

SUBMISSION FROM DISABILITY HISTORY SCOTLAND

'Others Make Plans. We Make History...'

Summary

'Just Speak the Truth Even if Your Voice Shakes'

- We are generally in favour of giving the Scottish Government powers to link devolved and reserved welfare matters as we hope this will mitigate against the worst aspects of the Welfare Reform Act
- We believe there is a compelling need for the Scottish Government to learn the lessons of history and use the discretion it will have in implementing the Welfare Reform Act in a way that reflects progressive Scottish values of social justice, equality and fairness.
- We urge the Scottish Government to resist the unrealistic timetable for the 'roll out' and implementation of Universal Credit in Scotland.
- We do not believe that the Coalition has made a convincing case for abolishing DLA and that the introduction of PIP is not in the best interests of disabled people living in Scotland. We urge the Scottish Government to formulate the descriptors for Scottish PIP so as to reflect We believe that that the principle underpinning the passporting of benefits should be one of universality and we would urge the Scottish Government to adhere to this.
- We believe that all impact assessments relating to welfare reform matters should be undertaken by an impartial body that is independent of the Scottish Government.
- We believe that the Scottish Government should establish an Independent Living Fund for Scotland in order to effectively support disabled people, whether in employment or not, to live in their own homes and participate in every aspect of Scottish Society.
- We urge the Scottish Government to ensure that the Scottish Social Fund should be ring fenced and those criteria as to eligibility for support from the Scottish Social Fund should be drawn up with the involvement of poor and marginalised people in a way that is transparent, humane and equitable.
- We urge the Scottish Government to condemn mandatory work activity for disabled people and to end the Work Programme in its current form.
- We urge the Scottish Government to expand the Work Choice Programme for disabled people who have freely chosen to look for employment.

- We urge the Scottish Government to assist Remploy Workers in taking over the remaining factories in Scotland and enabling them to be run as social enterprises or workers co-operatives.

Disability History Scotland

About Us

In autumn 2010 a group of disabled people from trade unions and community organisations met and agreed to establish UK Disability History Month.

We wanted to celebrate the history, culture and achievements of disabled people and we felt that there was a need to have a specific time in the year when the history of our struggle for equality and liberation could be focused on.

At very short notice a series of events were held throughout England but not in Scotland. So in 2011 a small group of disabled people formed Disability History Month Scotland (DHMS) with the endorsement and support of the UK Disability History Month steering group.

Eleven community organisations also supported us. The theme for DHMS 2011 was 'Celebrating Our Struggle for Equality' in order to reflect on our history as disabled people in Scotland and our campaign for civil rights. This theme was also relevant to more current events such as the 'Hardest Hit' demonstrations in May and October 2011, and the recent attacks on the rights, dignity and standards of living of disabled people throughout the UK.

We put together two events, an official launch and a national conference which were both very successful. A motion welcoming Disability History Month Scotland was also debated in the Scottish Parliament. We were determined to build on this and make DHMS an annual fixture that is recognised throughout Scotland.

We held an open meeting in February 2012 where the decision was taken to establish Disability History Scotland which incorporates Disability History Month Scotland. Our aim is to make sure that the history of disabled people in Scotland is never forgotten.

Disability History Scotland now has a formal constitution, an Advisory Board and a team of committed volunteers and we are already hard at work, planning DHMS 2012 and a number of other events which will run throughout the coming year.

Why we are responding to the Scottish Government's Call for Evidence

Disability History Scotland would not usually make a submission to the Scottish Government on a directly political issue because we see our remit as primarily an educational one. However, our Advisory Board is of the opinion that the implications of the Westminster Welfare Reform Act and the resultant Welfare Reform (Further Provision) (Scotland) Bill are so serious and far reaching for disabled people living in Scotland that we have no alternative but to respond.

