

Growing Rights Instead of Poverty Partnership (GRIPP) Submission to CESCR 7th Review of the United Kingdom

By RAPAR, Thrive Teesside and ATD Fourth World

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Introduction

Our dream –and the way we wrote this report- is with learnt and living/ed experience¹ joining forces to build a new way forward. The journey has been steep and treacherous for those who came together to write this report. Through homelessness, legal and moral injustices, significant and life-threatening episodes of ill health and while fighting battles on every front, regardless of the cost, regardless of the challenges – we gathered time and again because, to us, this report is critically important. This review of the UK by the CESCR has offered us a unique opportunity to unite – across communities often divided and pitted against each other by authoritative powers – to raise our unified voices directly from our communities in order to hold our government to account.

'We are blamed for our ill health. We are blamed for not working. We are blamed for our broken families. We are blamed for our poverty – when in fact it is the state that is denying us those rights.' – GRIPP submission to CESCR 7th Review, January 2023

Following the visit of the UN Special Rapporteur on extreme poverty and human rights to the UK in 2018, a movement began that brought our groups and communities together to develop understanding about ESCR and to collect evidence for an ICESCR review of the UK. Via the <u>RightsBridge</u>, during lockdown, we united and adapted. In October 2021, we evolved to become GRIPP. The Growing Rights Instead of Poverty Partnership (GRIPP), made up of grassroots and traditional human rights and anti-poverty organisations, is working together to end poverty across the nations and regions of the UK.

In the words of Brian Scott, living/ed-experience activist, "We need to stop seeing life as a 'them and us'; there is only us...."

As GRIPP, we recognise the beneficial UN process and its potential to support our communities to bring muchneeded accountability for poverty and rights violations in the UK. The GRIPP ICESCR <u>report 2023</u>: <u>submission</u> <u>for the List of Issues</u> was produced in January 2023 by ATD Fourth World, Intisaar, RAPAR and Thrive Teesside and is the first of its kind.

This report follows our submission for the List of Issues, and builds on the extensive research conducted by those with living/ed experience of poverty in the UK, alongside their learnt experience colleagues, about the human rights violations in our communities.

The January 2023 report was used by the UN to create a list of issues which was presented to the UK government. An evidence-based response from the UK government was anticipated; but unfortunately, there has been no satisfaction. The response received from the UK government lacked insight and understanding of the reality of living in poverty in the UK. Key issues such as diversity and inclusion are not explored. While grateful for the UN's response through the List of Issues, we are concerned that there are some key issues that haven't been included on the list. This second report from GRIPP expands and amplifies our voice of living/ed experience as it seeks to express how one rights violation leads to a domino effect of rights violations, and we intend to clarify the profound and extensive impact this has on the lives of our most vulnerable and marginalised people.

All rights are woven together to create the fabric of a safe, dignified and inclusive life that is fulfilled by the right to participate as an equal citizen.

"It's not a cost-of-living crisis, it's a cost-of-surviving crisis'...."If you don't have mental health issues before dealing with the [Department of Work and Pensions], you soon will have." - Living/ed-experience activist

It is a challenge which we seek to overcome whereby living/ed experience remains too often undocumented; it is only through including this qualitative data that can we truly tackle stigma and build solutions that serve the people for whom services and systems were intended to support. Through the blood, sweat and tears of

¹ Learnt and living/ed experience refers to people who have professional or academic expertise and those who have expertise that is derived from the experiences they are living or have lived.

the brave souls who live through extraordinary oppression and injustice, we bring you this report laden with authentic evidence from the roots of our communities, where too often the light never reaches.

One of many examples shared by living/ed-experience activists is the knock-on effects of benefits controlled by the State and how this power dynamic impacts the ability to access food, housing, work, education, family life and too many more to list. This is the indivisibility of rights in real life. Under the current system, the UK Government fails in its duty to act in the best interest of its people and to uphold British values. One living/ed-experience activist explains how the system is experienced as unsupportive and entrenching fear that is founded upon the living/ed reality that 'you have no control over your own life and the freedom to say "No" doesn't exist.'

There is no such thing as "just a little" violation of human rights, and it is not good enough to suggest that if a violation affects an insufficient number or the incorrect 'type' of person it is not significant. Any violation of a human right to any human being is not acceptable, and all rights violations open the flood gates to further injustice and gross harm.

The journey to develop this report has reinforced our belief and our commitment that it is our human obligation to speak up for each other. To stand quiet as we allow others to suffer, as we ourselves suffer, will not build the future we aspire to for today and for the generations who follow. From the people seeking asylum who can be picked up and moved across the country at a moment's notice, to the mother of the autistic child who can't afford to replace the coat they have chewed holes in and faces a meeting filled with professionals saying she is guilty of neglect, all our communities are united by fear.

"I live in utter dread of the brown envelope dropping through my door informing me of the DWP's decision. I am sure you think I am overreacting, but I will try to explain... For me, decisions made by faceless bureaucrats hundreds of miles away can have a really adverse effect on my life. Their decision, especially if it's to reduce your benefits, can affect your ability to meet the daily costs of life, put strain on your family, strain on your health (both physical and mental), and (can and has) led to family and marital break-ups and, unfortunately, has led to some people committing suicide." - Living/ed-experience activist

In this report we are claiming back our power as a people, to have a voice in what is decided for us and done to us. Our experience is our expertise, and there is no textbook substitute for a lifetime of day in day out practical application – "until you live it, you don't know the impact." - *Living/ed-experience activist*

To do this, we are presenting statements from three GRIPP organisations focusing on different aspects of how the UK Government is harming its people: Article 9 – Right to Social Security by Thrive Teesside, Article 10 – Right to assistance and protection of family life by ATD Fourth World, Article 6 - [No] Right to Work and Article 11 -Adequate Standard of Living in the UK by RAPAR. Following these statements, we summarise our recommendations.

For too long, our government has been content for our most vulnerable and marginalized people to be hidden in the shroud of darkness, kept quiet, unable to take a stand. With this report, we hope you will listen and hear the wisdom of those whose every day is the fight for life, dignity, family, equality and equity. Please do not play a role in extinguishing the lantern we have lit, rather we urge productive and committed conversation and a promise to act now.

