needs. The government believes that ILF users should have their care and support needs assessed and met in the same way as all other users of the social care system. The Department for Work and Pensions has concluded that delivering this funding through the mainstream care and support system, which is overseen by local authorities, is preferable because this model is a fairer way of distributing this funding and has embedded local democratic accountability."[113]

However, evidence put forth by Disabled People Against Cuts (DPAC), a national disability rights campaign, suggests that the closure of the independent living fund will disproportionately impact disabled people's enjoyment of social security. In particular, the change requires local authorities to increasingly focus upon essential basic care, rather than upon full independent living for service users.[114] Further, the closure of the ILF and transfer of service duties to local authorities will result in the limiting of social care support to those with critical needs thereby denying the vast majority of disabled people the support they need to maintain decent, healthy and active lives.[115]

Universal Credit

Whilst some people may be better off under Universal Credit,[116] a recent inquiry identified that several key groups would lose financially under the new system. In particular, 100,000 disabled children stand to lose up to £28 a week, 230,000 severely disabled people who do not have another adult to assist them could receive between £28 and £58 a week less than currently and up to 116,000 disabled people who work could be at risk of losing around £40 per week. This is equivalent to the loss of around £1,500 per year for most families with a disabled child, and means that around 450,000 disabled people could stand to lose out under Universal Credit once it is fully implemented.[117]

The plans for Universal Credit involve a shift in resources to target disabled people with the greatest needs better, for example those in the support group for employment support allowance. However, the abolition of the severe disability premium means even those with the most serious health conditions or the greatest level of impairment will receive £28 less a week if they live on their own.[118]

Moreover, sanctions will become more severe with the introduction of universal credit. Someone who does not take part in mandatory work activity can lose benefits for 13 weeks for a first "offence" and 26 weeks for a second.[119] National charities have raised concerns that sanctions will disproportionately affect disabled people:

"Cases highlight the impact of sanctions on the most vulnerable claimants (…) they are often vulnerable clients with learning disabilities who have failed to understand what is required of them, or who haven't attended courses or applied for jobs because the options have been inappropriate to their disabilities or levels of literacy."[120]

In summary, evidence indicates that the cuts and changes to social security are regressive and amount to an infringement of Articles 2(2) and 9 of the Covenant, to the extent that the measures disproportionately impact on disabled people's enjoyment of the right to social security. Moreover, as outlined in section 5 below, governmental cuts to social security are neither necessary nor proportionate. As such, the measures not only infringe Articles 2(2) and 9 of the Covenant; they also amount to a violation of these rights.

5. Do UK Cuts to Welfare Violate the Right of Equal Access to Social Security?

In accordance with CESCR guidance, rights infringements amount to rights violations if state parties are unable to demonstrate that the measures in question are both necessary and proportionate.[121] CESCR looks carefully first at whether there was reasonable justification for the action and second, whether every effort has been made to use all resources that are at the state parties' disposal in an effort to realise the full content of the right and to eliminate discriminatory provision, as a matter of priority. In this regard, state parties to the Covenant must demonstrate that no alternative measures are available which would be less detrimental to the enjoyment of the right to social security.[122]

In applying this legal test, the social security cuts and changes can be seen to be neither necessary nor proportionate, and, as a result, amount to an unjustified and discriminatory violation of the right to social security.

Reasonable Justification

Welfare reforms have primarily been justified on the grounds of budget deficit reduction. On 14 June 2012, Work and Pensions Secretary Iain Duncan Smith asserted that the budget deficit was caused by spending on welfare, and therefore that welfare spending must be reduced in order to shrink the deficit: "why we got into such problem in debt and the deficit was that in chasing the [Child Poverty] target it got more and more difficult and more and more money had to be spent."[123] A range of commentators have recently joined the government in arguing that reducing welfare expenditure is one of the necessary courses of action to resolve the current economic crisis.[124]

However, contrary to the above views, evidence indicates that the financial crisis and budget deficit were not caused by excessive welfare spending. Government expenditure has changed very little as a percentage of GDP in over 40 years. The average percentage is 43% and the two major peaks in expenditure were in 1977 and 1982, but even then it did not exceed 50%.[125] Rather than welfare spending, the real cause of the current economic crisis is over-borrowing, in particular by home owners. For instance, the average house price at the end of 1995 was £83,900. At the peak of the housing bubble in 2007 it was £219,843. That is an increase of 260%. Real economic growth for the same period was only 46%. The economic crisis was caused by the bursting of the borrowing "bubble".[126] In sum, the deficit was not caused by welfare spending and social security cuts cannot reasonably be justified on this ground.

