



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**Submission to the Department for Work and
Pensions' Consultation on Pathways to Work:
Reforming Benefits and Support to Get Britain
Working**

June 2025

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Recommendations

- 2.8 The NIHRC recommends that the Department for Work and Pensions liaises closely with the Department for Communities on measures set out in the Green Paper and ensures that measures are not brought forward in NI without a full equality impact assessment being carried out, at no detriment to the NI Executive's block grant.**
- 2.15 The NIHRC recommends that the Department for Work and Pensions consults meaningfully with people with disabilities and their representative organisations on changes to the Personal Independence Payment and the Universal Credit Health element, as well as the removal of the Work Capability Assessment set out in the Green Paper in advance of bringing forward these measures. The Department should include disabled people and their representative organisations in the design, implementation, monitoring and evaluation of any changes brought forward from the Green Paper, ensuring that this participation is meaningful.**
- 2.19 The NIHRC recommends that the Department for Work and Pensions works closely with the Department for Communities to create effective, tested employment support programmes, specific to NI's context, produced alongside meaningful consultation with disabled people and their representative organisations before changes outlined in the Green Paper are introduced.**
- 3.27 The NIHRC recommends that the Department for Work and Pensions should demonstrate how provisions set out in the Pathways to Work Green Paper reflect the best use of the maximum available resources and uphold the principle of non-retrogression.**

- 3.28 The NIHRC recommends that the Department for Work and Pensions implements social security policy in line with the human rights model of disability, taking into account the recommendations of the Committee on the Rights of Persons with Disabilities.**
- 3.32 The NIHRC recommends that the Department for Work and Pensions produces a human rights impact assessment in respect of the measures set out in its Pathways to Work Green Paper. This assessment should consider the full range of human rights instruments to which the UK Government is party. The NIHRC further recommends that this human rights impact assessment is produced in close consultation with the NI Executive and takes account of the impact on the human rights of people living in NI.**
- 4.15 The NIHRC recommends that the Department for Work and Pensions does not change the eligibility criteria for Personal Independence Payments without careful and robust consultation with disabled people and their representative organisations, including in NI.**
- 4.16 The NIHRC recommends that the Department for Work and Pensions continues to ensure that the health element of Universal Credit rises with inflation and that any cuts to the health entitlement are delayed until the Department has conducted a cumulative impact assessment of these measures on persons with disabilities and long-term health conditions, including in NI.**
- 4.17 The NIHRC recommends that any changes to the Personal Independence Payment and health element of Universal Credit introduced are introduced alongside a robust support and engagement package, developed in conjunction with disabled**

people and their representative organisations, including in NI, to ensure that transition to new systems is well understood and the risk of affected individuals' increased vulnerability to poverty is mitigated.

4.25 The NIHRC recommends that the Department for Work and Pensions engages with the Department for Communities on its proposals to move to a single assessment system for Personal Independence Payments and the health element of Universal Credit as a matter of urgency. Both Departments should ensure that they engage with disabled people and their representative organisations to understand the potential impact of any changes on these matters as a matter of urgency.

4.26 The NIHRC recommends that the Department for Work and Pensions and the Department for Communities engage with disabled people, their representative organisations and organisations which provide advice on social security to determine issues with Personal Independence Payments assessments and address them, ensuring that such assessment processes are consistently monitored to ensure they are operating effectively for service users.

4.31 The NIHRC recommends that the Department for Work and Pensions engages with the Department for Communities and makes publicly available the required data to sufficiently analyse the impact of the proposal to delay access to the health element of universal credit until 22 years of age.

4.36 The NIHRC recommends that the Department for Work and Pensions ensures that changes to social security entitlements do not leave children with disabilities and their families and carers at a financial disadvantage, and ensure that children with disabilities

are in receipt of social security payments that are sufficient to meet their additional required needs.

4.37 The NIHRC recommends that the Department for Work and Pensions consults effectively and robustly with children and young people with disabilities on any changes to entitlements to social security benefits which may affect them, ensuring that children and young people with disabilities have access to whatever mode of communication they need to facilitate expressing their views.

4.46 The NIHRC recommends that the Department for Work and Pensions ensures that additional funding made available to the NI Executive for use toward employment support is ring-fenced for that purpose.

4.52 The NIHRC recommends that the Department for Work and Pensions takes immediate steps to set out exactly what it means by introducing sanctions as a last resort and ensures that disabled people and their representative organisations are effectively consulted on these proposals.

1.0 Introduction

1.1 The Northern Ireland Human Rights Commission (the NIHRC), pursuant to section 69(1) of the Northern Ireland Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of human rights in Northern Ireland (NI). The NIHRC is also required, under section 78A(1) of the Northern Ireland Act 1998, to monitor the implementation of Article 2 of the Windsor Framework, to ensure there is no diminution of rights protected in the “Rights, Safeguards and Equality of Opportunity” chapter of the Belfast (Good Friday) Agreement 1998 as a result of the UK’s withdrawal from the EU.¹ In accordance with these functions, the following advice is submitted to the Department for Work and Pensions’ consultation on its Pathways to Work Green Paper.

1.2 The NIHRC bases its advice on the full range of internationally accepted human rights standards, including the European Convention on Human Rights (ECHR), as incorporated by the Human Rights Act 1998, and treaty obligations of the Council of Europe (CoE) and United Nations (UN). The relevant regional and international treaties in this context include:

- European Convention on Human Rights 1950 (ECHR);²
- UN International Covenant on Civil and Political Rights (UN ICCPR);³
- UN International Covenant on Economic, Social and Cultural Rights (UN ICESCR);⁴
- UN Convention on the Elimination of Racial Discrimination 1965 (UN CERD);⁵

¹ The Windsor Framework was formerly known as the Protocol on Ireland/Northern Ireland to the UK-EU Withdrawal Agreement and all references to the Protocol in this document have been updated to reflect this change. (see Decision No 1/2023 of the Joint Committee established by the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023 laying down arrangements relating to the Windsor Framework).

² Ratified by the UK 1951. Further guidance is also taken from the body of case law from the European Court of Human Rights (ECtHR).

³ Ratified by the UK in 1976.

⁴ Ratified by the UK in 1976

⁵ Ratified by the UK in 1969.

