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Punitive and ineffective: benefit sanctions within social security

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J.S.S.L. 142 *Benefit sanctions are now a central component of the UK's increasingly conditional social security system. Over the last two decades their reach has been extended beyond Jobseeker's Allowance (JSA) claimants to include the majority of lone parents, many disabled people and, since the introduction of Universal Credit (* UC*) in 2013, low paid workers in receipt of in work wage supplements and housing benefits. Utilising original data generated in a large (n.481 wave a), repeat qualitative longitudinal panel study this paper explores the impact of benefit sanctions on the lives of those in receipt of highly conditional social security benefits. It is concluded that benefit sanctions routinely trigger a range of profoundly negative outcomes that do not enhance the likelihood of people moving into paid work.* [1]

Introduction

Within social security benefit systems the application of welfare conditionality links eligibility to continued receipt of work related benefits to claimants' mandatory engagement with work focused interviews (WFIs), training and support schemes and/or job search requirements, with failure to undertake such specified activities leading to benefit sanctions.[2] A key element of welfare reform in many nations since the 1990s, welfare conditionality in various guises has been embraced by governments in both high income nations[3] and in many countries of the Global South.[4] The UK has long been at the forefront of this behavioural turn in social security policy that demands individual benefit recipients must meet particular, ***J.S.S.L. 143*** compulsory, work focussed duties or patterns of responsible behaviour in order to retain access to collectively provided social welfare provisions.[5]

Influenced by New Right[6] and new Communitarian[7] critics' longstanding antipathy towards state provided welfare entitlements derived from citizenship status,[8] welfare conditionality was initially embraced by the UK Conservative administrations of the late 1980s and 1990s. It was then enthusiastically endorsed, embedded and expanded as a cornerstone of New Labour's Third Way, "no rights without responsibilities" welfare reform programme and has subsequently been further intensified and extended by the UK Coalition Government and its Conservative successors. Today, groups of benefit recipients who were previously largely exempt from welfare conditionality, including many people in receipt of Employment and Support Allowance (ESA) (the UK's main incapacity benefit for working aged disabled people), lone parents, and since 2013 under Universal Credit (UC) low paid workers and their partners, find themselves subject to benefit sanctions if they fail to comply with the work related conditions attached to their claim.[9]

Supporters of welfare conditionality believe that unconditional entitlement to public welfare benefits and services promotes idleness and entrenches "welfare dependency" among a section of the population.[10] Welfare conditionality unequivocally realigns the relationship between entitlement to state support and individual conduct/behaviour[11]:

"Conditionality embodies the principle that aspects of state support, usually financial or practical, are dependent on citizens meeting certain conditions which are invariably behavioural." [12]

Advocates, of conditionality look to use various combinations of "carrot" (the "offer" of mandatory training and job search support), alongside the "stick" of benefit sanctions (reduction or removal of right to benefit) to cajole or compel them into work. For example, in 2008, when outlining "a vision for personalized conditionality", Professor Paul Gregg was clear that whilst personalised support packages were an essential element of any conditional benefit regime, sanctions ***J.S.S.L. 144*** for non-compliance remained both necessary and justified.[13] Commissioned by a New Labour Government to undertake a wide-ranging, independent review of conditionality in the benefit system Gregg recommended, that "virtually everyone" claiming benefits should be required to undertake

mandatory work search activities and be subject to benefit sanctions for non-compliance. Gregg was endorsing recommendations made a year earlier in the Freud Report, which called for:

"Stronger conditionality in line with the Jobseeker's Allowance for lone parents with progressively younger children and moving to deliver conditionality for other groups (including people already on incapacity benefits)." [14]

Convinced of both the ethicality and effectiveness of welfare conditionality these government sponsored reviews helped set in train the subsequent extension of compulsory work related requirements and benefit sanctions to groups of people (e.g. lone parents and disabled people) who were previously excluded from them. More recently, in 2016, the then Conservative Secretary of State for Work and Pensions, Iain Duncan Smith mounted a strong defence of benefit sanctions by linking their use to high UK employment levels while also claiming (erroneously) that three quarters of those who had received a sanction reported it helped them "focus and get on".[15] The use or threat of benefit sanctions is viewed as effective and justified as it will help reduce reliance on social security and simultaneously promote individual responsibility by pushing benefit claimants into paid work.