In Autumn 2012, the Chancellor argued that, in light of the need to reduce the budget deficit, benefits are too generous and need to be cut: "fairness is also about being fair to the person who leaves home every morning to go out to work and sees their neighbour still asleep, living a life on benefits."[127] However, evidence strongly rebukes this apparent "shirker/striver" dichotomy. On average, the UK public estimate benefit levels to be around a third higher than reality.[128] According to the Joseph Rowntree Foundation, benefit levels have halved relative to the average wage since 1979. An unemployed single person over 25 will receive in benefits just 40% of the minimum income standard while a couple with two children will receive 60% of their needs. Only pensioners receive the minimum income standard when solely relying on benefits.[129] In short, the "shirker/striver" rationale does not provide reasonable justification for discriminatory social security cuts.

On 20 October 2010, in the House of Commons, the government sought to justify social security cuts as a method of deficit reduction, on the grounds of combating welfare fraud: "we estimate that £5 billion is being lost this way [through benefit fraud] each year."[130] Despite the government's claim, the correct figure for benefit fraud was at the time £1.6 billion.[131] In 2011-12 welfare fraud across the benefit and tax credit system stood at a historically low fraud rate of 0.9%, which is less than the amount underpaid to claimants because of errors.[132] The estimated fraud rate for taxation is around four to seven times higher.[133] In January 2013, polling indicated that the general public believed that 27% of the welfare budget was being claimed fraudulently; despite the government's own figures at the time indicating that fraud was as low as 0.7%.[134] In conclusion, the regressive and discriminatory nature of the cuts to social security cannot be objectively justified on the grounds of the combating of welfare fraud.

Making Full Use of All Available Resources

The UK has not made every effort to use all resources at its disposition in order to eliminate the discriminatory enjoyment of social security, as a matter of priority. In particular, alternative measures for reducing the deficit are available which are less detrimental to social security.

A range of resources are available to the UK government through cost-saving measures. For example, according to Unison, Britain's biggest public-sector union, £1 billion could be saved every year by halving the local government agency bill, as has been achieved by high performing councils.[135] The Public Accounts Committee estimate that £1 billion could be saved every year by eradicating healthcare acquired infections from the NHS,[136] and on the basis of National Audit Office figures, £2.8 billion could be saved every year by ending the central government use of private consultants.[137] Further, Unison calculates that £3 billion could be saved in user fees and interest charges every year if private finance initiative schemes were replaced with conventional public procurement.[138] Finally, the Institute of Fiscal Studies has found that £6 billion could be saved in reduced tax credits and improved tax revenues every year if private companies paid all their staff a living wage.[139]

Revenue-raising measures would also balance the GDP to debt ratio without infringing the rights of women and disabled people. The personal tax system is currently regressive. The poorest fifth of the population pay 39.9% of their income in tax, while the wealthiest fifth pay 35.1%.[140] In the UK, the value of wages has declined from nearly 65% of GDP in the mid-1970s to 55% today.[141] Over the same period, the rate of corporate profit has increased from 13% to 21%.[142] Despite this the government recently gave away potential tax revenue by reducing corporation tax to 25% and granting 50% tax relief on business start-ups.[143] As such, the government could save £4.5 billion every year by reversing its cut in corporation tax to levels lower than the US or any other G7 economy.[144] Moreover, £4.7 billion could be raised every year by a 50% tax on incomes over £100,000,[145] £3.5 billion could be raised every year with a permanent tax of 50% on bankers' bonuses in excess of £25,000[146] and £5 billion could be raised every year with an Empty Property Tax on vacant dwellings which exacerbate housing shortages and harm neighbourhoods.[147]