Article 9 - Right to Social Security

When Will Humanity Win? By Thriving Women (conversations from living/ed experience) (after William Shakespeare)

To be or not to be poor - do you think we have a choice when government policies are part of the problem and financial insecurity becomes like Groundhog Day.

To be or not to be excluded - do you think we have a choice when systematic cuts exacerbate inequality and discrimination feels like a cage, when your language stops us even being seen as a human being.

To be or not to be judged - do you think we have a choice when you say our poverty is due to lack of skill and being watched is a cycle. When the system having a hold causes trauma, always looking for the negative

To be or not to be heard - do you think we have a choice when fighting a societal attitude and system means you talk at us not with us. When we don't have the freedom to say no.

To be or not to be brave - do you think we have a choice when we feel like we're blamed for everything and courage is all we have left, when shame and guilt stigmatise and dehumanise.

Teesside has lost much of its industrial heritage since the 1980's and the area continues to struggle with meaningful employment. The Social Metrics Commission Report 2024 stated that 'the rate of poverty in the UK now higher than at any point in the 21st Century, and nearly one in four (24%) people in the UK are now judged to be in poverty, (Social Metrics Commission, 2024). The Northeast average is 25.4%. In addition to this, local authorities have seen a reduction in budgets with Stockton Borough Council seeing a 39% reduction since 2010 resulting in a £9 million shortfall. This directly impacts residents adding to growing pressures on public services. The Commission's Report predicts a further 300,000 will fall into poverty in 2024/25 seeing an 18% rise in absolute poverty (Poverty in the UK, 2024) '21% of residents in the Northeast borough of Stockon-on-Tees said they have difficulty managing their finances. The England average is 6.5%. 20.9% of children are in relative low-income families. The England average is 17%'. (Stockton on Tees Brough Council, 2024). In poverty:

- 16 million people in the UK are living in families
- 5.2 million are children
- 9.2 million are working-age adults
- 1.5 million are pension-age adults' (Social Metrics Commission, 2024).

The 'Economically Inactive'

The Secretary of State for the Department of Work and Pensions recently stated, 'those who can work, must work.'

This statement is aimed at the 2.8 million people out of work due to ill health or disability, a group of people collectively referred to as 'the economically inactive.' A term that is both dehumanising and demeaning as it reduces human beings down to the core of their economic value alone and lends itself to a 'one size fits all' approach meaning that the complexities of the living/ed reality of both disability and sickness are not considered. 27% of the Stockon-on Tees Borough's population are classed as economically inactive. The England average is 21.4% and the Northeast average is 25.4%. (Stockton on Tees Borough Council, 2024)

The current UK Government' has announced that they will implement welfare reforms including 'new work, health and skills plans for the economically inactive, led by Mayors and local areas. (Department for Work and Pensions, 2024). What does that actually mean for those on disability and sickness benefits and for their societal treatment?

Discrimination plays a huge part in the UK's social security system – some are poorer from not even being seen as a human being and continually denied access to services resulting in fear, stigma, trauma, and the violation of their human rights. The impact of the living/ed reality of those receiving disability or sickness benefits means that they live in a permanent state of fear which intersects their rights to health, physical and mental, their right to family life and their right to social security. Rampant investigations, coming from a place of mistrust, means they feel they must continually prove they're worthy of an entitlement. In 2024, 'failure to attend or participate in a mandatory interview accounted for 92.6% of all adverse sanction decisions in the last year' (DWP 15th November 2024). Despite valid obstacles, the financial punishment of being sanctioned without any recourse to funds creates descent into a spiral of never-ending debt. This is compounded by the emotional and mental health battering experienced by being shown yet again that you are powerless, worthless and disposable. The experience of being an unworthy human being who has failed again and deserves no empathy or dignity.

The UK Government's new welfare reforms only exacerbate these fears and the 'can work, must work' mantra does not consider the living/ed reality of disability and fuels the stigma surrounding those on disability/sickness benefits.

Woman A is a disabled carer for her disabled daughter in receipt of a disability benefit. Woman A's daughter lives in residential care and she cares for her daughter one weekend every fortnight. Woman A's disability means she experiences highs and lows with no two days the same and her levels of functioning fluctuating. She uses a walking stick daily due to mobility issues which often leave her housebound and some days she needs the added assistance of a mobility scooter. Woman A is classed as 'economically inactive' and the recently announced welfare reforms impact her directly. Woman A will be expected to look for work under the new reforms, she will be subjected to an intense investigation into every aspect of her life, her disability and her role in the unpaid caring for her daughter. Any work Woman A undertakes will have to consider her complex needs and be able to adapt to those needs. They will have to be fully accessible and understand that Woman A will not be a dependable employee, that most days she is unable to function. Woman A's right to social security will be dependent on how the 'can work, must work' is implemented. The impact of these reforms has impacted Woman A's mental health, her right to family life and her general well-being. The fear of her disability entitlements being removed and being forced into unsuitable work which will exacerbate her physical and mental health is a living/ed reality not being listened to.

After Belle and Sebastian by Thriving Women

'disabled people need to go to work'

'they never think to spend the money on the everlasting broke or the sick, what a waste'

In order to fix the country, they say we should cut, cut, cut. Never investing in eradicating suffering. They think we must suffer more in order to be forced into compliance. They want us to spend money we don't have, on the things we can't afford, where's the money? Work isn't paying, so how can we spend on things we don't need, to boost the economy. Without accommodating the everlasting disabled and the perpetually broke? Start at the top, force the bosses or the managers to make the workplaces suitable. Cure the sick in any way possible, or what is the point? A job inaccessible is a waste.

Migration to Universal Credit

The voice of living/ed experience tells us that fear, stigma and trauma accompany every part of the social security system from application through to payments, and the impact of that affects every aspect of life, like a domino effect. It also affects those unseen statistics – the unpaid carers - the ones caring for disabled/sick relatives and who have been directly impacted by recent changes to legacy benefits migration to Universal Credit.

While there are social protections put in place by the government, those responsible for delivering the welfare don't always seem to be on the same page about what people are owed. From person to person and office to office there are wild variations in what the benefit workers are ready to offer or penalise. This means that even with the government's assurances that certain social security exists, at the ground level it's not always received as things get lost in translation from laws to action. This inconsistency across the country and sometimes even across a single town makes it hard to discuss benefits and leads to an atmosphere of guilt and shame as certain people are given further concessions while others aren't.