Conversely, critics of welfare conditionality and benefit sanctions in particular, argue that advocates are wrong to prioritise individual behaviour as both the main cause and solution to a narrowly defined notion of welfare dependency; wider structural factors also need to be taken into account when understanding unemployment and inequality.[16] They also suggest that many vulnerable people are often unable to respond rationally to the "carrots" or "sticks" to which they are subject.[17] Others highlight the ineffectiveness of benefit sanctions in moving people into work, with the disciplinary and highly punitive impacts disproportionality borne by poor people whose social exclusion and poverty is further exacerbated by the application of benefit sanctions.[18] In short, welfare conditionality and its central instrument of compliance, benefit sanctions, are seen as ethically unjustifiable,[19] punitive and ineffective. ***J.S.S.L. 145***

As discussions above illustrate, debates about the effectiveness and ethicality of benefit sanctions within highly conditional social security systems are ongoing. The key aim of this paper is to consider the impacts of benefit sanctions on the lives of those in receipt of social security benefits in the UK; a nation in which "work first" welfare conditionality has become entrenched. The first part of the paper provides context and offers a brief account of the recent expansion and intensification of benefit sanctions within the UK's working age social security system before setting out an overview of the benefit sanction regime at its heart. The second outlines the methods used to generate the original empirical data that informs subsequent discussions. The third part highlights the profoundly negative and routinely detrimental impacts that benefit sanctions have on peoples' lives. Finally, I consider the extent to which benefit sanctions enhance or inhibit claimants' movements off welfare and into work. Grounded in analysis of the accounts of those who have been threatened with, or been subject to, a benefit sanction(s) the paper provides powerful evidence of the punitive and ineffective outcomes—in respect of movements into paid work—that the application of benefit sanctions consistently trigger.

Benefit sanctions in the UK social security system

In recent decades the endorsement of welfare conditionality by UK mainstream political parties has led to a situation whereby the majority of working aged recipients of out of work social security benefits are now subject to the threat of benefit sanctions for non-compliance with the work related conditions attached to their claims. It is important to note, however, that the increased severity and expansion of contemporary benefit sanctions are comparatively recent developments within UK welfare policy. Since its inception in 1911 receipt of unemployment benefit in the UK has always been conditional on claimants signing on at the labour exchange and declaring that they were actively looking for work. As such, conditionality for recipients of unemployment benefit is not new. However, throughout the 1980s and 1990s consecutive Conservative Governments made unemployment benefits increasingly conditional by requiring claimants to attend regular "restart" interviews and the introduction of the Jobseekers Act 1995 is often regarded as a defining moment in the advance of the sanctions-based social security system that exists today. This legislation created the Jobseeker's Agreement (subsequently renamed the Claimant Commitment under UC), which specified the steps each JSA claimant had to undertake when looking for work. Additionally, Jobcentre Plus advisers were empowered to require claimants to alter their appearance or behaviour if they felt it prejudiced an individual's chance of finding work. Failure to comply with any set conditions could lead to disqualification from benefit.[20] Today this approach has developed into a system whereby able-bodied JSA and UC claimants (see discussions below) may be subject to full work related requirements, i.e.

up to 35 hours' job search and preparation per week including compulsory attendance at WFIs or training courses.

Like the Jobseekers Act 1995 the introduction of ESA by the New Labour Government in 2007 was a watershed moment for those in receipt of long-term ***J.S.S.L. 146*** incapacity benefits, which made many disabled people subject to work related requirements and benefit sanctions for the first time. Under ESA the functional capacities of each claimant are initially assessed by application of the much criticised[21] Work Capability Assessment (WCA), with three possible outcomes. Those found "fit for work" are subject to the full work related requirements noted above. Individuals assessed as having "limited capability for work", but deemed likely to be capable of paid employment moving forward, are placed in the Work Related Activity Group (WRAG) and must undertake any steps as instructed to prepare for paid work in the future. In both of these outcomes, failure to undertake the personalised work related requirements as specified in the Claimant Commitment results in the application of benefit sanctions. Finally, people assessed as having "limited capability for work and work related activity" due to higher levels of impairment are not liable to benefit sanction and exempted from all work search and preparation requirements.[22]