Addressing the "tax gap" would also provide an alternative method tackling the budget deficit. Figures produced by the Tax Justice Network show that £25 billion is lost annually in tax avoidance and a further £70 billion in tax evasion by large companies and wealthy individuals.[148] An additional £26 billion is going uncollected.[149] Therefore the total annual tax gap stands at over £120 billion (more than three-quarters of the annual deficit).[150] Similarly, Treasury documents from 2006 estimated the tax gap at between £97 and £150 billion.[151] £10 billion could be raised every year by reforming tax havens and residence rules to reduce tax avoidance by corporations and non-domiciled residents and £14.9 billion could be raised every year by using minimum tax rates to stop reliefs being used to disproportionately subsidise incomes over £100,000.[152] Further, £20 to £30 billion could be raised every year by introducing a 0.05% Major Financial Transactions Tax (or "Robin Hood Tax") on UK financial institutions. This alone would reduce the annual deficit by between 12.5% and 20%.[153]

By ratifying the Covenant, the UK has promised to prioritise the realisation of all Covenant rights, including the right to social security. However, the total costs of renewing Trident, Britain's nuclear missile defence programme, over the 30 year lifetime of the system, amount to between £94.7 billion and £104.2 billion.[154] This equates to £3.3 billion per year.

In sum, the UK is not making every effort to use all resources at its disposition in order to eliminate the discriminatory enjoyment of social security. In particular, the UK can cut the deficit without violating the right to social security, by utilising a range of revenue-raising and cost saving measures. Thus, the cuts and changes are neither necessary nor proportionate, and, as a result, they amount to an unjustified and discriminatory violation of the right to social security.

6. Conclusion

The government pledged to ensure that all welfare changes would be fair and evenly spread across all sectors of society, and, as such, would not disproportionately impact on marginalised and disadvantaged groups. However, evidence presented in section 4 demonstrates that the changes have been distributed in an indirectly discriminatory manner, and therefore infringe the rights of "at risk" groups, particularly women and disabled people, contrary to Articles 2(2) and 9 of the Covenant.

Welfare cuts have purportedly been justified on the grounds of reducing the budget deficit. However, data presented in section 5 demonstrates that the measures in question are neither necessary nor proportionate, contrary to the legal tests set out in respect to Articles 2(2) and 9 of the Covenant. In particular, the changes fail to establish a reasonable justification for infringing the right to social security in an indirectly discriminatory manner. Furthermore, this article has sought to demonstrate that the UK budget deficit could be reduced without infringing the right to social security, through a range of revenue-raising and cost saving measures. If this analysis is correct, then the UK has failed to use all resources at its disposition to secure equal access to the right to social security, contrary to Articles 2(2) and 9 of the Covenant.

---

1 Jonathan Butterworth is co-founder and Director of Just Fair. Jamie Burton is co-founder and Chair of Just Fair. For more information see www.just-fair.co.uk.

2 The Chancellor of the Exchequer is the title held by the British Cabinet minister who is responsible for all economic and financial matters, equivalent to the role of Minister of Finance or Secretary of the Treasury in other nations.

3 Right Honourable George Osborne MP, Chancellor of the Exchequer, *June Budget Report Statement to the House of Commons*, 2010, p. 51.

4 International Covenant on Economic, Social and Cultural Rights, G.A. Res. 2200A (XXI), 1966.

5 See analysis of Articles 2(2) and 9 of the Covenant in section 2 below.

6 Committee on Economic, Social and Cultural Rights, General Comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2009, Para 10.

7 Pillay, A.G., Chairperson of the Committee on Economic, Social and Cultural Rights, *Open Letter to States Parties to the ICESCR*, 2012, p. 1, available at: http://www2.ohchr.org/english/bodies/cescr/docs/LetterCESCRtoSP16.05.12.pdf. While letters from the Committee Chairman are not legally binding, they do provide authoritative guidance as to the correct legal interpretation of states parties' duties under the ICESCR.

8 HM Treasury, *Spending Review 2010*, p. 16.

9 Centre for Welfare Reform, *A fair society? How the cuts target disabled people*, 2013, p. 10, available at: http://www.centreforwelfarereform.org/uploads/attachment/354/a-fair-society.pdf.