Woman B is classed as 'economically inactive.' She is married with a disabled son who requires 24/7 care. She receives 12 hours a week state funded care and the other 156 hours are covered by her and her husband as unpaid carers. In September 2024, Woman B migrated to Universal Credit from a legacy benefit and was required, as part of her commitment, to find work as only one parent is 'allowed' to be an unpaid carer. Woman B was then sent on an 8 week 'back to work' course and for job interviews which she said, 'were further away than I had agreed.' Woman B was threatened with loss of her entitlement if she refused. The impact of this has not only affected Woman B's right to social security but also her right to family life. Her son requires a strict routine, and his complex needs mean any disruption has a knock-on effect. Since migrating to Universal Credit Woman B's family life has been in turmoil, her mental health has suffered, and the burden of care has fallen to her husband. Her role as 'unpaid carer' has been dismissed because the system will only recognise one carer even if the reality of that is not true. Her family situation has been assessed on paper alone, a tick box exercise, which has not considered the reality of her living/ed experience. The problem with assessing people this way is that 'one size does not fit all,' and the focus for her claim has been on any work not suitable work, the harm caused to Woman B, her son and her husband has had traumatic effects.

Unpaid Carers by Thriving Women

I am unseen A problem ignored There are many like me Also tattered and torn Our hands are raw We bleed, and we burn Work until we drop Without pay Without pay Without recognition Without praise Just judgement and ridicule As we struggle Would it hurt to pay us Acknowledge this worth Please hear this plea

From a slave, never free Hear my cries As I crawl through each day Without a kind word Or a god to whom I pray Clean my dirty hands Wipe my wet tears But most of all Open your ears I have no strength left My voice is so weak Just listen, hark, To the carers who try to speak I'm on my knees My head in the mud I just want to be human For my kind to be understood As most days suck A nightmare, no dream I want to disappear Where's Scotty with his beam? As those in my shoes Survive with no sleep I beg you to help them Like a hound I beg, I beg Don't point those fingers And wash us with shame We did not choose this life So, who is to blame?

Cycle by Dylan Eastwood (Thrive Teesside)

Cycle Never ending What's good work? Who decides? Reform, replace, but never involve Locked tight

One local resident, a working single mam in receipt of Universal Credit told us 'lived experience is never listened to, lived experience is not valued as evidence, living experience is grouped into numbers and spoken of as something to be ashamed of. We are taught to be grateful; we learn to live with fear and the stigma of 'handouts,' we experience trauma at the hands of the 'support system,' and most of all, we learn to be silent.'

We, as an organisation supporting those living in poverty, want to know why living/ed experience is not part of the policy making process, why living/ed experience is not part of the impact of claiming social security, which includes lack of choice, lack of control, lack of privacy –why is the state is allowed to scrutinise every aspect of your life, meaning you are continually judged? Why are those on social security always playing catch-up, with no freedom to say no, with feelings of constant dread, constant worry, going without? For those on social security in the UK the cost of living means constant financial insecurity – benefits don't meet even the most basic of needs.

Article 10 - Right to assistance and protection of family life

(On this issue, see also submissions to CESCR from ATD Fourth World with the University of Birmingham and Human Rights Local, and from the End Child <u>Poverty Coalition</u>).

Pamela's children were placed in care 18 months ago, while she was experiencing domestic violence. She felt that social services treated her as a villain for having failed to protect her children from witnessing this. Recently, social services told Pamela they were ready to return custody of her children, given that she has left her partner. But this presents a new challenge. She grew up in poverty and left school early. She lacks resources and community support. Even though she is aching to have her children home again, when Pamela sees the material means of her children's foster carers, she fears that she can't afford to give them a decent life. Given the cost-of-living crisis, she has not dared to bring her children home.

Poverty impacts family life severely. In addition to material deprivation, poverty means social and institutional maltreatment, disempowerment, and suffering in heart, body and mind. (Bray et al, 2020). Parenting in poverty is inherently challenging.(Lee, 2020). In the UK, the protection of family life is under attack. Some 1.3 million children live in households subject to the two-child limit to benefit payments. Low pay and insecure work make it increasingly hard for parents to cope with the spiralling costs of housing, transportation, digital access, energy and food, while the poverty premium means that those who can least afford it pay the highest rates. (David and Evans, 2023)

The right to protection and assistance to the family must be secured for everyone with no discrimination of any kind (Article 2(2) ICESCR), including on the ground of socio-economic status. In line with Article 10(3) ICESCR, any intervention and assessment of risk made by child protection services must be proportionate and free from discrimination. As observed by the CESCR in General Comment No. 20, *'a person's social and economic situation when living in poverty or being homeless may result in pervasive discrimination, stigmatization and negative stereotyping which can lead to the refusal of, or unequal access to, the same quality of education and health care as others, as well as the denial of or unequal access to public places'.(CESCR, 2009). The issues raised in this report are also an expression of negative stereotyping against people in poverty, which the UN Special Rapporteur on Extreme Poverty and Human Rights calls 'povertyism'. (United Nations Document A/72/157, 2022). Consequently, the right to protection and assistance to the family would mandate the recognition of socio-economic status as a protected characteristic under domestic equality legislation, together with the government taking active measures to prevent and tackle negative stereotyping against the poor in child protection services.*

There is daily and routine discrimination against families in poverty within the child protection system. 'The Child Welfare Inequalities Project' 2018 report by Prof. Bywaters et al states: "Children [...] in the most deprived 10% of neighbourhoods are ten times more likely to be looked after or on a child protection plan, than children in the least deprived 10% of areas. [...] Each 10% increase in deprivation rates saw a 30% rise in a child's chances of entering care. [...] Relative to demand, more deprived councils have less funding to allocate to children's social care." (Bywaters et al ,2022)

In 2022, the Government's Independent review of children's social care noted that the child protection system in England is overly focussed on investigation and child removal; that most families the system works with need help, as they are parenting in conditions of adversity; and that the adversarial nature of the system makes relationship-based support difficult. The report described this system as 'increasingly skewed to crisis intervention, with outcomes for children that continue to be unacceptably poor'. (McAlister, 2022) However, the Government has failed to respond to any of these criticisms.