- UN Convention on Elimination of Discrimination against Women 1981 (UN CEDAW);⁶
- UN Convention on the Rights of the Child 1989 (UN CRC);⁷ and
- UN Convention on the Rights of Persons with Disabilities 2006 (UN CRPD).⁸

1.3 In addition to these treaty standards, the following declarations and principles provide further guidance in respect of specific areas:

- UN CEDAW Committee General Recommendation No 18;⁹
- UN Human Rights Committee General Comment No 25;¹⁰
- UN CRC Committee General Comment No 7;¹¹
- UN ICESCR Committee General Comment No 19;¹²
- UN CRC Committee General Comment No 12;¹³
- UN CRPD Committee General Comment No 5;¹⁴
- UN CRPD Committee Inquiry on UK of Great Britain and NI;¹⁵
- UN CRPD Committee Concluding Observations on the UK;¹⁶
- UN CRPD Committee General Comment No 7;¹⁷
- Report of the Special Rapporteur on Extreme Poverty and Human Rights.¹⁸
- UN CRC Concluding Observations on the UK;¹⁹

⁶ Ratified by the UK in 1986.

⁷ Ratified by the UK 1991.

⁸ Ratified by the UK 2009.

⁹ 'UN CEDAW Committee, General Recommendation No. 18 on Disabled Women', 1991.

¹⁰ CCPR/C/21/Rev.1/Add.7, 'UN Human Rights Committee General Comment No 25 on the Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service', 12 July 1996.

¹¹ CRC/C/GC/9, 'UN CRC Committee General Comment No 9 on the Rights of Children with Disabilities', 27 February 2007.

¹² E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19 on the Right to Social Security', 4 February 2008.

¹³ CRC/C/GC/12, 'UN CRC Committee General Comment No 12 on the Right of the Child to be Heard', 1 July 2009.

¹⁴ CRPD/C/GC/5, 'UN CRPD Committee General Comment No 5 on Living Independently and Being Included in the Community', 27 October 2017.

¹⁵ CRPD/C/15/4, 'UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention', 24 October 2017.

¹⁶ CRPD/C/GBR/CO/1, 'UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI', 3 October 2017.

¹⁷ CRPD/C/GC/7, 'UN CRPD Committee General Comment No 7: Participation of Persons with Disabilities Including Children with Disabilities, Through Their Representative Organisations, In the Implementation and Monitoring of the UN CRPD', 9 November 2018,

¹⁸ A/HRC/41/39/Add.1, 'Special Rapporteur on Extreme Poverty and Human Rights Visit to the UK of Great Britain and NI', 23 April 2019.

¹⁹ CRC/C/GBR/CO/6-7, 'UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI', 22 June 2023.

- UN CRPD Committee Follow-Up Inquiry on the UK of Great Britain and NI;²⁰
- UN CERD Committee Concluding Observations on the UK;²¹ and
- UN ICESCR Committee Concluding Observations on the UK.²²

2.0 General Comments

Northern Ireland Context

- 2.1 The NIHRC notes that social security is devolved to the NI Assembly. However, the Department for Work and Pensions will be aware that, in part due to budgetary constraints stemming from NI's block grant, the NI Assembly maintains parity with the social security system in Great Britain.²³
- 2.2 The Department for Work and Pensions' Equality Impact Assessment on the Pathways to Work Green Paper does not take into consideration the specific impact on disabled people living in Northern Ireland of the proposed changes to Personal Independence Payments and the health element of Universal Credit.²⁴
- 2.3 In the 2021 Census, 24.3 per cent of respondents in NI indicated that they had a limiting long-term health condition or disability.²⁵ This reflected an increase from 374,600 people in the 2011 census to 463,000 people in the 2021 census, an increase of 23.6 per cent.²⁶

²⁰ CRPD/C/GBR/FUIR/1, 'UN CRPD Committee Report on Follow-Up to the Inquiry Concerning the UK of Great Britain and NI', 22 March 2024.

²¹ CERD/C/GBR/CO/24-26, 'UN CERD Committee Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of the UK of Great Britain and NI', 24 September 2024.

²² E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 12 March 2025.

²³ Esme Kirk-Wade at al, 'UK Disability Statistics: Prevalence of Life Experiences' (HoC Library, 2024), at 29.

²⁴ Department for Work and Pensions, 'Spring Statement Health and Disability Benefit Reforms: Equality Analysis' (DWP, 2025).

²⁵ NI Statistics and Research Agency, 'Disability Employment Gap in NI 2020' (NISRA, 2021).

²⁶ NI Statistics and Research Agency, 'Disability Employment Gap in NI 2020' (NISRA, 2021).

- 2.4 Mental health disorders rank as the third highest cause of disability in NI, accounting for 9.64 per cent of the total cost of illness for NI. This is higher than the UK average of 7.95 per cent.²⁷ Rates of post-traumatic stress disorder are higher in NI than in Great Britain, unsurprisingly given its history of conflict. In 2005, 5.1 per cent of NI's population had post-traumatic stress disorder. By 2024, this had increased to 6.1 per cent, with 17.6 per cent of NI's population reporting four or more adverse childhood experiences connected to the conflict.²⁸ Mental health charities have identified concerns that these measures will target people with mental health difficulties.²⁹
- 2.5 The disability employment gap in NI is also significantly higher than Great Britain. In 2020, the employment rate for people with disabilities in NI was 38.1 per cent compared to 80.3 per cent for people without disabilities. Therefore, the disability employment rate gap is 42.2 percentage points for NI compared to the UK average of 27.9 percentage points. Since 2014, the disability employment gap has been consistently higher in NI than anywhere else in the UK.³⁰
- 2.6 NI has other particular socio-economic characteristics which differ from Great Britain aside from a higher economic inactivity rate for disabled people, including a higher economic inactivity rate generally, higher rates of child poverty and higher average family sizes.³¹ As such, changes to social security have a disproportionate impact on people in NI, which is particularly acute for people with disabilities or long term illnesses.³² NI

²⁷ Siobhán O'Neill 'Overview of Mental Health in NI' (Mental Health Champion, 2025).

²⁸ Raymond Russell and James Bamford, 'Personal Independence Payment in NI: An Analysis of Personal Development Payment Recipients by Parliamentary Constituency' (NI Assembly, 2025). Siobhán O'Neill 'Overview of Mental Health in NI' (Mental Health Champion, 2025).

²⁹ Centre for Mental Health, 'A Broken Safety Net? Social Security and Mental Health'. Available at: [A broken safety net? Social security and mental health - Centre for Mental Health](#)

³⁰ NI Statistics and Research Agency, 'Disability Employment Gap in NI 2020' (NISRA, 2021).

³¹ NI Human Rights Commission, 'Cumulative Impact Assessment of Tax and Social Security Reforms in NI' (NIHRC, 2019), at 22.