10 See section 3 below for further information regarding each of the relevant welfare reforms.

11 See above, note 3.

12 See analysis of Articles 2(2) and 9 of the Covenant in section 2 below.

13 See above, note 7.

14 *Ibid*.

15 Committee on Economic, Social and Cultural Rights, *General Comment 19: The right to social security (art. 9)*, 2008, Paras 1-2.

16 The Committee on Economic, Social and Cultural Rights publishes its interpretation of the content of human rights provisions in the form of general comments on thematic issues. The introduction to Annex III (General Comments) of the Committee's 1989 report to the Economic and Social Council (E/1989/22) explains the purpose of the general comments as follows: "The Committee endeavours, through its general comments, to make the experience gained so far through the examination of these reports available for the benefit of all states parties in order to assist and promote their further implementation of the Covenant; to draw the attention of the states parties to insufficiencies disclosed by a large number of reports; to suggest improvements in the reporting procedures and to stimulate the activities of the states parties, the international organizations and the specialised agencies concerned in achieving progressively and effectively the full realisation of the rights recognised in the Covenant. Whenever necessary, the Committee may, in the light of the experience of states parties and of the conclusions which it has drawn therefrom, revise and update its general comments."

17 See above, note 16, Para 22.

18 See above, note 6, Paras 28-35.

19 *Ibid.*, Para 7.

20 See above, note 16, Para 31.

21 *Ibid*., Para 41.

22 See above, note 7.

23 *Ibid*.

24 *Ibid.*

25 See above, note 16, Para 60.

26 See above, note 7.

27 *Ibid.*

28 See above, note 16, Para 42.

29 *Ibid*.

30 See above, note 8.

31 HM Treasury, *Budget 2013,* 2013, p. 64-69; see analysis by Centre for Welfare Reform, above note 9, p. 12.

32 See above, note 9, p. 12.

33 *Ibid.*

34 The Cabinet Office is a department of the government of the UK responsible for supporting the Prime Minister and Cabinet of the UK.

35 HM Treasury is the government's economic and finance ministry, maintaining control over public spending and setting the direction of the UK's economic policy.

36 HM Treasury, above note 32.

37 End Child Poverty, *Child Poverty Map of the UK*, 2012, p. 15, available at: http://www.endchildpoverty.org.uk/files/childpovertymap2011.pdf.

38 *Ibid.*, p. 14.

39 Institute for Fiscal Studies, *Child and Working-Age Poverty in Northern Ireland from 2010 to 2020*, 2013, p. 23, available at: http://www.ifs.org.uk/comms/r78.pdf.

40 Universal Credit is a new benefit which will replace six existing benefits (Income-based Jobseeker's Allowance, Income-related Employment and Support Allowance, Income Support, Working Tax Credit, Child Tax Credit and Housing Benefit) with a single monthly payment. The Government is proposing that for couples, one person should claim Universal Credit on behalf of the family.

41 A benefit cap is being introduced which will limit the total amount of benefit that people aged 16 to 64 can receive. The cap will apply to a range of benefits, including Bereavement Allowance, Carer's Allowance, Child Benefit, Child Tax Credit, Employment and Support Allowance, Guardian's Allowance, Housing Benefit, Incapacity Benefit, Income Support, Jobseeker's Allowance, Maternity Allowance, Severe Disablement Allowance and Widowed Parent's Allowance. The level of the cap will be £500 a week for couples (with or without children living with them), £500 a week for single parents whose children live with them and £350 a week for single adults without children. Local councils are introducing the cap between April and September 2013.

42 Consumer price indices measure the change in the general level of prices charged for goods and services bought for the purpose of household consumption in the UK. In the UK, there are two main measures of inflation - the Consumer Price Index (CPI) and the Retail Price Index (RPI). The CPI forms the basis for the Government's inflation target that the Bank of England's Monetary Policy Committee is required to achieve. Historically, the RPI has been used to index various prices and incomes including tax allowances, state benefits, pensions and index linked gilts, as well as the revalorisation of excise duties. However, from April 2011, the CPI is instead being used to index continued benefits, tax credits and public service pensions.