The extension of conditionality for lone parent claimants is also a relatively recent occurrence. Prior to 2001, lone parents with children aged under 16 years were routinely able to claim Income Support (IS), were not required to actively seek work and were not liable to benefit sanction. However, since the early 2000s successive governments gradually moved lone parents off IS onto JSA, while simultaneously reducing the age of youngest child thresholds at which lone parents must undertake various work preparation requirements or risk being sanctioned.[23] Spencer notes that from April 2017, under changes introduced in the Welfare Reform and Work Act 2016:

"Parents of three and four-year-olds will be expected to be available for and actively seeking work. Parents of two-year-olds will be required to attend work-focused interviews and will be subject to a work preparation requirement, while parents of one-year-olds will continue to be required to attend work-focused interviews." [24]

The advent of UC further extended the reach of conditionality and signalled the durability of sanctioning as a core component of future UK social security policy. Piloted since 2013, with completion of its much delayed full rollout now scheduled for March 2023, UC was introduced with the linked aims of simplifying the benefits system, making work pay, increasing benefit take-up and reducing fraud and error.[25] UC is a single monthly payment that replaces six existing means tested payments for working age people, i.e. Income Support, Income-Based Jobseeker's Allowance, Income-Related Employment Support Allowance,[26] Housing Benefit, Child Tax Credit and Working Tax Credit. The inclusion of the last three payments is ***J.S.S.L. 147*** significant, as these are rent and wage supplements available to low paid workers rather than out of work benefits for people who are not active in the paid labour market.[27] Consequently, UC heralds the onset a new era of in-work conditionality which "extends full-time job search/work requirements, backed by sanctions",[28] to low paid workers and their partners for the first time.

One outcome of delays in the full operational rollout of UC is that, at present, there are effectively three parallel sanctioning systems currently in operation in the UK. Consequently, some minor variations regarding length and severity of sanction, access to hardship payments and rules on easement of work related conditions for vulnerable groups presently remain, dependant on whether an individual is still on legacy benefits (i.e. ESA/JSA) or in receipt of UC.[29] The direction of travel in respect of benefit sanctions is, however, very clear. In October 2012, in preparation for the imminent introduction of UC, the Conservative/Liberal Coalition Government launched an enhanced benefit sanction regime with tougher penalties for those who fail to punctually attend WFIs or who do not meet their personalised work preparation or job search requirements. Sanctions ranged from a loss of full benefit for four weeks, for an initial low level transgression (e.g. non-attendance at a WFI), to up to three years loss of entitlement for a repeat third, high level offence such as failure to apply for a job.[30] Building on this, Table 1 below illustrates the single system of sanctions envisaged once UC becomes fully operational.

Table 1: Summary of Universal Credit sanctions (and sanctions under Contribution based JSA and contributory ESA, when UC is introduced)[31]

Level of Sanction	**Length of Sanction**

First failure	**Second failure within a year**	**Third failure within a year**	
High level sanctions (UC and JSA only)	91 days	182 days	1, 095 days ***J.S.S.L. 148**
• Failing to undertake Mandatory Work Activity.			
• Failing to apply for or to accept paid work.			
• Ceasing paid work or loosing pay for specified reasons.			

Level of Sanction	**Length of Sanction**		
First failure	**Second failure within a year**	**Third failure within a year**	
Medium level sanctions (UC and JSA only)	28 days	91 days	91 days
• Failing to be available for paid work or to take all reasonable action to get paid work.			

Low level sanctions (UC, JSA and ESA)	Until claimant complies, plus 7 days	Until claimant complies plus 14 days	Until claimant compiles plus 28 days
• Failing to meet a WFI requirement.			
• Failing to comply with a requirement connected to a work related requirement.			
• Failing to meet a work preparation requirement.			
• failing to take a particular action to get paid work (UC and JSA only).			
Lowest level sanctions (UC and ESA only)	Until claimant complies	Until claimant complies	Until claimant complies
• Failing to meet a WFI requirement.			