The 2024 Children and Families Truth Commission Report calls family separation by children's social care in the UK "draconian and punitive in nature". This report cites Grégory Thuan Dit Dieudonné, President of the Human Rights Commission of the European Lawyers Union, criticising 'the terrifying figures for child protection in the UK' and calling for 'the balanced notion of the child's best interests' in order to 'end the harmful effects of the child welfare system on families'. While social work can both over and under-intervene, draconian steps of child protection and removal have become dominant features of the UK systems (Hawthorn, 2021). The approach of UK child protection systems is particularly authoritarian when interacting with families in poverty (Simmons et al, 2024). The risk-averse nature of UK child protection systems leads to failures to meet families' needs, and to recognise and respond to the evident relationships

between deeply unequal societies, deprived communities, and children's needs. (Haworth at al, publication pending). Rather, they individualise the causes of child neglect and abuse to the family home and position neglect of children in particular as an affliction of the poor. (Bywaters et al, 2022; Gilbert et al, 2012).

Public authorities, such as local authority social work departments, have a legal duty under Article 10 ICESCR to respect, protect and fulfil the right to protect and provide assistance to all families. Any actions they take to interfere with this right must be legitimate, proportionate, and fully inclusive of options to support family life and preserve family relationships. Supporting human rights means supporting dignity and agency, showing respect and treating people fairly. Unfortunately, it is our living/ed experience that social services often cause injustice and harrowingly inhumane experiences for children and their families.

"Forced adoptions are horrendous. [...] It is shameful that the poorer you are in this country, the more likely you are to have your children forcibly taken from you. You see this around the number of children placed in care or put up for forced adoptions. [...] Poverty gets confused with neglect. [...] You often get judged by social workers instead of supported to have what you need to raise your children decently. When you're scrimping on the basics, you don't have the money to cover up the cracks. The state spends money on foster care that could instead be used to help prevent the need for it." - expert-by-experience Patricia Bailey, in Amnesty UK's Summer 2023 magazine issue

The European Court of Human Rights has censured child protection services in Portugal for punishing parents—primarily lone mothers—by removing their children simply because they lived in poverty. The European Court of Human Rights has held that poverty must not be conflated with neglect, and it cannot be the sole ground for separating children from their families.(European Court of Human Rights judgements). ^[15] The principles that poverty is not equal to neglect, and that family separations must be exceptional and preferably temporary, are reinforced by the case-law of the European Committee of Social Rights and of the Inter-American Court of Human Rights.(European Court of Social Rights, Conclusions and Statements, 2011-2013).

Article 16 of the European Social Charter also protects the right of the family to social, legal and economic protection, not dissimilar to Article 10 ICESCR. The European Committee of Social Rights has established that "financial conditions or material circumstances" are not by themselves sufficient reasons to interfere with the right to protection and assistance to the family. Placement of children outside of the home should be an exceptional and temporary measure, and in all circumstances appropriate alternatives to placement should first be explored, considering the views and wishes expressed by the child, their parents and other members of the family. (Casla and Barker, 2024) ^[12] Reintegration with the family should always be a goal, ensuring contact with the family during the placement outside the home, unless contrary to the best interests of the child.(Economic Council of Social Rights, Conclusions, 2011).

"It is absolutely awful, soul-crushing, to have to hand your child over, crying for you, calling out, 'Mummy!' and you are court ordered to walk away. [...] You end up feeling guilt for pretending to be okay. Because, if you show you are not feeling great, it will be used against you. You end up feeling like a fraud no matter what you do. Guilt will swallow you whole if you let it. It ravages your soul and steals away what little sunlight remains as you walk through the hell that is child protection. [...] You have to climb out of the crumbled wreck of your soul." - expert-by-experience Taliah Drayak

Poverty shipwrecks loving families, stranding parents and children apart from one another and causing lifelong damage in their lives. Vulnerable families in poverty in the UK can often be subjected by children's social care to harsh interventions that are discriminatory. These interventions are driven by a concept of risk aversion that is inconsistent and fails to fully consider the harm done by removing children into state care or contested closed adoptions that permanently sever relationships among siblings and with the entire extended family. It is vital to link anti-poverty policies with child welfare policies, beginning with the statutory guidance for the socio-economic duty to be commenced by the Government, and including anti-poverty practice training delivered by people with living/ed experience of poverty for all supporting services that make referrals to social work.

With the advent of artificial intelligence, povertyism and other discrimination are becoming entrenched in the predictive modelling used by children's social care. Administrative data on families from public records are joined together with algorithmic processing to try to identify any risk of potential family problems. It is

not just an individual family's data that is used to forecast its own future actions; data from all families is drawn into the predictive modelling net so it is other families' propensities that determine whether a family is deemed to pose a future risk to its children. According to Edwards and colleagues, "[i]n effect, this is mass digital monitoring. [...] Predictive algorithmic endeavours give a veneer of being scientific and value-free but they replicate and perpetuate stereotypes and inequalities built into the data they are developed from. [...] A recent report from the Office of the United Nations High Commissioner for Human Rights has called for a moratorium on the use of artificial intelligence systems including data profiling, automated decision making and other machine-learning technologies that pose threats to human rights until sufficient safeguards are implemented."

One way to improve the situation would be through parent advocacy, as in this example:

Olivia' has a disability and is the sole carer for her son. Social workers were concerned about her ability to meet his needs, because of their poor housing in an insalubrious council flat. Social services asked a judge to make an order for the boy to be taken into care. In court, an activist with living/ed experience of poverty accompanied this mother as her parent-to-parent advocate. This activist, 'Amy', recalls: "I'm telling this judge there's been no care order made yet. We do want him to make an order; but what should go into that order? I told the judge: 'You need to remember that, to this child, you are magic! If the order you make removes him from his home, he's gonna lose his mum, his friends, his school, and his dog. The child will feel he's being punished, because his mum wasn't supported to give him what he needs. You also need to know that the council is charging this mum rent for an accommodation so damp that she's had to bin mattresses. Every time she puts wallpaper up on the mouldy walls, it slides off because of the damp. The council has never assessed her for support, even though she's disabled. So this child needs you to make an order, but please be magic! Your order could compel the local authority to give them a new flat. If you ordered the child to have ice cream every Friday, they would have to give it to him because you're magic, so please be magic to help this family.' The judge did it! In the order, he compelled the local authority to rehouse the family and to make a grant to the mum to buy new beds and mattresses. Now the family is no longer on an order at all because the mum finally has disability support, and it's covered for her to have a cleaner." The judge's order lifted this family out of the vortex, completely redesigning their relationship with the local authority so that it would work better for all of them. As a parent-to-parent advocate, Amy has now met the same judge on other occasions. She says: "Every time, that judge says, 'You think I'm magic!' and winks at me. Every case I've had in front of him has been treated much better because this changed his perspective."