43 Local Housing Allowance(LHA), a housing benefit paid to people in private rented accommodation, has been capped at £250 a week for a one-bedroom house/flat, £290 for two bedrooms, £340 for three bedrooms, up to an upper limit of £400 a week for a maximum of four bedrooms. Since October 2011 LHA has only covered the bottom 30% of rents rather than the median, and from April 2013 LHA rates have been uprated in line with the Consumer Price Index (CPI) rather than actual local rents.

44 Child Benefit rates have been frozen until April 2014, and families earning more than £50,000 are no longer entitled to receive Child Benefit. The freezing of Child Benefit until April 2014, when viewed in light of inflation and the rising costs of living, amounts to a real term cut of over 10%.

45 Measures introduced in the Welfare Reform Act 2012 mean that unemployed lone parents whose children are over five are now moved from Income Support to Job Seekers Allowance (JSA) and are therefore required to seek and be available for work. Failure to comply with the work-seeking requirements of JSA can result in removal of benefits.

46 There were above-inflation increases in the child element of Child Tax Credit in April 2011 and April 2012, which meant an additional £180 in the 2011/12 financial year and £110 in the 2012/13 financial year. On the other hand, the basic rate of tax credit and the rate for people working more than 30 hours a week was frozen for three years from April 2011 to April 2014, and the baby element of tax credits withdrawn. In order to qualify, families with children will have to work for at least 24 hours a week (instead of the current 16) and one of them must work at least 16 hours. The childcare tax credit has also been cut to cover only 70% rather than 80% of childcare costs. Families earning more than £40,000 will start to lose tax credits. The rate at which tax credits are withdrawn as income rises will increase from 39% to 41%.

47 The Health in Pregnancy Grant was abolished in January 2011. This was a universal grant of £190 available to all mothers to promote child and maternal health and engagement with health services. The Sure Start Maternity Grant was paid to low-income women from the 29th week of pregnancy but is now only payable to women pregnant with their first child thus penalising families who have any subsequent children. The grant is a one-off payment available to low-income households receiving an out-of-work benefit, to help towards the cost of maternity and baby items.

48 Disability Living Allowance (DLA) is being changed to Personal Independence Payment (PIP). People currently receiving DLA will have to be re-assessed. At the same time the total budget for DLA/PIP is being cut by 20%. The mobility component of PIP is being withdrawn from people living in residential care. New claims will now be dealt with under the PIP system, before current DLA claimants start moving to PIP in October 2013 if their circumstances change or an existing claim ends.

49 Disabled people who have been claiming Incapacity Benefit (IB) will have to undergo an assessment to see if they are eligible for Employment Support Allowance (ESA) which replaces IB. People on ESA will be placed in two groups. Those whose disability is "severe" or who are terminally ill will be in the support group and will not be expected to work. Those whose disability is judged to be less severe are placed in the "Work Related Activity Group" (WRAG) and are expected to take part in work focused activity. Contributory ESA will only be paid to people in the WRAG for one year, after which it will be means tested. If they have savings, assets or a partner who works, then their benefits will stop.

50 In 2013, the government removed the Housing Benefit spare room subsidy in the social rented sector. This change is pejoratively referred to as the "Bedroom Tax". Housing Benefit claimants living in the social rented sector (which includes local authority tenants, tenants of registered providers of social housing and registered social landlords), generally have no restrictions placed on the size of accommodation that they occupy. On 1 April 2013 the government introduced size criteria for new and existing Housing Benefit claimants living in the social rented sector. The size criteria will replicate the size criteria that apply to Housing Benefit claimants in the private rented sector and whose claims are assessed using the local housing allowance rules. The applicable maximum rent will be reduced by a national percentage rate depending on the number of spare bedrooms in the household. Legislation to allow this is contained in the Welfare Reform Act 2012.

51 The cumulative reduction in adult social care budgets is £1.89 billion – at a time when growing pressures from rising numbers of older and disabled adults continues to grow at three percent per year.

52 The Independent Living Fund (ILF) provides money to help disabled people live an independent life in the community rather than in residential care. Payments from the ILF can be used to employ a carer, personal assistant or care agency to provide personal care and help with domestic duties. In 2013, the ILF was permanently closed to new applicants and in 2015 the ILF will be phased out completely.