Comparison of the UC sanction regime with that in operation for those mandated to take part in the "New Deal for Young People" (NDYP)[32] in 2002 offers an insight into the distance sanctioning policy in the UK has travelled in less than 20 years. Considered at the time to be "the toughest sanction regime ever seen in the UK",[33] claimants faced a 14 days loss of some or all their benefit for a first transgression, depending on their personal circumstances. This increased to 28 days for a second failure to attend/actively seek work, rising to 100% loss of benefit for 182 days for a third offence. Furthermore, consideration of some statistics further illustrates the unprecedented extent to which the application of benefit sanctions has become a routine component of policy. In 2001, some 300,000 benefit sanctions were imposed on JSA claimants. By 2013, the number had dramatically increased by over 245% from their 2001 level, to a peak of 1,037,000[34] as part of the "great sanctions drive"[35] when approximately 25% of JSA claimants experienced a sanction in the period between 2010 and 2015.[36] Benefit sanctions are now a core component of the highly conditional, "work first" 21st Century UK welfare state.[37] Before considering the evidence of their impacts and consequences the next section offers a short methods note. ***J.S.S.L. 149***

Methods

Ensuing discussions draw directly on original qualitative data generated in a large qualitative longitudinal panel study undertaken with a diversity of welfare service users (WSUs) subject to welfare conditionality. This was a core element of the ESRC funded "Welfare Conditionality: Sanction, Support and Behaviour Change" (WelCond) project which explores the ethics and efficacy of conditional welfare interventions. Within policy research, qualitative longitudinal research is an appropriate method for considering changes (or their absence), that may be occurring over time, exploring how they arise, and explaining how and why there may be diverse outcomes for different members of a sampled population.[38]

The qualitative longitudinal sample consisted of nine different groups (panels) of WSUs subject to varying types and degrees of welfare conditionality. These were recipients of working age social security benefits (jobseekers, lone parents, disabled people, Universal Credit, both in- and

out-of-work claimants), homeless people, social tenants, people subject to anti-social behaviour orders/family intervention programmes, offenders and migrants. Suitable respondents were purposively sampled according to a range of appropriate criteria pertinent to each group under consideration. The repeat interviews were conducted between 2014 and 2017 in 11 locations in England and Scotland, with respondents interviewed up to three times with, on average, a 12 month gap between interviews across a 24 month period. An overall total of 1,082 interviews were undertaken (481 at wave a, 339 at wave b and 262 at wave c), with a retention rate of approximately 70% between each wave.

Two principles, informed consent and anonymity, underpinned the fieldwork. Before each interview, individuals were provided with an information sheet, given the opportunity to ask questions and made aware of their right to withdraw from the study at any time. Issues relating to consent were revisited prior to each wave of interview through the use of written consent forms. Interpreters and translated materials were available as required. WSUs who participated in the fieldwork received a £20 shopping voucher after each interview as a thank you for taking part. All interviews were audio recorded, transcribed verbatim and English language transcripts produced. Appropriate anonymised code numbers were assigned to each transcript, e.g. BR-LS-012a.[39] Two complementary approaches informed data analysis. To enable temporal analysis across the wider sample, a common coding schema was developed for application across all sampled groups and data was summarised using a framework matrix approach[40] and QSR NVivo software. Additionally, "bottom up" thematic analysis of each transcript was undertaken.

186 of the 481 WSUs initially sampled for the first round of repeat interviews spoke of previously experiencing a benefit sanction in discussions at wave a ***J.S.S.L. 150*** interview; of these 104 had been sanctioned once, 69 between two and five times, with 13 reporting receiving more than five sanctions in the past. As the project progressed there was a significant reduction in the number of new sanctions discussed by respondents. At wave b, 35 WSUs reported new benefit sanction(s) being applied since their previous interview, 29 being sanctioned on a single occasion, five two to five times, with a single person sanctioned more than five times. In our final wave c fieldwork, nine reported being sanctioned once since their interview the previous year, with another single respondent speaking of receiving multiple sanctions in the intervening period.

