

# Is benefits conditionality for disabled people 'fair'?

## An empirical analysis

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# The question of 'fairness' is now a pressing one

- **> Im disabled people sanctioned 2010-16** (Geiger 2017)
- **Can this be justified?**
  - **Effective?** (Geiger 2017, 2018)
  - **Fair?**

# I will here present *empirical* evidence on fairness

## Philosophical debate

- See e.g. Molander & Torsvik 2015, Patrick 2011

## Justified wrt public view

- Actual evidence: YouGov survey (n=2k, vignettes)  
focus groups (inc. disabled ppl)

## Whether practice meets this

- Focus groups, admin data, wider evidence

**Does the public  
think that the  
*principle* is fair?**

# The public can only make sense of *specific* questions

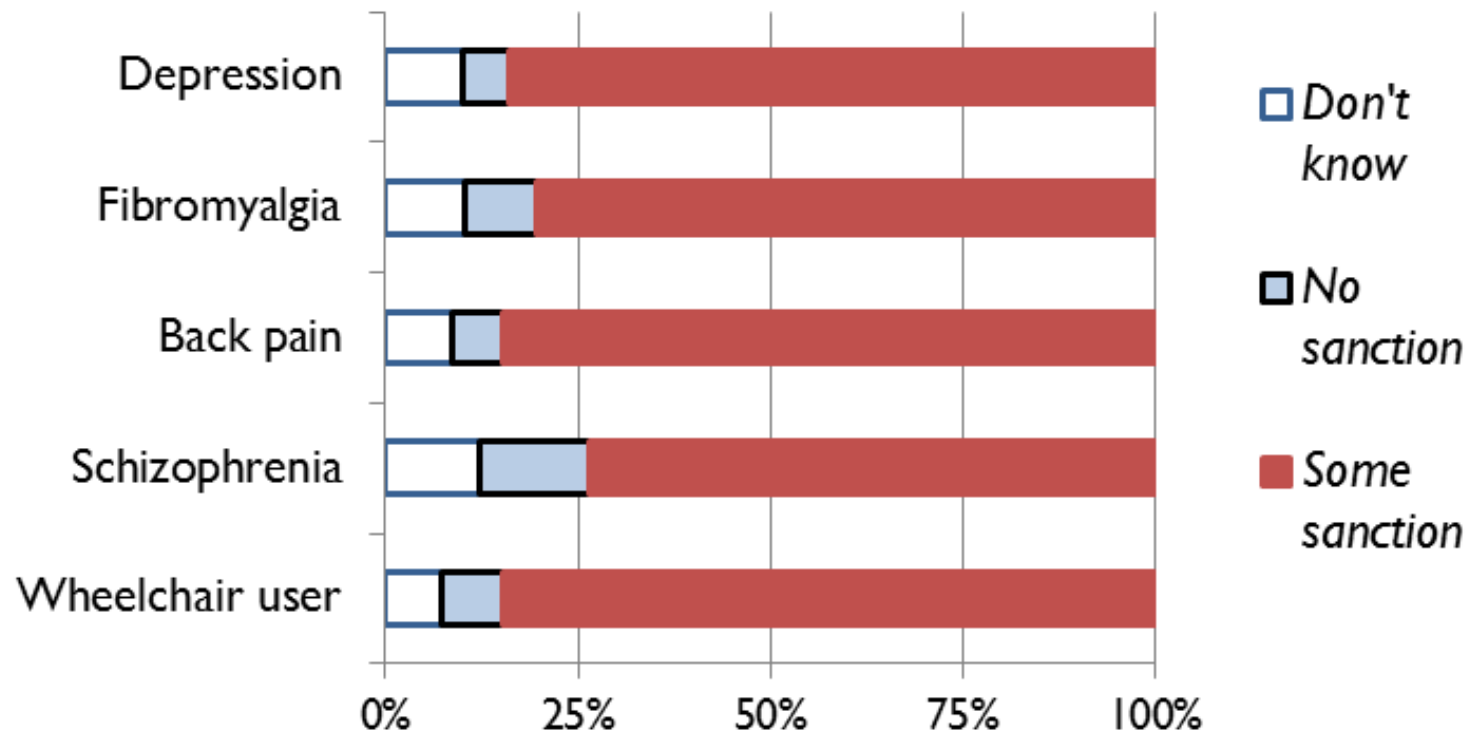
Liz is 60, and has often been unemployed, though 5 years ago she was working. **However, 5 years ago she left her job because she said she had the following:**

- Was in a severe car accident, now has no feeling at all in her body from the chest down
- Can use her arms as normal, but uses a thin tube ('catheter') to empty her bladder during the day
- Can get around easily using a wheelchair to anywhere that is wheelchair-accessible

Her doctors have signed a sick note for her & diagnosed her with paraplegia. Liz can't do her previous line of work. She has no qualifications, and can't think of any employers locally who would now employ her