Article 6 and Article 11 - '[No] Right to Work' and 'Adequate Standard of Living in the UK'

This section outlines the critical challenges faced by refugees and people seeking asylum in the UK, focusing on their right to work (Article 6) and access to an adequate standard of living (Article 11) under international human rights frameworks. Drawing on testimonies from RAPAR (Refugee and Asylum Participatory Action Research) members, it highlights systemic barriers that violate human rights and impede integration, such as restrictions on work rights, substandard living conditions, and inadequate support systems.

Despite their potential to contribute meaningfully to society, refugees and people seeking asylum are often excluded from employment opportunities, leaving them dependent on insufficient state support. Key issues include the failure of job centres to provide culturally tailored assistance, substandard accommodations in overcrowded hotels, and financial allowances that do not meet basic needs. These challenges are compounded by discriminatory practices in the job market, which further marginalise qualified individuals.

The Importance of Living/ed Experience

The voices of RAPAR members are at the heart of this section of the report. These voices speak to the living/ed realities of refugees and people seeking asylum in the UK, providing critical insights into the systemic failures of the asylum process. They also challenge the UK Government to fulfil its obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR). The testimonies shared here reflect deep frustrations, resilience, and hope for a better future, with members calling for policies that respect their dignity and rights.

Refugees and people seeking asylum are uniquely positioned to speak on their experiences and the systemic challenges they face, particularly regarding their right to work and access to adequate living conditions. One participant in a recent discussion said:

"If you don't share your story, no one will understand what it means to be an asylum seeker or refugee. There is a law that protects us, but we are often treated as less than human."

The voices of refugees and people seeking asylum must be central in discussions on policies that affect them. One participant emphasized:

"We are the people who face these issues, and we know how the system works because we've lived through it."

This first-hand knowledge helps identify gaps in the system and enables practical solutions to improve the experience of newcomers. At the same time involving those with living/ed experience could prevent newcomers from making the same mistakes and provide them with better access to resources and knowledge about the system.

Yet, despite the importance of these voices, refugees and people seeking asylum are often ignored by policymakers, and their living/ed experiences are not considered in the formation of policies that affect their lives. This exclusion has a direct impact. As one individual shared:

"Many of us arrived here strong and energetic, but after years of being denied the right to work, we've lost our drive. Mentally and physically, we're being broken."

A critical aspect of raising awareness and sharing living/ed experiences is combating the false narratives often propagated by the media, particularly right-wing outlets that misrepresent refugees and people seeking asylum. One participant expressed:

"In this country, the media spreads false information about us. They think we come here just to take benefits, but we don't want benefits—we just want the opportunity to work, to contribute."

Raising Awareness and Holding the Government Accountable

Raising awareness is crucial to challenging the injustices faced by refugees and people seeking asylum. Many participants in the discussion emphasized the importance of sharing their stories to bring about change. One individual shared:

"In 2015, I and others went to Westminster to raise awareness about the mistreatment of people seeking asylum. We told them that we left our children behind and were treated like animals. It made them listen, and it pushed them to change some policies."

However, it's not just about raising awareness—it's about ensuring that these stories are heard by those in power and acted on. Another participant said:

"We are not just here to tell our stories for the sake of it. We want the government to listen and act on the changes we're advocating for."

Article 6- Denial of the Right to Work

People seeking asylum in the UK are prohibited from working until they have waited at least 12 months for a decision on their claim. Even then, they are limited to jobs on the Shortage Occupation List, which includes roles such as engineering and IT specialists. RAPAR members have voiced deep frustration over these restrictions, as they prevent individuals from contributing to society and rebuilding their lives.

These structural barriers to employment exacerbate the vulnerability of people seeking asylum, significantly affecting their mental and physical health as well as their economic security. As one participant explained, such limitations hinder their ability to regain independence and stability.

During the often-lengthy wait for their claims to be processed, people seeking asylum receive financial support and accommodation from the Home Office, which varies based on their type of accommodation. As of December 2023, individuals in hotels with full board are provided a reduced allowance of £1.25 per day to cover essential needs not included in their accommodation. In contrast, as of March 2023, those living in self-catered accommodations receive £49.18 per week for essential living expenses.

The denial of the right to work remains a critical issue, compounding the challenges faced by people seeking asylum. This policy not only limits their opportunities to build a stable future but also has profound and farreaching consequences for their mental and physical well-being, as well as their financial security. As another participant stated:

"It's not that we're lazy; it's that we're treated like animals. This has a huge impact on our mental health."

A lack of opportunity to work means that refugees and people seeking asylum often remain dependent on state support, which is insufficient for basic living costs. This not only affects their dignity but also their ability to contribute to society in meaningful ways. One person shared their personal experience:

"When I arrived, I was young and full of potential, but the system has held me back. After all these years, I regret not being able to work, to support my family."

The right to work is about more than financial independence; it is fundamental to regaining a sense of purpose and dignity. Denying or restricting this right undermines the self-worth of people seeking asylum and hinders their integration into society. As one participant put it:

"If the government allowed us to work, we could contribute to society, pay taxes, and support ourselves."

The contrast between the treatment of refugees and people seeking asylum from different countries also highlights the systemic discrimination and inequalities in the UK asylum system. For instance, refugees from Ukraine receive more immediate support, including the right to work, while those from other countries—such as Syria or Afghanistan—are left in limbo, without the same privileges. One participant questioned: *"Why is it that people coming from Ukraine get automatic rights, but we, who have been here for years, are still not allowed to work?"*

This disparity underscores a fundamental issue: refugees and people seeking asylum are treated differently based on nationality, furthering the trauma and sense of injustice. For example, a RAPAR member shared: *"I came here at 40. Now I'm 61 and still not able to work. How am I supposed to start again?"*

Another added:

"Why can't we work like people in other European countries? It would help us integrate, pay taxes, and empower us to rebuild our lives."