The high initial incidence of sanctioning and its subsequent significant reduction in waves b and c is likely due to a number of factors. First, at wave a WSUs were retrospectively discussing sanctions that they had previously been subject to at any time prior to their first interview; at waves b and c they were asked to focus on new benefit sanctions that occurred in the shorter-term period between interview waves. Secondly, the timing of the wave a interviews broadly coincided with the historically unprecedented national rise in benefit sanctions that occurred following the introduction of the new harsher regime in October 2012; later waves were undertaken when national sanction rates fell from this peak. Thirdly, greater awareness of the dire consequences of a sanction enabled some to avoid their application moving forward. However, as later discussions illustrate, despite fewer sanctions being applied, across the sample the fear of a future sanction remained very real.

Universally negative: the experience and impact of benefit sanctions

Across the sample, and throughout the three waves of repeat interviews, benefit sanctions were repeatedly and universally reported as triggering profoundly negative outcomes. Severely detrimental, financial, emotional and health impacts[41] routinely ensued for those who were sanctioned, with other family members, including children also often suffering[42]:

"My daughter could not attend school for two weeks. I didn't have any money … you have to give her some money every day for some lunch and for a bus." (Male migrant, Scotland, wave a)

"Can't afford to eat at the moment … [my son] like he'll eat my food … He even says, 'Why aren't you eating?' 'I ate earlier.'" (Female lone parent, England, wave a)

"[Sanction] took me further down the depression route … suicidal thoughts … I'd rather starve than deal with this." (Homeless woman, England, wave c) ***J.S.S.L. 151***

"[The hospital] were saying 'you've lost weight'. I said 'Well I can't eat I've got no food, no money.'" (Disabled man, England, wave a)

Benefit sanctions worked to further compound and ingrain the poverty that was already a feature of

many people's lives. Increased debt, including rent and utility arrears, borrowing and reliance on charitable and informal and familial networks (in situations where people were able to access them) and/or repayable local authority crisis loans were common outcomes. Typically, many were placed in situations where they had to weigh one basic need against another and go without essential items in order to survive the crisis that a benefit sanction triggered[43]:

"My gas and electric fell into that much arrears … I was without heating for ages … I pawned everything I had … You're literally going, 'Do I eat or do I have light?'"(Female lone parent, Scotland, wave a)

In certain instances, benefit sanctions set in place a train of events that directly led to homelessness, destitution and disengagement from the social security system.[44] This is illustrated by the case of an older disabled man who was subject to multiple sanctions. At his wave a interview he was sleeping rough because benefit sanctions had led to rent arrears and subsequent eviction. Informed that he did not qualify for hardship payments, he did not receive any social security benefit for several months due to the application of a six month sanction for missing Work Programme[45] appointments:

"I'm homeless, living on the street … I couldn't pay the rent because I was sanctioned … you can actually claim housing benefit without jobseekers, but then no-one tells you that then my rent ended up backing up and because my head was all over the place I just couldn't deal with it … They made me go to a Work Programme … I got sanctioned because I missed appointments with them." (Disabled man, England, wave a)

Two years later, at our wave b interview, he spoke of having lost a new tenancy in the interim period because of a further benefit sanction and was back rough sleeping. Faced with repeated and escalating benefit sanctions he had disengaged from the social security system entirely to avoid the stress associated with claiming benefit which, in turn, exacerbated his depression. He remained destitute and reliant on charitable provision for food, a sense of purpose and peace of mind:

"It's just not worth it. Every time you go in, you're on hooks, like, what's going to happen now? … I don't claim benefits at the moment. I just don't want to know. Too much of a headache. You know, you never know from ***J.S.S.L. 152*** one week to the next whether you're getting paid and it's just proper stress … it's pointless. 'Do it. If you don't, you're sanctioned'. Things like that. It's nuts! So, yes, I just, I don't sign on anymore … The only thing it has done is make it more difficult basically. They say, like, it encourages people to go to look for work. No, it doesn't … I get my breakfast at [homeless charity]. I work here all day and lunch here. Evenings, there's different places dotted about where you can get something to eat … The only place you get any kind of help are charities … [Doing voluntary work] it's just helping my state of mind really more than anything." (Disabled man, England, wave b)