1. Are you generally in favour of the Bill and its provisions?

The most important point we wish to make is that we do not accept the current neo-conservative narrative of a 'crisis of welfare' in relation to disabled people in Scotland. The 'moral panic' driving the Coalition Government's welfare reform agenda is fuelled by an imperative both to label people as 'deserving' or 'undeserving' and as a crude mechanism for rationing resources. We have been here before; this is very similar to the rhetoric used to justify the introduction of the draconian 1834 Poor Law Act, the 1845 Scottish Poor Law Amendment Act and the arbitrary 1913 Mental Deficiency Act which led to the compulsory institutionalisation of nearly half a million disabled children and adults in the UK.

The historian E.P. Thompson described the Poor Law as a 'Statute of Quite Uncommon Callousness' and our belief is that this could equally be said of the Coalition's Welfare Reform Act in its present form. This legislation is a retrograde step that will take us back to the 19th century unless the Scottish Government intervenes.

- **We are generally in favour of giving the Scottish Government powers to link devolved and reserved welfare matters as we hope this will mitigate against the worst aspects of the Welfare Reform Act.**

2. What are your views on this principle?

- **We believe there is a compelling need for the Scottish Government to learn the lessons of history and use the discretion it will have in implementing the Welfare Reform Act in a way that reflects progressive Scottish values of social justice, equality and fairness.**

3. What are your views on the proposed powers in relation to Universal Credit?

4. Do you have any other comments on the introduction of Universal Credit?

Whilst we welcome the proposed powers for the Scottish Government we are generally extremely concerned about the introduction of Universal Credit and its impact on disabled people in Scotland. It is laudable to want a benefits system that is streamlined, responsive and flexible. It is quite another thing to attempt to run two huge computer systems (DWP and HMRC) concurrently within a timescale that is almost impossible to meet. We cannot find examples of projects on anything like this scale that have been delivered on time and within budget and our fear is that the people who are least able to deal with the fallout from this epic folly will be the ones who in the frontline when it implodes. The last time something like this was attempted was in the 1980's when responsibility for Housing Benefit payments was transferred from central to local government and it was an extremely painful experience; This move to harmonise 6 'dynamic benefits' is likely to be even more traumatic.

We also believe that the move to a computerised claim system is potentially discriminatory and will also lead to job losses in DWP processing centres throughout Scotland.

- **We urge the Scottish Government to resist the unrealistic timetable for the 'roll out' and implementation of Universal Credit in Scotland.**

5. What are your views on the proposed powers in relation to Personal Independence Payments?

6. Do you have any other comments on the introduction of Personal Independence Payments?

The introduction of Disability Living Allowance (DLA) in 1992 fundamentally transformed the lives of thousands of disabled Scots for the better. The progressive nature of DLA reflected, at least in part, the Social Model of Disability because it recognised the barriers that disabled people often face in participating in society.

The scrapping of DLA and its replacement by the ill thought out Personal Independence Payment (PIP) in 2013, despite the overwhelming opposition of disabled people and disabled peoples organisations, is to be condemned.

Maria Miller, the Minister for Disabled People has said that PIP also reflects the Social Model of Disability but as disabled people we refute this. PIP is a Medical Model throwback, reminiscent of a utilitarian approach to disability last seen in the 1970's.

As the Coalition has made clear that the introduction of PIP will result in a 20% reduction in eligibility, we feel that this, rather than the needs of disabled people, is what is motivating the Westminster Government to make this change.

We have an additional concern regarding the tentative proposal from Maria Miller to combine the assessment processes for PIP, Employment and Support Allowance (ESA) and Social Care. We believe that the rationale for the assessments of each of these is fundamentally different and should not be brought together in Scotland. We do not believe that assessments for disability related benefits should be outsourced to private sector corporations as current arrangements have resulted in a breakdown of trust between disabled people and the state.

- **We do not believe that the Coalition has made a convincing case for abolishing DLA and that the introduction of PIP is not in the best interests of disabled people living in Scotland. We urge the Scottish Government to formulate the descriptors for Scottish PIP so as to reflect the social model of disability.**

8. Do you have any other comments on regulations that would follow this Bill on 'passported' benefits and eligibility for them?

- **We believe that that the principle underpinning the passporting of benefits should be one of universality and we would urge the Scottish Government to adhere to this.**

10. Are you satisfied in the assessments that have taken place in regard to these matters and in the conclusions reached by the Scottish Government?