³² NI Human Rights Commission, 'Cumulative Impact Assessment of Tax and Social Security Reforms in NI' (NIHRC, 2019).

does not currently have an anti-poverty strategy, although a strategy is in draft.³³

- 2.7 The NIHRC notes that the detail of measures set out in the Pathways to Work Green Paper were not made available to the NI Department for Communities until 18 March 2025, the same day the Green Paper was published.³⁴ As such, the implications of these measures for persons with disabilities and health conditions in NI could not be assessed before the announcement of the Green Paper.³⁵ As outlined above, the NIHRC is concerned that these measures will have a disproportionate impact in NI compared to the rest of the UK, that they are moving at pace without proper consideration or consultation of their impact on disabled people and people with health conditions in NI.
- 2.8 **The NIHRC recommends that the Department for Work and Pensions liaises closely with the Department for Communities on measures set out in the Green Paper and ensures that measures are not brought forward in NI without a full equality impact assessment being carried out, at no detriment to the NI Executive's block grant.**

Participation

- 2.9 The NIHRC is concerned that large scale changes to the Personal Independence Payment and the Universal Credit Health element, as well as the removal of the Work Capability Assessment, are being taken forward by the UK Government without a full public consultation on each element.³⁶ That means that the right to participation has not been recognised.

³³ NI Assembly Hansard, 'Written Answers: Poverty – Gordon Lyons MLA – AQW 27632/22-27, 28 May 2025.

³⁴ NI Assembly Hansard, 'Written Answers: Social Security Benefits – Gordon Lyons MLA – AQW 25226/22-27', 28 April 2025.

³⁵ NI Assembly Hansard, 'Written Answers: Social Security Benefits – Gordon Lyons MLA – AQW 24631/22-27', 25 April 2025.

³⁶ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025).

- 2.10 The right to participation is protected in several international human rights instruments. Article 25 of the UN Convention on Civil and Political Rights (ICCPR) protects the right of individuals to participate in public affairs. The UN Human Rights Committee has elaborated on article 25, noting that the conduct of public affairs is a broad concept, inclusive of but not limited to the formulation and implementation of policy.³⁷ The UN Human Rights Committee further identifies that citizens participate in public affairs by exerting influence through public debate and dialogue with their representatives. Participation is supported by ensuring freedom of expression, assembly and association.³⁸
- 2.11 Article 12 of the UN Convention on the Rights of the Child (UN CRC) provides that States should assure “to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”.³⁹ The UN Committee on the Rights of the Child (UN CRC Committee) notes that views expressed by children add “relevant perspectives and experience and should be considered in decision-making, policymaking and preparation of laws and/or measures as well as their evaluation”.⁴⁰ The UN CRC Committee note that these processes are called participation and the exercise of the child’s article 12 rights are crucial to this process.⁴¹
- 2.12 Perhaps most relevant to this consultation is the participation of persons with disabilities. Article 4(3) of the UN Convention on the Rights of Persons with Disabilities (UN CRPD) provides useful guidance as to what effective

³⁷ CCPR/C/21/Rev.1/Add.7, ‘UN Human Rights Committee General Comment No 25 on the Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service’, 12 July 1996.

³⁸ CCPR/C/21/Rev.1/Add.7, ‘UN Human Rights Committee General Comment No 25 on the Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service’, 12 July 1996.

³⁹ Article 12, UN Convention on the Rights of the Child.

⁴⁰ CRC/C/GC/12, ‘UN CRC Committee General Comment No 12 on the Right of the Child to be Heard’, 1 July 2009, at para 12.

⁴¹ CRC/C/GC/12, ‘UN CRC Committee General Comment No 12 on the Right of the Child to be Heard’, 1 July 2009, at para 13.

participation requires. It states that “in the development and implementation of legislation and policies... and in other decision-making processes... States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organisations”.⁴² The UN Committee on the Rights of Persons with Disabilities (UN CRPD Committee) identifies that participation should be “meaningful” and occur in a “timely manner”.⁴³

2.13 In its 2016 Inquiry, the UN CRPD Committee examined the cumulative impact of the legislation, policies and measures adopted by the UK Government relating to social security schemes affecting persons with disabilities or their enjoyment of their rights to live independently and to be included in the community, to an adequate standard of living and social protection, and to work and employment. The UN CRPD Committee noted that persons with disabilities “shall have the opportunity to participate, through their representative organisations, in the planning, design, implementation and monitoring of social protection systems. Consultation processes should not be merely symbolic”. The UN CRPD Committee found that consultations on welfare reforms in 2012 “were not meaningfully taken into account in the decision-making process and had little or no influence on policy decisions.”⁴⁴ The UN CRPD Committee recommended to the UK Government that it should:

actively consult and engage with persons with disabilities through their representative organizations and give due consideration to their views in the design, implementation, monitoring and evaluation of any legislation, policy or programme related to the rights addressed in the present report.⁴⁵

⁴² Article 4(3), UN Convention on the Rights of Persons with Disabilities.

⁴³ CRPD/C/GC/7, ‘UN CRPD Committee General Comment No 7: Participation of Persons with Disabilities Including Children with Disabilities, Through Their Representative Organisations, In the Implementation and Monitoring of the UN CRPD’, 9 November 2018, at paras 11 and 22.

⁴⁴ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 86.

⁴⁵ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 114(g).

2.14 In its follow-up Inquiry in 2024, the UN CRPD Committee found that its 2016 recommendations had not been fulfilled, and concluded that no significant progress had been made. The Committee reiterated its previous recommendations, including for participation, by means of consultation, of disabled people in the design, implementation, monitoring and evaluation of social protection policy and legislation.⁴⁶

2.15 **The NIHRC recommends that the Department for Work and Pensions consults meaningfully with people with disabilities and their representative organisations on changes to the Personal Independence Payment and the Universal Credit Health element, as well as the removal of the Work Capability Assessment set out in the Green Paper in advance of bringing forward these measures. The Department should include disabled people and their representative organisations in the design, implementation, monitoring and evaluation of any changes brought forward from the Green Paper, ensuring that this participation is meaningful.**

Additional Funding for Work Support

2.16 The NIHRC is concerned that the Department has stated its intention to invest £1 billion a year by 2029/30 in new engagement and support arrangements as part of its Pathways to Work plan, yet changes to the Universal Credit health element are imminent.⁴⁷

2.17 The NIHRC is concerned that this will leave individuals at a considerable financial loss either through a benefit cut or a benefit freeze, which would amount to real terms reduction, without the additional support that the UK Government has identified is necessary to help people into work.

⁴⁶ CRPD/C/GBR/FUIR/1, 'UN CRPD Committee Report on Follow-Up to the Inquiry Concerning the UK of Great Britain and NI', 22 March 2024, at paras 88-90.

⁴⁷ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 210.