This denial of the right to work leaves people trapped in a cycle of dependence and poverty. For comparison, the £8 per week that people seeking asylum who are accommodated in full board in hotels currently receive is a pitifully small amount that does not cover even basic needs like transport, clothes, or food. In contrast, allowing people seeking asylum to work would foster self-sufficiency, dignity, and a sense of purpose, *"Empowering people through work builds their confidence and dignity,"* as one RAPAR member explained.

Further, RAPAR members who are completely undocumented, having been failed by the asylum system are living hand to mouth with no state support whatsoever.

The UK Government's response is that people seeking asylum can only work after 12 months, but only in roles on the shortage occupation list. This policy claims to prevent abuse of the asylum system but fails to recognize the potential contributions people seeking asylum could make if allowed to work from the start. RAPAR members find this restriction deeply limiting and argue.

"Allowing us to work only in specific jobs keeps us trapped. We want the freedom to upskill and grow."

The specific jobs referred to are those on the Shortage Occupation List, which primarily include roles in sectors such as healthcare (e.g., nurses, paramedics), engineering, IT, and skilled trades (e.g., bricklayers, carpenters). While these roles are vital, they may not align with the qualifications, aspirations, or previous work experience of people seeking asylum. As a result, these restrictions often limit their ability to upskill or

pursue meaningful career growth, leaving them feeling undervalued and unable to fully integrate into society.

For further context, the Shortage Occupation List is designed to address labour shortages in certain industries but does not account for the diverse skills and professional backgrounds of people seeking asylum.

The Lift the Ban Campaign (Refugee Action, Lift the Ban Coalition, 2023) highlights that granting work rights could enable people seeking asylum to contribute £333 million annually to the UK economy while reducing dependency on state support. This approach would help people seeking asylum regain their dignity and become more economically integrated.

Systemic Barriers to Employment for Refugees

Even after being granted refugee status, many individuals struggle to secure employment due to systemic barriers. RAPAR members describe being overqualified but excluded from meaningful work due to lack of recognition for their qualifications and the constant demand for UK-based experience. Refugees often face significant challenges transitioning from volunteering roles to paid employment. While volunteering provides valuable experience, it does not necessarily lead to job opportunities, leaving many refugees in precarious situations. A study titled *Rethinking the Role of Volunteering in the Labour Market Inclusion of Migrants* (Bontenbal et al, 2024) found that many migrants, including refugees and people seeking asylum, encounter substantial barriers when trying to move from volunteer positions to paid employment. Similarly, the report *Volunteering Among Refugees and Asylum Seekers* (Migration Partnership, 2020) highlights that refugees are frequently used in volunteer roles but are overlooked for paid positions, even within organisations they have supported. These findings underscore the systemic obstacles refugees and people seeking asylum face, limiting their ability to secure meaningful employment and achieve economic independence.

As one member shared, "Most of us have qualifications, but they are not recognized here. Employers keep asking for UK experience we don't have."

Another added, "I volunteered for years, but when a job opened, it went to someone else. Volunteering doesn't count as work experience for us."

And another member observed, "Why are refugees who volunteer not given employment? It feels like we're only good enough for unpaid work."

Many refugees and people seeking asylum with the right to work in the UK face discriminatory practices and racism during job applications, significantly hindering their employment prospects. Research by the Migration Observatory indicates that migrants, including refugees, often experience discrimination based on ethnicity, nationality, religion, language, or accent, all of which negatively impact their employment opportunities (Migration Observatory, 2023). Further, public misconceptions can perpetuate discrimination during recruitment, while the lengthy asylum process often creates gaps in CVs that raise red flags for potential employers. These findings emphasise the systemic barriers refugees and asylum seekers face in the UK job market, highlighting the urgent need for targeted interventions to combat discrimination and promote equal employment opportunities.

As one member noted, "Discrimination and racism in hiring make it even harder to get a job, no matter how qualified we are."

In many cases, refugees are forced to seek work through recruitment agencies, where they are often exploited with low-paid, zero-hour contracts, "We don't get hired directly. Agencies use us for low-paid, zero-hour contracts. It's unfair."

Inadequate Support from Job Centres

The UK Government provides job centre services that are intended to provide essential support, but RAPAR members report that these services are inadequate and fail to address their specific needs, leaving many

feelings demoralized by the lack of understanding and assistance. They emphasize the importance of recognizing the potential of refugees and people seeking asylum by providing meaningful opportunities for integration and employment. The group expressed a strong desire for the government to prioritize lifting barriers to employment and offering more tailored support to help refugees overcome the systemic challenges they face when trying to enter the job market. This discussion underscores the need for fair opportunities, targeted assistance, and a concerted effort to reduce the obstacles that hinder refugees from accessing meaningful work.

"Job coaches push us to find jobs but don't understand the challenges we face."

"People are being sanctioned because their digital skills are low, but no one helps us improve those skills."

One member emphasized the need for collaboration with charities to improve the support provided, "The job centre needs to collaborate with charities to better understand how to help refugees and asylum seekers." Another added, "Instead of just pushing us to find jobs, they should offer practical opportunities to gain skills and training."

Asylum Matters (2024) confirms that people need safe routes and the right to work. Without tailored support, refugees are often unable to access sustainable employment, further entrenching them in poverty and exclusion. These insights highlight the critical need for culturally competent services and tailored support to enhance employment outcomes for refugees and people seeking asylum.

Substandard Living Conditions and Financial Deprivation

One of the most pressing issues faced by people seeking asylum in the UK is their living conditions, particularly for those housed in hotels. These substandard conditions—including poor-quality food, inadequate accommodations, and isolation from society—compound the trauma experienced by individuals fleeing conflict and persecution. A year-long campaign by RAPAR involving a hunger striker who went on hunger strike to expose the human rights violations in hotel accommodation for people seeking asylum (RAPAR, Seeking Safety Campaign, 2022-23) highlighted the overcrowded and unsuitable accommodations provided to families seeking asylum, noting that the lack of privacy and poor living conditions significantly harm mental health and overall well-being. Most fundamentally, the hotel system is found to violate basic human rights (Moran and McMahon, 2023). Furthermore, a report by Doctors of the World (2022) describes these accommodations as "unsafe," with inadequate healthcare provisions and poor living conditions that exacerbate both mental and physical health challenges.