- **We believe that all impact assessments relating to welfare reform matters should be undertaken by an impartial body that is independent of the Scottish Government.**

Additional Evidence

This struggle for autonomy and civil rights in Scotland has been led by disabled people and we believe this is the reason why it has been so successful. From the creation of the Scottish Union of Mental Patients in the 1970's, to the emergence of the Disability Arts Movement in the 1980's, to the 'Free Our People' campaign of the 1990's, it is disabled people who have fought for inclusion. All the gains we have made are now in jeopardy and it is with dismay that we contemplate a future where real choice and self-determination for disabled people have disappeared in all but name.

The closure of the Independent Living Fund to new applicants and its winding down are already having a detrimental effect on young disabled Scots who would once have been eligible for support from this funding stream.

Our concern is that this will result in a move away from independent living and a return to 'group homes' or even large residential units as this will be seen as a more 'affordable' option by hard pressed social work departments.

- **We believe that the Scottish Government should establish an Independent Living Fund for Scotland in order to effectively support disabled people, whether in employment or not, to live in their own homes and participate in every aspect of Scottish Society.**

We welcome the proposal that under the Welfare Reform Act administration of the Social Fund will be a devolved matter.

- **We urge the Scottish Government to ensure that the Scottish Social Fund should be ring fenced and those criteria as to eligibility for support from the Scottish Social Fund should be drawn up with the involvement of poor and marginalised people in a way that is transparent, humane and equitable.**

In order to justify their agenda for welfare reform Coalition Ministers stress the need to be 'fair' to 'tax payers'. This term seems to be almost exclusively used to describe people who are taxed on their wages and salaries. All Scots are tax payers, whether in employment or not; we pay VAT on aids and adaptations, our utility bills and other purchases. Our savings are taxable and benefits like Carers Allowance are classed

as taxable income. Sadly there is a real danger of this being ignored or even forgotten in the drive for welfare reform.

Disabled people have worked to build the Scottish economy over generations and their achievements should be celebrated. Scottish members of the National League of the Blind marched to London to campaign for jobs and pensions and disabled Scots helped to build the welfare state after the Second World War. However, people should not be defined only by the paid jobs they do and disabled people contribute to Scottish society in many ways. Some of us are employers of support staff, some of us are volunteers, some of us are parents, some of us are carers and some of us are campaigners and educators. We all play our part.

We are extremely concerned that the Welfare Reform Act allows for indefinite, unpaid 'mandatory work activity' and work placements for disabled people. We believe that this is completely unacceptable and that people with learning difficulties or mental health support needs could be open to exploitation from unscrupulous employers.

There are significant numbers of disabled Scots who would like to work if they could find employment and have the right support in the workplace and this cohort of disabled people should be the first priority for the DWP, rather than coercing disabled people who are not able or ready to enter the workplace.

We are also concerned that as part of its welfare reform agenda, the Coalition has announced its intention to close or privatise all nine remaining Remploi factories in Scotland. Whilst we are in favour of disabled people accessing mainstream employment we believe that closing Remploi in the current economic climate will inevitably lead to the majority of the workforce becoming unemployed, possibly for the rest of their working lives. Of the Remploi workers who lost their jobs in the previous round of redundancies only 5% - 8% are still in employment. This is despite the fact that many of them have substantial in-work experience and high level transferable skills.

- **We urge the Scottish Government to condemn mandatory work activity for disabled people and to end the Work Programme in its current form.**
- **We urge the Scottish Government to expand the Work Choice Programme for disabled people who have freely chosen to look for employment.**
- **We urge the Scottish Government to assist Remploi Workers in taking over the remaining factories in Scotland and enabling them to be run as social enterprises or workers co-operatives.**

Conclusion

We welcome the opportunity to make this submission. Coalition Ministers have consistently failed to engage with the people who will be most affected

by the Welfare Reform Act and we congratulate our Government in its attempt to begin a meaningful dialogue on this issue.

'We Make History but Not in Circumstances of Our Choosing.'

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