- 2.18 The Department for Work and Pensions is to allocate funding to the devolved administrations to spend on programmes to support individuals into work.⁴⁸ The NIHRC notes that the detail of those programmes is not yet clear, and therefore it is not clear that those programmes will be effective.
- 2.19 **The NIHRC recommends that the Department for Work and Pensions works closely with the Department for Communities to create effective, tested employment support programmes, specific to NI's context, produced alongside meaningful consultation with disabled people and their representative organisations before changes outlined in the Green Paper are introduced.**

3.0 Human Rights Framework

UN International Covenant on Economic, Social and Cultural Rights

- 3.1 Article 9 of the UN International Covenant on Economic, Social and Cultural Rights (UN ICESCR) states that "the States Parties to the present Covenant recognise the right of everyone to social security, including social insurance".⁴⁹
- 3.2 The UN ICESCR Committee has identified a number of essential factors which should apply to all social security systems, including availability, being cognisant of social risks and contingencies, adequacy and accessibility.⁵⁰ On the need to be cognisant of social risks and contingencies, the UN ICESCR Committee emphasises the importance of the provision of adequate income support to "persons with disabilities who, owing to disability or disability-related factors, have temporarily lost, or

⁴⁸ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at Annex B.

⁴⁹ Article 9, UN International Covenant on Economic, Social and Cultural Rights.

⁵⁰ E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19 on the Right to Social Security', 4 February 2008, at paras 10-27.

received a reduction in, their income, have been denied employment opportunities or have a permanent disability”.⁵¹ The UN ICESCR Committee notes that “persons suffering from long periods of sickness should qualify for disability benefits”.⁵² Social security systems should also be viewed in relation to the enjoyment of other rights set out in UN ICESCR, including Article 10 on special provisions for persons with disabilities, Article 11 on measures to combat poverty and Article 12 on the highest attainable standard of physical and mental health.⁵³

3.3 Article 2(1) of UN ICESCR requires that the UK Government take steps to “the maximum of its available resources, with a view to achieving progressively the full realisation of the rights recognised in the present Covenant”. Article 2(2) requires that rights set out in the Covenant are exercised without discrimination of any kind, including disability or health status.⁵⁴

3.4 The UN ICESCR Committee has acknowledged that the realisation of the right to social security carries significant financial implications for States, but notes “that the fundamental importance of social security for human dignity and the legal recognition of this right by States parties mean that the right should be given appropriate priority in law and policy”.⁵⁵ Retrogressive measures in relation to the right to social security are prohibited under the Covenant.⁵⁶ The UN ICESCR Committee identifies that if any deliberately retrogressive measures introduced by the State in relation to social security, the State bears responsibility in proving that they had been “introduced after the most careful consideration of all

⁵¹ E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 20.

⁵² E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 14.

⁵³ E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 28.

⁵⁴ E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 29.

⁵⁵ E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 41.

⁵⁶ E/C.12/GC/19, ‘UN ICESCR Committee General Comment No 19 on the Right to Social Security’, 4 February 2008, at para 42.

alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant, in the context of the full use of the maximum available resources".⁵⁷ An evaluation of whether retrogressive measures infringe on the right to social security requires consideration of whether:

- a) there was reasonable justification for the action;
- b) alternatives were comprehensively examined;
- c) there was genuine participation of affected groups in examining the proposed measures and alternatives;
- d) the measures were directly or indirectly discriminatory;
- e) the measures will have a sustained impact on the realisation of the right to social security, an unreasonable impact on acquired social security rights or whether an individual or group is deprived of access to the minimum essential level of social security; and
- f) whether there was an independent review of the measures at the national level.⁵⁸

3.5 In 2025, the UN ICESCR Committee raised concern that the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016, introduced by the previous UK Government including benefit cuts and reductions, have "eroded the rights to social security and to an adequate standard of living, disproportionately affecting persons with disabilities" and that these "reforms have resulted in severe economic hardship, increased reliance on food banks, homelessness, negative impacts on mental health and the stigmatization of benefit claimants".⁵⁹ The UN ICESCR Committee recommended that the UK Government:

⁵⁷ E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19 on the Right to Social Security', 4 February 2008, at para 42.

⁵⁸ E/C.12/GC/19, 'UN ICESCR Committee General Comment No 19 on the Right to Social Security', 4 February 2008, at para 42.

⁵⁹ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 12 March 2025, at para 40.

ensure that disability-related benefits, including the Personal Independence Payment and the Employment and Support Allowance, adequately cover additional disability-related costs, in line with the human rights model of disability, taking into account the recommendations of the Committee on the Rights of Persons with Disabilities.⁶⁰

3.6 The UN ICESCR Committee further concluded that the UK Government's fiscal policy:

is not effectively addressing income inequality or reducing poverty, while also hindering the mobilisation of the maximum available resources for the implementation of Covenant rights. It is further concerned that insufficient social spending, particularly in a context of rapidly rising inflation, hampers the progressive realization of economic, social and cultural rights.⁶¹

3.7 The UN ICESCR Committee recommended that the UK Government "assess the impact of fiscal policy on economic, social and cultural rights, including its distributional effects on disadvantaged groups, in consultation with social partners" and "increase the budget allocated to ... social security".⁶² The Department projects that proposals within the Green Paper will make welfare savings of £4.5 billion from disability related benefits.⁶³ Research indicates that these changes amount to £7 billion a year of cuts to benefits received by sick or disabled people and their carers.⁶⁴

⁶⁰ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 12 March 2025, at para 41(d).

⁶¹ E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 12 March 2025, at para 18.

⁶² E/C.12/GBR/CO/7, 'UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI', 12 March 2025, at para 19.

⁶³ Department for Work and Pensions, 'Spring Statement Health and Disability Benefit Reforms: Impacts' (DWP, 2025), at 3.

⁶⁴ Joseph Roundtree Foundation, 'How Health-Related Benefit Cuts Add Up'. Available at: [How health-related benefit cuts add up | Joseph Rowntree Foundation](#)

UN Convention on the Rights of Persons with Disabilities

- 3.8 In addition to the UN ICESCR, the right to social security is protected by a number of international and regional human rights instruments to which the UK Government is party. These instruments set minimum standards in relation to social security which should be considered when making policy in relation to these matters.
- 3.9 Article 19 of the UN CRPD protects the right of disabled people to live independently and be included in the community. Article 19 further identifies that this right requires disabled people to have access to “a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community”. The UN CRPD Committee has observed that independent living requires disabled people to have choice and control over their lives.⁶⁵ Programmes and entitlements to support living independently must cover disability related costs.⁶⁶
- 3.10 Article 28 of the UN CRPD provides for “the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability”. The UN CRPD Committee has identified that disabled people are entitled to social protection “to cover loss or lack of earnings due to the inability to obtain or maintain freely chosen employment on an equal basis with others. The social protection system must ensure adequate protection of unemployed workers with disabilities on an equal basis with others.”⁶⁷

⁶⁵ CPRD/C/GC/5, 'UN CRPD Committee General Comment No 5 on Living Independently and Being Included in the Community', 27 October 2017, at para 16(a).