Many, though not all, of the WSUs who took part in the study were experiencing diverse and/or multiple forms of vulnerability and social exclusion due to issues such as mental and physical health impairments, homelessness, domestic violence and addiction. Previously, many such vulnerable people were able to access social security payments, such as Income Support and Incapacity Benefit; receipt of which was not conditional on the performance of mandatory work related requirements under the associated threat of sanctions. The case above also has wider resonance when considering the particularly detrimental impacts that the expansion and intensification of sanction backed welfare conditionality has for vulnerable people reliant on the basic safety net that social assistance benefits are meant to provide. For example, the homeless, disabled man above had previously been living in social housing and in receipt of Income Support for a number of years. His subsequent fall into destitution had initially come about when his benefit claim was reassessed. Following a WCA for ESA he was reclassified as "fit for work" and placed on JSA under full work related requirements, which he subsequently failed to meet, triggering dire consequences. Evidence indicates that as welfare conditionality has been relentlessly rolled out, it is often the most vulnerable who pay the heaviest price. This is most graphically illustrated by data generated in an interview with a young disabled woman living in a homeless hostel. She had previously been a victim of domestic violence and had a history of drug dependency and associated offending:

"A missed appointment, they said. An appointment that I'd never had, for a medical … They put me under the sanction … I was on zero income. Zero Housing Benefit, zero Council Tax Benefit. Towards the end I put in a nil income form, which activated my Housing Benefit temporarily. But I think once I had nil income for four and a half months … I turned to prostitution. It was the most horrific time of my life. I got raped. I got raped. I got [hesitates] beaten up, raped and buggered, trying to [hesitates] earn

money via prostitution. I was working with [two support organisations]. They were liaising with the benefits as well. It made no difference." (Disabled woman, England, wave a)

Whilst this is an extreme example of the impact that a loss of benefit entitlement can have, and an illustration of the desperate measures that some people turn to for survival, further analysis revealed that this dreadful situation was not triggered by a benefit sanction per se. The DWP clearly state: "If you don't meet one or more conditions of your benefit claim, without good reason, your benefit could ***J.S.S.L. 153*** be stopped or reduced. This is a benefit sanction".[46] However, this young woman's disentitlement occurred due to a failure to attend her scheduled WCA appointment. She was consequently deemed ineligible for ESA. Leaving aside discussions about the specifics of what precisely is, and is not, a benefit sanction, this woman and many other vulnerable respondents in the study, who for various reasons (e.g. a lack of understanding of the rules, precarious housing situations, ongoing addiction issues), became subject to welfare conditionality for the first time, experience the loss of their right to benefit as a "sanction" even when technically a benefit sanction has not been imposed. The key point here is that in order to capture in full the distress that benefit sanctions routinely cause, it is necessary to locate an understanding of their emergence and impact within a wider appreciation of the significance of the extension and normalisation of welfare conditionality as a key principle of social security benefit delivery. It is this development which UK governments of all the mainstream political parties have used to justify the extension of work related requirements and benefit sanctions to groups who were not previously expected to be work active. Welfare conditionality has thus systematically undermined welfare rights, normalised benefit sanctions and exacerbated the social insecurity of the most vulnerable members of society.

WSUs frequently reported that benefit sanctions were often applied for relatively minor transgressions. For example, numerous respondents spoke of sanctions being applied for being a few minutes late for their specified appointment at the Jobcentre Plus. Others reported that that they did not understand, often due to reasons related to language, literacy or impairment, why a sanction had been applied in the first place[47]:

"[Interpreter] Because he was new to the country he didn't know all the systems … one day he missed his appointment when he went the next day they sanctioned him for a month … He'd nothing even to eat." (Male migrant, Scotland, wave a)