53 See above, note 6, Para 10.

54 See above, note 7.

55 See above, note 6.

56 The Fawcett Society, *Women and Money: a briefing*, 2007.

57 Oxfam, *The Perfect Storm: Economic stagnation, the rising cost of living, public spending cuts, and the impact on UK poverty*, 2012 p. 13.

58 Women's Resource Centre, *Women's equality in the UK – A health check*, 2013, p. 130.

59 The Fawcett Society, *Who Benefits? A gender analysis of the UK benefits and tax credits system*, 2006.

60 See above, note 7.

61 House of Commons Library, *Gender Audit of Budget*, 2010.

62 Trade Union Congress, *Women and the Cuts*, 2011, p. 36.

63 Women's Resource Centre, *Factsheet: Women and the Cuts*, 2012, p. 5.

64 *Ibid.*

65 The Fawcett Society, *Single mothers: singled out – the impact of 2010-15 tax and benefit changes on women and men*, 2011, p. 10.

66 Action for Children, *The Red Book 2012: The annual review of the impact of spending decisions on vulnerable children and families*, 2012, p. 18.

67 *Ibid.*

68 See section 3 above for an explanation of each of these social security benefits.

69 Organisation for Economic Co-operation and Development, *Gender Brief*, 2010, p. 21.

70 Office for National Statistics, *Social Trends*, 2011, p. 16.

71 See above, note 64, p. 6.

72 UNISON, *In Focus*, 2012.

73 Working Mums, *Mums forced to quit work due to tax credit cuts – survey*, 2011, p. 1.

74 Income Tax Personal Allowance is the amount of income one can receive each year without having to pay tax on it.

75 The Women's Budget Group, *The Impact on Women of the Autumn Financial Statement,* 2012, p. 7.

76 The Fawcett Society, *The Impact of Austerity on Women,* 2012, p. 25.

77 Child Poverty Action Group, *Save Child Benefit: CPAG policy briefing,* 2012, p. 7.

78 The Guardian, *Women are the losers in child benefit cuts, says Labour,* 6 January 2013.

79 Family Action, *Born broke: The impact of welfare measures announced by the Government on parents with new children*, 2011, p. 14.

80 Organisation for Economic Cooperation and Development, *Doing Better for Families,* 2011.

81 Save the Children, *Press release: Welfare reforms to hit poorer working women, pushing 250,000 children deeper into poverty,* 2012.

82 ACEVO, *Squaring the Circle: How charities can help Government cut spending whilst protecting society's most vulnerable,* 2010, p. 4.

83 See above, note 59, p. 140.

84 Homeless Link, *Homeless Watch: Survey of Needs and Provision,* 2012, p. 40.

85 Department for Work and Pensions, *Benefit Cap: Equality impact assessment,* 2012, p. 8.

86 Leonard Cheshire, *Disability and the downturn*, 2010, p. 2.

87 Hardest Hit Coalition, *The Tipping Point: The human and economic costs of cutting disabled people's support,* 2012, p. 15.

88 Office for Disability Issues, *Disability facts and figures,* 2012.

89 Department for Work and Pensions, *Attendance Allowance, Disability Living Allowance and Carer's Allowance: Retrospective equality impact assessment,* 2010, p. 4.

90 See above, note 7.

91 Demos, *Destination Unknown,* 2012, p. 22.

92 Local Government Association, *The reform of adult social care and support*, 2012, p. 5.

93 See above, note 92, p. 162.

94 See above, note 9, p. 22.

95 *Ibid.*, p. 23.

96 Department for Work and Pensions, *Time limit Contributory Employment and Support Allowance to one year for those in the Work-Related Activity Group*, 2011, p. 9.

97 *Ibid.*

98 Disability Benefits Consortium, *Benefiting disabled people?,* 2011, p. 2.

99 *Ibid.*

100 Scope, *The other care crisis: Making social care funding work for disabled adults in England*, 2013, p. 7.

101 *Ibid.*

102 See above, note 8, pp. 49-50.

103 HM Treasury, *Autumn Statement*, 2012, p. 57.

104 See above, note 101.

105 *Ibid.*, p. 8.