As one participant poignantly stated: "Being kept in hotels with no access to work, no access to education it's mentally and physically draining. It's killing us."

The mental toll of this lack of opportunity was echoed by another participant: "I came here with my wife, pregnant, and she lost the baby due to the stress of the conditions. We didn't even have proper access to healthcare."

Over 50,000 people seeking asylum in the UK are currently housed in hotels, where conditions are often inadequate and dehumanizing. Many refugees and asylum seekers endure a lack of privacy, insufficient support services, and substandard living environments.

By the end of March 2023, approximately 47,500 asylum seekers—42% of those receiving asylum support were housed in hotel accommodations, a sharp rise from the 9,500 individuals in October 2020 (House of Commons Library, 2020). As of June 2024, the Home Office reported that 96,600 supported asylum seekers were housed in the UK, with 61,800 in dispersal accommodation and 34,900 in initial or contingency accommodation, including hotels (Home Office, Immigration Statistics, year ending June 2024, table Asy_D11). These numbers reflect not only the growing reliance on temporary accommodations but also the ongoing inadequacies in the support system. As RAPAR members have explained *"The food is not suitable for us. Sometimes it's so bad, we go hungry."* Another added, *"We live in overcrowded rooms with no privacy. It feels like we are being punished for seeking safety."* The UK Government provides free accommodation, healthcare, and schooling, but the living conditions in hotels and the financial allowance fail to provide a decent standard of living. However, beyond this, people seeking asylum only receive a £8 weekly allowance. This allowance provided for those in full-board accommodations is clearly not nearly enough to meet even basic needs, forcing people seeking asylum to make difficult choices: To put this into perspective: a loaf of bread in the UK costs around £1.20, a pint of milk is approximately £1.00, and public transportation for a single bus journey can cost £2.50. This allowance, therefore, cannot even cover basic subsistence needs.

"Even second-hand clothes cost more than what we get in a week. How are we supposed to survive?

Another member explained:

"The £8 they give us per week doesn't even cover daily essentials. For instance, just the bus fare is £5 per day. To buy food or clothing, I must supplement the money with whatever little I have, but even charity shops are unaffordable. How can anyone buy a jacket for £8 when they cost £15 or £20 even at second-hand stores? This system creates impossible choices, leaving us trapped in poverty."

In 2024, £8 a week is clearly insufficient to cover basic expenses. According to Just Fair, this amount is less than the cost of a weekly bus pass in many areas of the UK, which typically ranges from £12-£20. Additionally, RAPAR notes that even the most basic daily needs, such as food, clothing, and hygiene, become difficult to meet with this allowance, leaving people seeking asylum in a state of permanent vulnerability.

Asylum Matters (2023) has noted that this arrangement is a temporary and ineffective solution that fails to meet the basic human rights of people seeking asylum. They also explain that inadequate financial support *'forces people seeking asylum to choose between essentials like food and transport,'* further establishing their vulnerability. The Lift the Ban Campaign also highlights the detrimental impact of poor living conditions on refugees' mental health and overall well-being, which ultimately hampers their ability to integrate into society.

The voices of RAPAR members and the government's responses highlight a significant disconnect between policy intentions and realities. Denying work rights, providing insufficient employment support, and failing to address systemic discrimination leave refugees and people seeking asylum marginalized. Granting work rights, improving job centre support, and addressing systemic inequities are critical steps to ensuring refugees and people seeking asylum can rebuild their lives with dignity. As one member said, *"We don't want charity. We want opportunities. Let us work, let us live, and let us contribute to society."*

The UK must act now to fulfil its obligations under the ICESCR and build an inclusive society for all.

Conclusion & Recommendations:

The theme throughout our work together is one of the overwhelming realities of living in a country where we are not safe! Despite dangerous everyday living conditions, we have fought against numerous challenges to produce this report. We will no longer allow the stigmatising propaganda to divide and pit us against one another. We champion that there is a vital need for the intense shame, stigma and fear that is directly caused by the inhuman practices of the UK government on minority groups such as refugees and people seeking asylum, disabled people and families in poverty who are decimated by forced adoption to be stopped immediately. Top-down decisions must stop being made by our government. All decisions must include the very people whose lives are oppressed and rights broken by their current complete exclusions from such decision making. Human rights must be at the heart of any assessment made on any human being. Dignity and the ability to make progress must be at the heart of all financial reforms and social security must be made accessible by making it free from fear and guilt.

Thrive Teesside recommends:

• A full impact assessment of the potential consequences of the proposed changes to the work capability assessment with people who have living/ed experience of disability benefits and subsequently, when developing and reviewing future social security policies, ensure impact

assessments are conducted prior to implementation with people who have living/ed experiences of social security.

- Living/ed experience of socio-economic disadvantage meaningfully informs social security policy development debates. Not as one of consultations or focus groups, but through a participatory approach that is embedded in policy development.
- **A person-centred approach** that considers the needs and aspirations of people without scrutinising or making judgements. *'Don't do to people, but work with them'*
- A social security system founded upon the core principles of dignity, respect and humanity.

ATD Fourth World recommends:

- **Families deserve support**: Policies should move away from the term "child in need" to prioritise support for "*families* in need".
- **Accountability**: Support for families should be restructured towards community-based solutions such as family group conferences.
- Aspirations and community work: Social care professionals should support the aspirations, wellbeing and opportunities of families and their communities.
- **Financial reform**: For ethical and financial reasons, children's social care must stop commissioning large for-profit providers.
- End forced adoption: Adoption should no longer be forced when parents contest them, and closed adoptions should be ended, as recommended by the President of the Family Division of the Courts and Tribunals Judiciary.
- Access to Advocacy: Parent-to-parent advocacy provided by people with living/ed experience of children's social care should be available from the first point of contact with families right through to closure of their case.

RAPAR recommends:

- **Grant Immediate Work Rights and Improve Living Conditions**: Raise weekly allowances for people seeking asylum to ensure basic needs are met and transition them to suitable housing, while granting immediate work rights, without restrictions on job types, to promote self-sufficiency and integration.
- **Improve Job Centre Support**: Collaborate with charities, provide language training, and ensure job coaches understand refugees' challenges.
- **Promote Equity in Hiring:** Implement Diversity, Equity, and Inclusion (DEI) policies and recognize volunteering as work experience.
- Address Exploitation: Ban zero-hour contracts and strengthen enforcement against exploitative recruitment practices.