⁶⁶ CPRD/C/GC/5, 'UN CRPD Committee General Comment No 5 on Living Independently and Being Included in the Community', 27 October 2017, at para 59.

⁶⁷ CRPD/C/GC/8, 'UN CRPD Committee Gender Comment No 8 on the Right of Persons with Disabilities to Work and Employment', 7 October 2022, at para 78.

3.11 In 2016, the UN CRPD Committee conducted an inquiry into the impact of welfare reforms since 2010 on disabled people in the UK. The UN CRPD Committee observed that cuts to welfare for disabled people, including the personal independence payment “hindered various aspects of the right to live independently and be included in the community”.⁶⁸ The inquiry also identified that cuts to social security had:

led persons with disabilities to struggle to maintain a minimum level of income, driving many into increased dependency on relatives and increased levels of indebtedness, resulting in an inability to manage the bare essentials and having to have recourse to food banks.⁶⁹

3.12 The UN CRPD Committee’s 2016 Inquiry on the UK found systemic violations of the UN CRPD based on evidence showing that the State “expressly foresaw” the adverse effects of the measures on persons with disabilities, the disproportionate effect of these measures on persons with disabilities and the reduction in support rolling back access to reasonable adjustments and independent living for persons with disabilities.⁷⁰

3.13 The UN CRPD Committee’s Inquiry set out a range of recommendations aimed at improving compliance with the UN CRPD and redressing the disproportionate effect of welfare reforms on persons with disabilities.⁷¹ The UN CRPD Committee also recommended that the UK Government:

ensure that any intended legislation and/or policy measure respects the core elements of the rights analysed in the present report, that persons with disabilities retain their autonomy, choice and control over their place of residence and with whom they live, that they receive

⁶⁸ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 95.

⁶⁹ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 111.

⁷⁰ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 113.

⁷¹ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 114.

appropriate and individualised support, including through personal assistance, and have access to community-based services on an equal basis with others, that they have access to security social schemes that ensure income protection, including in relation to the extra cost of disability, compatible with an adequate standard of living and ensure their full inclusion and participation in society, and that they have access to and are supported in gaining employment in the open labour market on an equal basis with others.⁷²

3.14 The UN CRPD Committee followed up in 2024, finding that “no significant progress has been made in the State party concerning the situation of persons with disabilities addressed in the inquiry proceedings”.⁷³ The UN CRPD Committee made additional recommendations to the State Party, including to:

take comprehensive measures to ensure that persons with disabilities are adequately supported through social security payments, benefits and allowances, including by conducting thorough assessments based on the human rights model of disability, and by reviewing the current Universal Credit system, to ascertain the additional costs of living with disabilities and adjusting benefit amounts accordingly to reflect these costs.⁷⁴

3.15 The NIHRC notes that the personal independence payment is not an out of work benefit, it is a payment that allows disabled people to live independently and be included in the community. Cuts to this payment will make disabled people more reliant on family and the State for care, which is not compatible with article 19 of the UN CRPD. The UN CRPD Committee

⁷² CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 11.

⁷³ CRPD/C/GBR/FUIR/1, ‘UN CRPD Committee Report on Follow-Up to the Inquiry Concerning the UK of Great Britain and NI’, 22 March 2024, at para 88.

⁷⁴ CRPD/C/GBR/FUIR/1, ‘UN CRPD Committee Report on Follow-Up to the Inquiry Concerning the UK of Great Britain and NI’, 22 March 2024, at para 90(f).

has also observed that the “cost of social exclusion is high as it perpetuates dependency”.⁷⁵

UN Convention on the Rights of the Child

3.16 Article 26(1) on the UN Convention on the Rights of the Child (UN CRC) requires states to recognise for every child “the right to benefit from social security, including social insurance”. Article 26(2) identifies that benefits should be granted “taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child”.

3.17 The UN CRC Committee has identified concern at the large number of children living in poverty and food insecurity in the UK and recommended that the UK Government strengthens policies to end child poverty and increase social benefits in line with cost of living increases.⁷⁶

UN Convention on the Elimination of Discrimination Against Women

3.18 Article 11(e) of the UN Convention on the Elimination of Discrimination Against Women (UN CEDAW) requires that States take all appropriate measures to ensure, “on the basis of equality between men and women, the right to social security, particularly in cases of ... sickness”.

3.19 The UN CEDAW Committee has identified that States should provide information in their monitoring reports on measures taken to deal with disabled women’s particular situation, including on measures taken to ensure their equal access to ... social security.⁷⁷

⁷⁵ CPRD/C/GC/5, ‘UN CRPD Committee General Comment No 5 on Living Independently and Being Included in the Community’, 27 October 2017, at para 5.

⁷⁶ CRC/C/GBR/CO/6-7, ‘UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI’, 22 June 2023, para 46.

⁷⁷ ‘UN CEDAW Committee, General Recommendation No. 18 on Disabled Women’, 1991.

UN Convention on the Elimination of Racial Discrimination

3.20 Article 5(e)(iv) of the UN Convention on the Elimination of Racial Discrimination (UN CERD) guarantees the right to everyone, without discrimination based on race, colour or national or ethnic origin, to public health, medical care, social security and social services.

European Convention on Human Rights

3.21 While there is no explicit right to receive social security contained in the European Convention on Human Rights (ECHR), the European Court of Human Rights (ECtHR) has considered social security to be relevant to realisation of Article 8 (respect for private and family life), Article 14 (non-discrimination in the enjoyment of ECHR rights), and Article 1 of Protocol 1 (right to property).

3.22 In *Moskal v Poland*, the applicant had pension payments removed by the state. The ECtHR held that a fair balance had “not been struck between the demands of the general interest of the public and the requirements of the protection of the individual’s fundamental rights” and held that there had been a violation of Article 1 of Protocol 1.⁷⁸

3.23 In *Bélané Nagy v Hungary*, the Applicant had been subjected to a complete removal of entitlement to a disability benefit payment, rather than a reduction. Article 1 of Protocol 1 requires that “any interference be reasonably proportionate to the aim sought to be realised”.⁷⁹ The requisite fair balance required under Article 1 of Protocol 1 will not be struck where the person concerned bears an individual and excessive burden.⁸⁰ The ECtHR found that the legislative changes to disability related benefits did not strike this requisite balance and that the applicant “had to bear an excessive individual burden”.⁸¹

⁷⁸ *Moskal v Poland* [2009] 50 EHRR 22. See also: *Kjartan Ásmundsson v Iceland* [2004] ECHR 512

⁷⁹ *Bélané Nagy v Hungary* [2016] ECHR 1114, at para 115.