On occasions it appeared that sanctions were inappropriately applied. Sometimes this was a result of administrative errors by Jobcentre Plus staff or their counterparts delivering the Work Programme. However, more systemic failings were evident when sanctions were applied despite individuals' perceiving that they had taken reasonable steps to avoid their application. The most striking example of this relates to a refugee whose brother died suddenly abroad. Having informed the Jobcentre Plus that she could not attend a scheduled WFI and receiving assurances that her benefit would not be affected, she attended the funeral. However, on returning she was sanctioned, a decision that was upheld despite her attempts to have it overturned:

"I had an appointment with them, I phoned them saying 'I've got a problem … My brother who died in [location] and I'm there it's the burial ceremony, you understand?'… They said, 'No don't worry, if you come back, just call us back', and then ten days, I phoned them back … They say, no, they have ***J.S.S.L. 154*** to send it to the decision board to see and then they send me a letter after saying that I have to be sanctioned … that wasn't human." (Female UC recipient, England, wave c)

Another woman received a sanction for being late for a Jobcentre Plus appointment because she had accompanied her daughter to a hospital appointment for cancer treatment. On attempting to explain why she was delayed she was told:

"'Well your daughter turned 18 three weeks ago, she's all right to go herself [now]'. I said it's still my child, she's going through that; but no they sanctioned me anyway." (Female Jobseeker, Scotland, wave a)

The disproportionate and inappropriate application of benefit sanctions created deep resentment and a clear sense of injustice among WSUs.

Benefit sanctions: an effective tool for moving people into paid work?

Leaving aside the hardships that sanctions cause, the question of their effectiveness in moving people into work requires consideration. Several European studies have found that those who had

experienced a benefit sanction were more likely to re-enter paid work[48] and that stricter sanctioning regimes are likely to trigger higher rates of re-engagement with the paid labour market.[49] However, other studies point to benefit sanctions having less positive effects in relation to entry and progression within paid work. A study in Wisconsin, US found sanctions had a limited impact on exit rates from social assistance[50] and others report the application of a benefit sanction is likely to result in longer periods out of work and subsequent entry into less well paid and insecure jobs.[51] Whilst two international evidence reviews[52] found some evidence that sanctions applied to unemployment benefits could raise unemployment benefit exit and job entry levels in the short term, they also note unfavourable longer-term outcomes in relation to "earnings, job quality and employment retention".[53]

Recent UK evidence questions the efficacy of benefit sanctions in moving people off social security benefits and into work. Whilst the increasing use of benefit sanctions may lead to growing numbers exiting unemployment benefit, statistical analyses highlights that the majority of those who left JSA did not enter paid work ***J.S.S.L. 155*** but rather sanctions served to distance people from collective social support,[54] pushing disabled people in particular, "further way from the Labour market".[55] Much evidence points to the limited value and ineffectiveness of conditionality more broadly, and benefit sanctions in particular, in reducing the disability employment gap and enabling people with impairments into paid work.[56] Some commentators suggest that their use is actually more likely to exacerbate existing illness and/or push disabled people further away from employment.[57]

The WelCond study provides further strong evidence that benefit sanctions are routinely and fundamentally ineffective in triggering or sustaining movements into paid work among benefit recipients. Benefit sanctions did little to enhance people's motivation to prepare for, seek or enter paid work. On the contrary, for substantial numbers, the threat or application of a sanction initiated and sustained a range of negative behaviour changes and outcomes that were more likely to undermine the possibility of them working in the future. As noted in the previous section some, particularly those with mental health impairments became seriously unwell, while other vulnerable claimants unable to cope with the inherent hassle and ongoing threat of a sanction disengaged from the social security system altogether. When benefit sanctions were applied, they often had a detrimental effect on claimants' ability to actively seek work:

"Sanctions, I think they have held me back from being able to look for work … I wasn't able to get out and look for work further away." (Male UC, recipient, England wave b)

A minority, particularly those with histories of offending,[58] moved into survival crime following sanction:

"I had to go and do things I didn't want to do … because 13 weeks with no money and food vouchers … it's commercial burglaries basically." (Male offender, England, wave c) ***J.S.S.L. 156***

Drug dealing … that sanction … turned me to crime … after that I was making that much money I didn't need their [benefit] money." (Homeless man, Scotland, wave c)