To conclude, our three areas of most immediate concern are: Right to family life, Right to work and reform to systems effect Right to Social Security, and putting living/ed experience at the heart of all work being done to reform these systems. We have come together through harrowing circumstances to request that nothing short of a human rights impact assessment will suffice to begin the necessary steps to protect the most vulnerable people living in the UK.

Appendix 1: Background info about GRIPP

Growing Rights Instead of Poverty Partnership (<u>GRIPP</u>) is made up of grassroots groups (presently <u>ATD Fourth</u> <u>World</u>, <u>Intisaar</u>, <u>Poverty Trust Community</u>, <u>RAPAR</u>, <u>Thrive Teesside</u>) alongside a small number of traditional human rights and anti-poverty organisations (at present <u>Amnesty UK</u>, <u>Bevan Foundation</u>, <u>Essex University</u> <u>Human Rights Centre</u> and <u>Just Fair</u>).

Growing Rights Instead of Poverty Partnership is **working together across the nations and regions of the UK to end poverty**. We believe that:

- **Poverty is a Human Rights Issue,** and that poverty and human rights need to be brought together to challenge systemic causes of injustice.
- ***Undocumented* experience needs to be shared** to expose and challenge systemic issues at the root cause. *We recognise the "undocumented" both in terms of people who are without status and therefore legally undocumented, and also people with status whose experiences have so far remained undocumented.
- Through **bringing together living/ed and learnt experience** of poverty and human rights, we can realise knowledge and generate the power to drive real change.
- By **bringing people, groups and communities together** across the UK, we can build a social movement for change.

<u>GRIPP</u> is led by and is for the members of the communities we represent. We are made up of diverse communities experiencing Human Rights violations, presently with organisations based in Glasgow, Teesside, Greater Manchester, Northwest London and one project that is UK wide. We are focused on a range of issues in our communities and, through GRIPP, we focus on Economic, Social and Cultural Rights (ESCR) such as the rights to mental health, social security, protection and assistance for family life and the right to work.

GRIPP has <u>evolved over time</u>, following an initial discussion between ATD activists and Amnesty UK staff in 2019 on the heels of the visit of the Special Rapporteur on Poverty and Human Rights, Philip Alston, to the UK. Through Covid lockdowns, we worked on a series of events known as "<u>Rights Bridge</u>". Coming out of lockdown we all finally met in person and decided to continue working and learning together. We re-formed as GRIPP, bringing in some new members too.

GRIPP now has four programmes of work with agreed priorities for 2024:

- **Community of People**: Centring the well-being of Human Rights Activists in all we do
- **Knowledge Release**: Using Action Learning to release knowledges and then share this learning in our communities
- Campaigning: We have one central campaign: "Poverty is a Human Rights Issue"
- **Movement Building**: Embedding our values into systems and structures, as GRIPP establishes and grows

Appendix 2: Background info about the groups and communities that have written this report – ATD Fourth World, RAPAR and Thrive:

ATD Fourth World

Founded in 1957, ATD Fourth World works in 33 countries to overcome poverty and to promote human rights by seeking out people living in the worst economic conditions and exclusion and working to keep families together as well as to find opportunities for dignified employment and housing, for access to quality health care, and for access to education, art, and creativity. These projects are rooted in the conviction that disadvantaged people can free themselves from the dependence and indignity of poverty when their courage and their capacity for action are recognised, and when everyone takes responsibility for overcoming the prejudice and discrimination that continue to exclude people in poverty. ATD has general consultative status at the United Nations Economic and Social Council (ECOSOC), UNICEF, UNESCO and the ILO. In the UK, ATD's family support programme offers vulnerable families resources to get through times of crisis, build upon their strengths, develop support networks, and broaden their skills, confidence, and knowledge in order to pursue their goals and aspirations. This includes community outreach, peer support, and "Getting Away From It", a project that aims to offer families time away from the day-to-day pressures and anxieties of a life in poverty as well as an opportunity to share experiences, strengthen relationships and form new friendships. programme supports people experiencing poverty and inequality to engage and participate in their communities and have their say on decisions that affect their lives. ATD's Giving Poverty a Voice programme empowers and encourages people to stand up and be heard using issue-based discussion forums, capacity-building workshops and examinations of avenues to participate in the democratic process, ATD creates opportunities for people to bring to light what they know and think about poverty, based on their own experience and convictions. All ATD's projects are designed and planned together with people living in persistent poverty, with the goal of leaving no one behind.

<u>RAPAR</u>

Established in 2001, RAPAR (Refugee Asylum Participatory Action Research) is a dynamic, living/ed experience led human rights organisation based in Manchester UK. Dedicated to advocating for the rights and dignity of displaced people (migrants, refugees, people seeking asylum, and people who are 'undocumented') its unique approach is grounded in the concept of language creation from below (Voloshinov, 1929/1986, Moran (2003), RAPAR combines grassroots activism, co-created and community-led research, and collaborative campaigning so that people affected by displacement actively participate in shaping policies and practices that impact our/their lives. With a strong commitment to social justice, RAPAR works as a part of and alongside marginalised communities to challenge systemic inequalities, promote human rights, and create inclusion.

Thrive Teesside

Based in the Northeast of England, Thrive Teesside advocates for the voice of living/ed experience in the decision-making process. Ensuring the voice of living/ed experience of poverty and socio-economic disadvantage meaningfully contributes to the debates around the development of social security policies can lead to the development of transformative, innovative and appropriate policies that will address need and prevent unintended consequences that further exacerbate people's precarious situation. This area of expertise and insight is crucial and offers a more holistic, healthy and grounded debate that is in everyone's interest.

Working locally with those living in poverty or at risk of social exclusion Thrive Teesside experience first-hand the impact of the Social Security system in the UK. Thrive Teesside do this because the voice of living/ed experience is not part of the participatory process of policy making and in 2021 began a writing group called Thriving Women in collaboration with Tees Women Poets.

Thriving Women were created to give women in Teesside with the living/ed experience of poverty and social exclusion a platform. A safe and supportive space to write about the realities of living without a voice with the aim of reaching those who might listen and involve them in decisions that impact them more than anyone else in the UK today.

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