⁸⁰ *Bélané Nagy v Hungary* [2016] ECHR 1114, at para 115.

⁸¹ *Bélané Nagy v Hungary* [2016] ECHR 1114, at para 126.

- 3.24 In *Kjartan Ásmundsson v Iceland*, the applicant had sustained a serious work-related injury, leaving him with a disability which was assessed at 100 per cent and made him eligible for a disability pension.⁸² The State introduced legislative reforms which meant that the applicant was reassessed on his capacity for work, which did not meet the required threshold for the pension.⁸³ The ECtHR found a breach of Article 1 of Protocol 1.⁸⁴ The ECtHR noted that the Applicant was made to bear an excessive burden by legislative changes which, “even having regard to the wide margin of appreciation to be enjoyed by the State in the area of social legislation, cannot be justified by the legitimate community interests relied on by the authorities”.⁸⁵
- 3.25 Moreover, social security has been read into Articles 8 and 14 of the ECHR if the subject matter “constitutes one of the modalities of exercising the right to respect for family life as guaranteed by Article 8 of the Convention”.⁸⁶ This means that social security can be read into Article 8 if it seeks to promote family life and is necessary to the way in which family life is structured.⁸⁷ The ECtHR considered a range of factors that were relevant when determining the nature of the benefit, including the aim of the benefit, the criteria for awarding, calculating and terminating the benefit, the effect on the way family life is organised and the practical repercussions of the benefit.⁸⁸ These must be examined as a whole.
- 3.26 The NIHRC notes that the impact of previous welfare reform is still felt in NI, with the use of food banks and warm banks continuing to rise.⁸⁹ Furthermore the implementation of welfare reform continues to impact

⁸² *Kjartan Ásmundsson v Iceland* [2004] ECHR 512.

⁸³ *Kjartan Ásmundsson v Iceland* [2004] ECHR 512.

⁸⁴ *Kjartan Ásmundsson v Iceland* [2004] ECHR 512.

⁸⁵ *Kjartan Ásmundsson v Iceland* [2004] ECHR 512.

⁸⁶ *X and Others v Ireland* [2023] ECHR 514, at para 72.

⁸⁷ *X and Others v Ireland* [2023] ECHR 514, at para 72.

⁸⁸ *X and Others v Ireland* [2023] ECHR 514, at para 72.

⁸⁹ Trussell Trust, 'End of Year Food Bank Stats 2024/25'. Available at: [End of year food bank stats | Trussell](#)

disproportionately on marginalised groups.⁹⁰ To introduce additional measures to limit access to benefits is most likely to compound that harm.

- 3.27 **The NIHRC recommends that the Department for Work and Pensions should demonstrate how provisions set out in the Pathways to Work Green Paper reflect the best use of the maximum available resources and uphold the principle of non-retrogression.**
- 3.28 **The NIHRC recommends that the Department for Work and Pensions implements social security policy in line with the human rights model of disability, taking into account the recommendations of the Committee on the Rights of Persons with Disabilities.**

Human Rights-Based Approach

- 3.29 Human rights standards are the baseline; they set the minimum standards, which can be built upon. A human rights-based approach ensures that law and policy is as effective as possible in making the realisation of rights in practice. This is critical in relation to matters of social security, given that the right to social security effects the enjoyment of many other rights, such as the right to an adequate standard of living, the right to health and the right to be free from discrimination.
- 3.30 A human rights-based approach is a conceptual framework informed by international human rights standards, which aims to put “human rights and corresponding State obligations at the heart of policy making”.⁹¹ Thus, applying a human rights-based framework is important to safeguard rights for rights-holders, who can be individuals or social groups that have

⁹⁰ NI Human Rights Commission, ‘Cumulative Impact Assessment of Tax and Social Security Reforms in NI’ (NIHRC, 2019).

⁹¹ European Network of National Human Rights Institutions, ‘Human Rights-Based Approach’. Available at: [Human Rights-Based Approach - ENNHRI](#)

entitlements in relation to duty bearers. Duty bearers are State, or delegated non-State actors, that have an obligation to ensure that the human rights of rights-holders are respected, protected and fulfilled. The PANEL principles offer guidance on how to achieve a human rights-based approach. These are:

- **Participation** – everyone is entitled to active participation in decision-making processes which affect the enjoyment of their rights.
- **Accountability** – duty-bearers are held accountable for failing to fulfil their obligations towards rights-holders. There should be effective remedies in place when human rights breaches occur.
- **Non-discrimination and equality** – all individuals are entitled to their rights without discrimination of any kind. All types of discrimination should be prohibited, prevented and eliminated.
- **Empowerment** – everyone is entitled to claim and exercise their rights. Individuals and communities need to understand their rights and participate in the development of policies which affect their lives.
- **Legality** – approaches should be in line with the legal rights set out in domestic and international laws.

3.31 The NIHRC notes that the Department for Work and Pensions has not produced a human rights impact assessment on the measures proposed within the Green Paper. Given the impact that previous welfare reforms has had on human rights protection, as highlighted particularly by the UN CRPD Committee’s Inquiry in 2016 and its follow up in 2024,⁹² it is particularly important that the Department urgently considers the impact of its current proposals on disabled people’s human rights.

⁹² CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017. CRPD/C/GBR/FUIR/1, ‘UN CRPD Committee Report on Follow-Up to the Inquiry Concerning the UK of Great Britain and NI’, 22 March 2024.

3.32 The NIHRC recommends that the Department for Work and Pensions produces a human rights impact assessment in respect of the measures set out in its Pathways to Work Green Paper. This assessment should consider the full range of human rights instruments to which the UK Government is party. The NIHRC further recommends that this human rights impact assessment is produced in close consultation with the NI Executive and takes account of the impact on the human rights of people living in NI.

4.0 Impact of Proposals

Changes to the Personal Independence Payment and the Health Element of Universal Credit

4.1 The Department for Work and Pensions' Green Paper outlines several changes to the Personal Independence Payment. Currently, an individual must score eight points in a functional capabilities assessment to receive the daily living component of the personal independence payment. The Green Paper plans to introduce new eligibility requirements to ensure that "only those who score a minimum of four points in at least one daily living activity will be eligible for the daily living component of PIP. This requirement will need to be met in addition to the existing PIP eligibility criteria".⁹³ This means that individuals who score three or less on the daily living activities will be ineligible for the daily living component of the personal independence payment.⁹⁴ Using the 2025-26 rate, individuals who are no longer eligible for the daily living component will lose either £73.90 or £110.40 a week.⁹⁵

⁹³ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 140.

⁹⁴ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 141. This will not extend to people who have a higher level of functional need in at least one activity, who will still receive PIP.