More generally, the widespread application of compulsory full-time (up to 35 hours per week) work search requirements established a counterproductive culture of compliance.[59] Fearful of being sanctioned for non-compliance, many prioritised meeting the specified conditions of their claim before more meaningful job search activities. This was not because people were workshy, rather it was a practical response to ongoing anxieties about the deeply negative outcomes that a sanction would bring and the necessity of doing as they were instructed to retain eligibility to their benefit:

"All they [Jobcoach] cared about was 'Make sure you've got x amount of applications that you've applied for, that you can prove you've applied for and you've put on Universal Jobmatch'." (Male Offender, England, wave c)

Cases where respondents spoke of a benefit sanction pushing them into, or closer to, work were extremely rare. Less than a handful of the 481 WSUs recruited to take part in the study reported that the experience or threat of a benefit sanction activated them to move off benefits into employment. One man detailed how his hatred of the "whole Jobcentre Plus and Work Programme and sanctions" (Offender, England, wave c) had underpinned his move into self-employment. Additionally, at her wave b interview another woman, a UC recipient, said she had responded to the omnipresent threat of a sanction by taking a job. However, 12 months later her she was again unemployed due to the return of her longstanding depression, which the job had exacerbated. Across the duration of the study, the single standout example of someone stating that a benefit sanction had a positive impact on their motivation to seek work came from a man who was initially impoverished and extremely angry about being sanctioned:

"*[Wave a Interview]* I got sanctioned by the Jobcentre Plus because I didn't have a note from the hospital stating that I was in hospital after trying to take my life. They're supposed to help people get work, but they don't …

[Wave c interview] Gave me the kick up the arse I needed to get a job … it made me more determined in finding a job working my arse off and being a better person than what the Jobcentre Plus made me out to be." (Male UC Recipient, England, waves a, c)

Although he had changed his view on benefit sanctions by wave c, it should be noted that across the two years of the study this respondent, like a number of others, had an employment pattern characterised by recurrent short-term movements between various insecure jobs interspersed with periods reliant on social security benefit, as contracts ended or illness intervened, rather than long-term benefit receipt. His endorsement of sanctions and trying to be 'a better person than what the Jobcentre Plus made me out to be' is redolent of evidence reported elsewhere, ***J.S.S.L. 157*** that those exposed to conditionality and sanctions internalise its logic and blame personal failings rather than wider structural factors for their lack of work.[60]

Conclusions

Analysis of the new empirical data generated from the WelCond study, one of the largest of its kind undertaken to date, alongside evidence from myriad smaller scale, but nonetheless significant studies, clearly evidences the severely negative, material, health and housing outcomes that consistently ensue when social security rights are removed or diminished by the application of benefit sanctions. Additionally, much of the evidence discussed in this paper directly challenges assertions that highly conditional, sanctions backed, social security regimes are effective in increasing benefit recipients' engagement with paid work. Moreover, a host of recent UK studies have found sanctions backed conditionality to be especially ineffective and inappropriate when applied to vulnerable people, many of whom subsequently disengage from the social assistance system and rely on charitable or informal provisions or survival crime to meet their basic needs.[61] More generally sanctions encourage a wider culture of compliance whereby benefit recipients, understandably, primarily focus on meeting the conditions of their claim to avoid a sanction rather than effectively searching for work. This is a somewhat ironic and unintentional outcome for an approach that is intended to reduce reliance on social welfare benefits and promote paid work.

However, internationally, many policymakers continue to justify the use and expansion of benefit sanctions for ideological or electoral reasons, whilst turning a blind eye to mounting evidence about the extreme hardship they cause and their ineffectiveness in moving people off welfare and into sustained paid work.[62] Within and beyond the UK there is a pressing need for policymakers to abandon the rhetoric of individual irresponsibility and the futile obsession with enforcing behaviour change through benefit sanction regimes. Social security policy needs to be fundamentally refocussed to offer support that challenges the contemporary and complex social inequalities that continue to structure the realities of people's lives. Such a shift is unlikely to occur whilst the preoccupation with welfare conditionality continues to promote and propagate policies essentially designed to "punish" poor and vulnerable people reliant on working age social security benefits.[63]

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