106 Department for Work and Pensions, *Impact Assessment, Disability Living Allowance Reform,* 2012, p. 9.

107 *Ibid.*, p. 3.

108 *Ibid.*

109 See above, note 88, p. 17.

110 See above, note 107, p. 1.

111 New Policy Institute, *How many families are affected by more than one benefit cut this April,* 2013, p. 3.

112 See section 3 above for further information on the nature and scope of the protection afforded via the ILF.

113 See above, note 107, p. 1.

114 Disabled People against Cuts, *Independent Living Fund (ILF): draft position,* 2012.

115 *Ibid.*

116 Institute for Fiscal Studies, *Child and Working-Age Poverty in Northern Ireland from 2010 to 2020*, 2013.

117 Disability Rights UK, *Holes in the safety net: The impact of Universal Credit on disabled people and their families,* 2012, p. 3.

118 *Ibid.*, p. 8.

119 Department for Work and Pensions, *Important changes to Jobseeker's Allowance Sanctions from Monday 22 October 2012*, 2012, p. 1.

120 Citizens Advice, *No one written off: reforming welfare to reward responsibility*, 2008, p. 8.

121 See above, note 7.

122 *Ibid.*

123 BBC, "Iain Duncan Smith explains poverty measure shift", *Today Programme*, 14 June 2012.

124 For example, see Schwartz, P., "The Welfare State as an Underlying Cause of Spain's Debt Crisis", *Cato Journal,* Vol. 33, No. 2, 2013, p. 1.

125 Duffy, S., "Welfare Myth Four – Welfare Caused the Crisis", *Huffington Post*, 14th June 2013.

126 See also private sector debt analysis in the HM Treasury, *Budget 2013,* 2013, p. 12.

127 Chancellor George Osborne, *Autumn Statement*, 2012.

128 See above, note 58.

129 Joseph Rowntree Foundation, *A minimum income standard for the UK in 2012,* 2012, p. 4.

130 Chancellor of the Exchequer, House of Commons, 20 October 2010.

131 HM Revenue and Customs, *Tackling fraud and error in the benefit and tax credits systems*, 2010, p. 5.

132 House of Lords, *Library Note: Welfare Benefits Up-rating Bill,* 2013, p. 13.

133 HM Revenue and Customs, Measuring Tax Gaps 2012, 2012, p. 12.

134 YouGov/Trade Union Congress, *Survey Results Fieldwork,* 2012, p. 1.

135 BBC, "Millions 'wasted' on consultants", *BBC Politics Show*, 9 October 2009.

136 House of Commons Public Accounts Committee, *Reducing Healthcare Associated Infection in Hospitals in England,* 2009, p. 3.

137 National Audit Office, *Central government's use of consultants*, 2006, p. 5.

138 UNISON, *UNISON's alternative budget: We can afford a fairer society,* 2011, p. 3.

139 Institute for Fiscal Studies, *IFS analysis on the "living wage"*, 2010, p. 2.

140 Public and Commercial Services Union, *There is an alternative: The case against cuts in public spending,* 2010, p. 9.

141 Trade Union Congress, *Unfair to Middling: How Middle Income Britain's shrinking wages fuelled the crash and threaten recovery*, 2009, p. 4.

142 See above, note 141, p. 5.

143 See above, note 76, p. 5.

144 Trade Union Congress, *Corporate Tax reform and competitiveness,* 2011, p. 13.

145 Compass, *In place of cuts: Tax reform to build a fairer Society*, 2010, p. 5.

146 Pickard, J., "The numbers which support Miliband on bank bonus tax", *Financial Times*, 2011.

147 Trade Union Congress, *A Socially Just Path to Economic Recovery*, 2009, p. 29.

148 Tax Research LLP, *The Missing Billions: The UK Tax Gap*, 2008, p. 3.

149 *Ibid*.

150 *Ibid.*, p. 27.

151 See above, note 134, p. 6.

152 See above, note 146.

153 War on Want, *The Robin Hood Tax*, 2008, p. 5.

154 Campaign for Nuclear Disarmament, *No To Trident Replacement Update*, 2009.