⁹⁵ Department for Work and Pensions, 'Benefit and Pension Rates 2025 to 2026'. Available at: [Benefit and pension rates 2025 to 2026 - GOV.UK](#)

- 4.2 The Department for Work and Pensions has stated that it is only consulting on whether those who lose entitlement need any support and what that support should be, not on the proposal itself.⁹⁶
- 4.3 For people already in receipt of the health element of Universal Credit, the Green Paper stipulates that this entitlement will be frozen until 2029/30 at £97 per week, meaning that it will not keep pace with inflation.⁹⁷ The Department has identified that this cohort will receive an increased universal credit entitlement in cash terms which may help to offset this.⁹⁸ However, for new claimants, the health element of universal credit will be reduced by £47 per week, moving from £97 per week in 2024/25 to £50 per week in 2027/26. The Department notes that for new claimants, the health element will be combined with “much more active engagement and support so that entry onto the universal credit health element is not a one-way street”.⁹⁹
- 4.4 The Department for Work and Pensions’ stated rationale is that society must move from high dependency on benefits to income received as a member of the workforce.¹⁰⁰ The paper does not however consider the systemic barriers that restrict disabled people’s access to meaningful employment.
- 4.5 In 2019, the NIHRC published research which demonstrated that disabled people were disproportionately affected by previous welfare reforms. Households in NI with at least one disabled adult and at least one disabled child experienced an average loss of £1,800 per year, while households with no disabled adults or disabled children experienced an average loss of

⁹⁶ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 143.

⁹⁷ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 133.

⁹⁸ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 133.

⁹⁹ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 134.

¹⁰⁰ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at 3.

£50 per year.¹⁰¹ However, since the Covid-19 pandemic, research has identified that disabled claimants in the UK have found their financial situation worsen by 78 per cent, with 67 per cent of respondents identifying that they are struggling to eat a balanced diet and 46 per cent noting that they had fallen behind on rent or mortgage payments.¹⁰²

- 4.6 In its 2016 Inquiry into the effect of welfare reforms introduced by previous UK governments, the UN CRPD Committee identified that it had received information on the adverse impact of these reforms, noting that this evidence crossed the threshold of “grave or systematic violations of the human rights of persons with disabilities” in the UK.¹⁰³ The UN CRPD Committee identified that social protection systems should not rely on “narrowly defined medical criteria or medical assessments”, but rather take into account a human rights model of disability to address the multiple barriers that limit disabled people’s participation in society.¹⁰⁴ The UN CRPD Committee inquiry found that welfare reforms had “disproportionately and adversely” affected the rights of disabled people and “a reduction in the support provided to meet the extra cost of disability and denial of reasonable accommodation in assessment procedures and in the realization of the right to employment have had a discriminatory effect on persons with disabilities”.¹⁰⁵
- 4.7 In its own baseline assessment, the Department for Work and Pensions has identified around 3.2 million families that will be at a financial loss as a result of these proposed policies.¹⁰⁶ The Department for Work and Pensions has projected that this will push 250,000 people, including 50,000

¹⁰¹ NI Human Rights Commission, ‘Cumulative Impact Assessment of Tax and Social Security Reforms in NI’ (NIHRC, 2019), at 55-56.

¹⁰² Disability Benefits Consortium, ‘The Millions Missing Out’ (DBC, 2021).

¹⁰³ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 113.

¹⁰⁴ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 32.

¹⁰⁵ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 114(d)-(e).

¹⁰⁶ Department for Work and Pensions, ‘Spring Statement Health and Disability Benefit Reforms: Equality Analysis’ (DWP, 2025).

children, into relative poverty after housing costs by 2029/30.¹⁰⁷ However, research has offered the view that that these projections do not give a full picture as many of the proposed cuts will not have come into force by 2029/30, and an additional 100,000 children could subsequently be pushed into poverty.¹⁰⁸ The UK Government's analysis does not account for levels of poverty in NI. In NI, 23 per cent of disabled people live in relative poverty and 38 per cent of households experiencing poverty include a person living with a disability.¹⁰⁹

- 4.8 Data from 2023/24 suggests that around 104,000 children in NI live in relative poverty, accounting for 23 per cent of children in NI, with 90,000 children living in absolute poverty, accounting for 20 per cent of children in NI.¹¹⁰ It is imperative that data on the projected impact of these measures on poverty levels in NI is collated and published in advance of proposals being implemented to ascertain the full picture of the impact on people living in, or at risk of falling into, poverty.
- 4.9 The Department for Work and Pensions asserts that the welfare reforms will encourage people into paid work, stop an overreliance on benefits, alleviate poverty and improve both living standards and mental health.¹¹¹ However, research suggests that cutting benefits for disabled people will have the opposite effect. The Joseph Roundtree Foundation estimates that only around 3 per cent of individuals impacted by these measures will become employed as a result.¹¹² Citizens Advice notes that, even where

¹⁰⁷ Department for Work and Pensions, 'Spring Statement Health and Disability Benefit Reforms: Impacts' (DWP, 2025), at 4.

¹⁰⁸ Child Poverty Action Group, 'Short Briefing on Pathways to Work Green Paper'. Available at: [Short briefing on Pathways to Work green paper | CPAG](#)

¹⁰⁹ Ulster University Economic Policy Centre, 'Maximising Potential: A Review of the Labour Market Outcomes for People with Disabilities in NI', (UUEPC, 2022).

¹¹⁰ 'Long term plan needed to tackle child poverty – minister', *BBC News NI*, 28 March 2025.

¹¹¹ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 2.

¹¹² 'UK Government's Green Paper and Implications for NI', Ulster University and Joseph Rowntree Foundation, Ulster University Belfast, 28 April 2025.

people do find work, it will be difficult to make back the income lost as a result of these cuts, increasing their vulnerability to poverty.¹¹³

- 4.10 The UN ICESCR Committee has registered its concern at the increased rates of poverty in the UK, which disproportionately affects minority groups, including people with disabilities.¹¹⁴ The UN ICESCR Committee further notes with concern the “insufficient social security support in current anti-poverty measures, the lack of a comprehensive child poverty eradication strategy and the growing number of households unable to afford electricity, gas, water, sanitation, heating and clothing”.¹¹⁵ The UN ICESCR committee has recommended that the UK Government “enhance measures to address the multidimensional determinants of poverty, particularly in NI”.¹¹⁶
- 4.11 Further, the UN CRC Committee has noted its concern at the large number of children living in poverty in Great Britain and NI, recommending that the state:
- develop or strengthen existing policies, with clear targets, measurable indicators and robust monitoring and accountability mechanisms, to end child poverty and ensure that all children have an adequate standard of living, including by increasing social benefits to reflect the rising cost of living and abolishing the two-child limit and benefit cap for social security benefits.¹¹⁷
- 4.12 Concern about levels of poverty in the UK were shared by the UN CERD Committee, which recommended that the State adopt measures to combat

¹¹³ Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025).