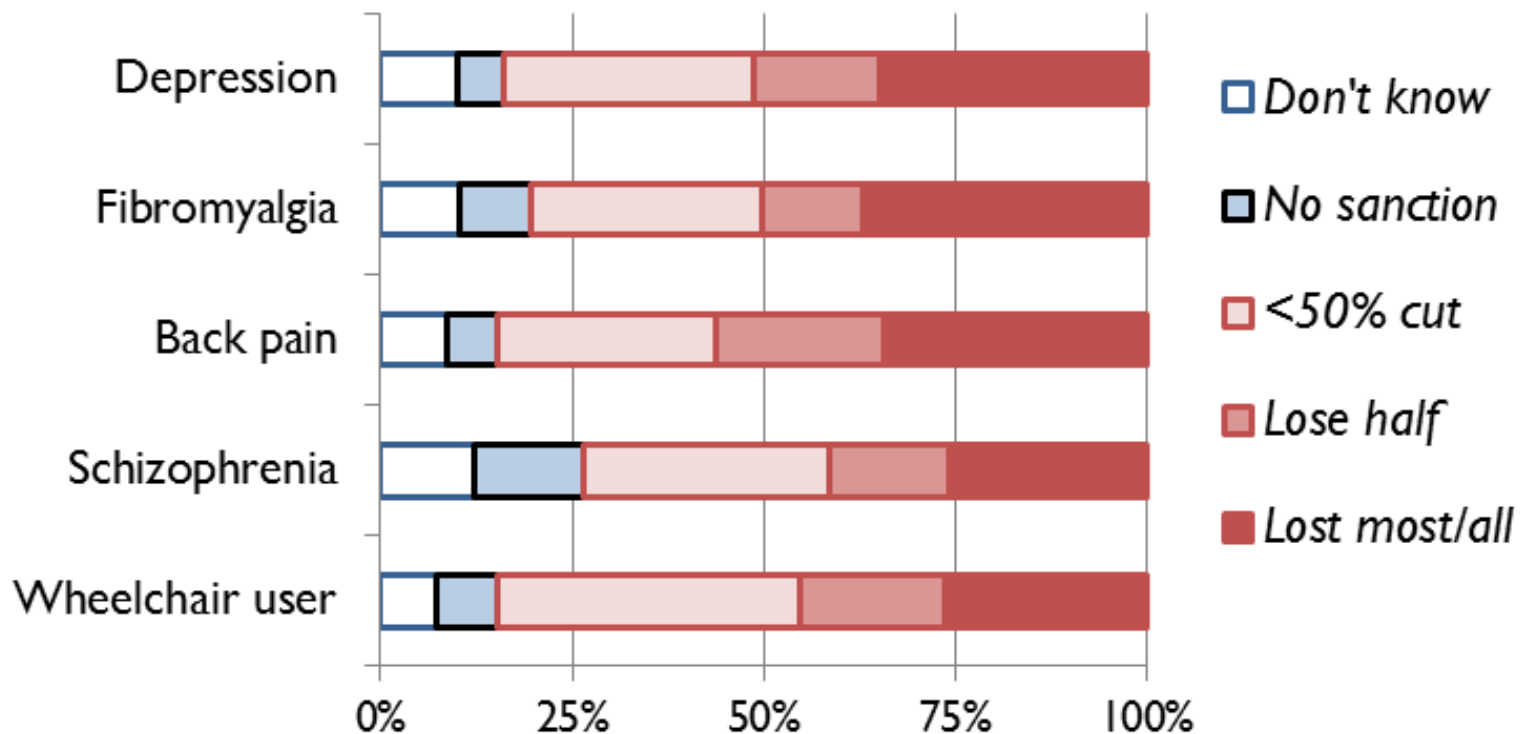
# Put simply: the public do think the *principle* is fair

*Should [name]'s benefit be cut if [he/she] refuses to do suitable training or rehabilitation?*



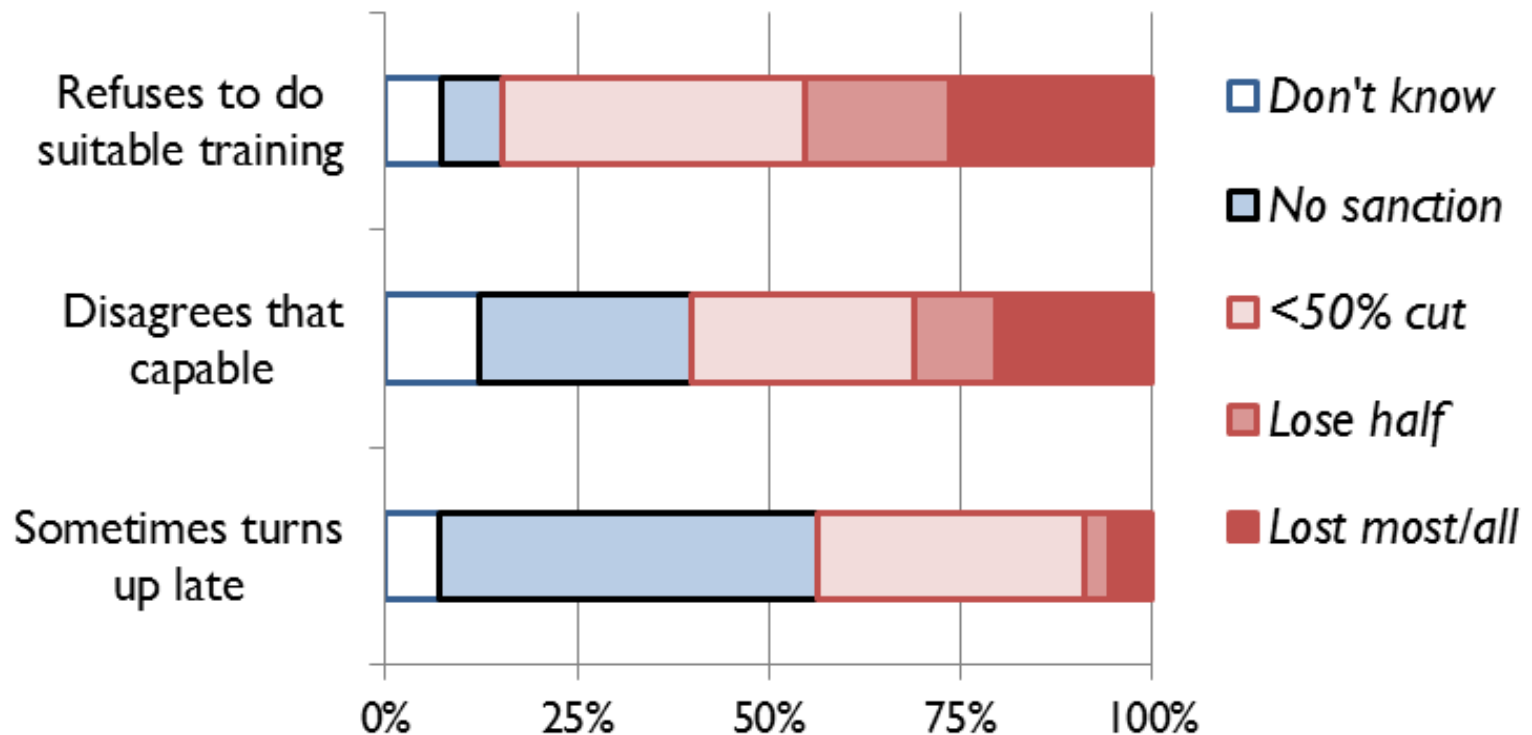
# But they do not support the harshness of the current system

*Should [name]'s benefit be cut if [he/she] refuses to do suitable training or rehabilitation?*



# And particularly don't support punishing minor non-compliance

*Should [name]'s benefit be cut if [he/she] refuses to do suitable training or rehabilitation? [Wheelchair user]*





**In summary, the public think  
*in principle* that:**

**The principle of conditionality is  
fair...** (as found in other research)

**...but current policies are much  
harsher than they support**

(And views vary across different claimants,  
different respondents, different situations)

**But fairness in  
*principle* is only  
half the story...**

# Concerns among experts about *fairness in practice*

- **People required to do things they are not capable of...**
  - Select Committees, DPOs, charities, academics (WelfCond, Ruth Patrick, et al)...
  - Disabled JSA claimants 26-53% *more* likely to be sanctioned (Geiger 2017)

# Why is the UK going so wrong?

	<b>Low</b> conditionality	<b>High</b> conditionality
<b>Weak</b> link to rehab		
<b>Strong</b> link to rehab		

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<b>Weak</b> link to rehab	<p><b><i>Passive</i></b> systems: On-paper requirements, but weak assessment and little that claimants can be required to do (eg Norway)</p>	
<b>Strong</b> link to rehab	<p><b><i>Supportive</i></b> systems: Substantial assessment and rehab, on-paper conditionality but rarely applied (eg Sweden)</p>	

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<b>Weak</b> link to rehab	<p><b>Passive</b> systems: On-paper requirements, but weak assessment and little that claimants can be required to do (eg Norway)</p>	<p><b>Compliance-based</b> systems: Weak assessment and few rehabilitation options, but relatively high levels of sanctioning nevertheless (eg UK)</p>
<b>Strong</b> link to rehab	<p><b>Supportive</b> systems: Substantial assessment and rehab, on-paper conditionality but rarely applied (eg Sweden)</p>	<p><b>Demanding</b> systems: Intensive assessment and rehabilitation, which claimants are obliged to take up, though sanctioning is rare (eg Denmark)</p>

# **Why is the UK going so wrong?**

## **A short summary:**

**High conditionality**

**+**

**Few disability-sensitive options**

**+**

**Poor quality decision-makers**



# Going deeper than this presentation allows...

“Legitimacy is a balancing act, but we can achieve a much better balance than the WCA”

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A BETTER WCA IS POSSIBLE

Ben Baumberg Geiger

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DEMOS

## In principle:

- Individual differences
- Disability vs. unemp.
- UK vs. Norway

## In practice – ?

# So is benefits conditionality for disabled people ‘fair’?

- Public do support it in principle
  - But even in principle, much less harsh than the current system
  - And in practice, current system is designed to generate injustices
- ⇒ **Difficult to justify current system..**

# Rethinking Incapacity

*Evidence-based perspectives on work, benefits and disability*



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