¹¹⁴ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI’, 12 March 2025, at para 44.

¹¹⁵ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI’, 12 March 2025, at para 44.

¹¹⁶ E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI’, 12 March 2025, at para 45(a).

¹¹⁷ CRC/C/GBR/CO/6-7, ‘UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI’, 22 June 2023, at 46(a).

“persistent poverty, which disproportionately affects ethnic minorities, in particular children”.¹¹⁸

4.13 The UN CRPD Committee has noted the disproportionate impact of austerity measures on people with disabilities, increasing disabled people and their families’ reliance on food banks. The UN CRPD Committee recommended that that the UK Government:

introduce, adopt and implement legislative frameworks to ensure that social protection policies and programmes across the State party secure income levels for all persons with disabilities and their families, by taking into account the additional costs relating to disability, and ensuring that persons with disabilities are able to exercise their parental responsibilities.¹¹⁹

4.14 The changes to the Personal Independence Payment eligibility and health element of Universal Credit set out in the Department’s Pathways to Work Green Paper is likely to increase the vulnerability to poverty of disabled people and people with long term health conditions, compound already disproportionate impacts of previous welfare reforms, and is unlikely to lead to increased employment levels.¹²⁰ The NIHRC is concerned that the impact of these measures on disabled people in NI has not been fully considered, nor have disabled people in NI been properly consulted regarding the substantive issues set out in the Green Paper.

4.15 **The NIHRC recommends that the Department for Work and Pensions does not change the eligibility criteria for Personal Independence Payments without careful and robust consultation**

¹¹⁸ CERD/C/GBR/CO/24-26, ‘UN CERD Committee Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of the UK of Great Britain and NI’, 24 September 2024, at para 38.

¹¹⁹ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 59(a).

¹²⁰ Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025), at 2.

with disabled people and their representative organisations, including in NI.

- 4.16 The NIHRC recommends that the Department for Work and Pensions continues to ensure that the health element of Universal Credit rises with inflation and that any cuts to the health entitlement are delayed until the Department has conducted a cumulative impact assessment of these measures on persons with disabilities and long-term health conditions, including in NI.**
- 4.17 The NIHRC recommends that any changes to the Personal Independence Payment and health element of Universal Credit introduced are introduced alongside a robust support and engagement package, developed in conjunction with disabled people and their representative organisations, including in NI, to ensure that transition to new systems is well understood and the risk of affected individuals' increased vulnerability to poverty is mitigated.**

Abolishing the Work Capabilities Assessment

- 4.18** The Department for Work and Pensions' Green Paper identifies its intention to abolish the Work Capabilities Assessment and assess both eligibility for Personal Independence Payments and the health element of Universal Credit under one assessment – the Personal Independence Payment assessment.¹²¹ The Department states that this provision is to bring an end to "the State categorising people into binary groups and labelling them as either 'can or can't work'".¹²² The Department will bring this change forward via primary legislation and does not intend to consult on this measure.

¹²¹ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 37.

¹²² Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 37.

- 4.19 The Department for Work and Pensions also suggests that removing the Work Capabilities Assessment should streamline a “duplicative process” for people who claim both the Personal Independence Payment and the health element of Universal Credit.¹²³
- 4.20 The Department for Work and Pensions stipulates that this will be the case for claimants in England and Wales, acknowledging this will have implications for the devolved jurisdictions and that the devolved governments “will need to be fully considered before [being] implemented”.¹²⁴ The NIHRC welcomes the Department’s assurance that the implications for devolved administrations will be considered before the introduction of these measures. However, consideration of the impact on devolved regions and engagement with respective legislatures would be more effective if conducted in advance of these proposals being published so as to alleviate, or validate, the concerns of disabled people and people with long term health conditions in NI.
- 4.21 The proposal to make the Personal Independence Payment assessment the basis for determining eligibility for the health element of Universal Credit is problematic. Under the proposed changes, individuals who do not qualify for Personal Independence Payments, but do qualify for the health element, will be ineligible for both payments. The NIHRC acknowledges that there have been issues with the Work Capabilities Assessment for people with disabilities,¹²⁵ and that streamlining a cumbersome assessment process could prove beneficial. However, the Personal Independence Payment assessment is not without fault, with many instances of an assessment having reached the wrong outcome, with 68

¹²³ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 112.

¹²⁴ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 113.

¹²⁵ UK Parliament Hansard, ‘Work and Pensions Committee: PIP and ESA Assessments – HC 829’, 7 February 2018, at para 13.

per cent of appeals in 2023 finding in favour of the claimant.¹²⁶ The appeals procedure is also a lengthy and arduous process.¹²⁷

- 4.22 A single assessment system relying on the Personal Independence Payment process to allocate both the Personal Independence Payment and the health element creates more urgency to ensure that the correct decision is made, otherwise individuals could lose access or have access delayed to both means of financial assistance. Citizens Advice notes that “when two lots of money rest on one assessment, a poor decision is devastating”.¹²⁸
- 4.23 There is a backlog of Personal Independence Payment reviews due to a shortage of assessors and an increase in new claims.¹²⁹ Currently, the average wait time for a decision on the Personal Independence Payment assessment is 16 weeks.¹³⁰ Should these assessments become the gateway assessment to the health element as well as the Personal Independence Payment, it will delay access to assistance for disabled people and people with long term health conditions, increasing their vulnerability to poverty.
- 4.24 Individuals with temporary conditions, such as those who are undergoing treatment, experiencing a high risk pregnancy or awaiting surgery can currently qualify for the health element of Universal Credit if their condition affects them for at least three months.¹³¹ This means individuals with short term health conditions can access financial support if they are unable to

¹²⁶ Benefits and Work, ‘Personal Independence Payment (PIP) Appeals’. Available at: [Personal Independence Payment \(PIP\) appeals](#)

¹²⁷ Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025).

¹²⁸ Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025).

¹²⁹ Benefits and Work, ‘PIP Reviews’. Available at: [PIP reviews](#)

¹³⁰ Department for Work and Pensions, ‘Personal Independence Payment Official Statistics to January 2025’. Available at: [Personal Independence Payment Official Statistics to January 2025 - GOV.UK](#)

¹³¹ Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025).

work.¹³² However, the Personal Independence Payment assessment requires an individual to be affected by their condition for at least twelve months. This means that under the new proposals, individuals with short term conditions who require financial support due to their condition will be excluded from eligibility.

4.25 The NIHRC recommends that the Department for Work and Pensions engages with the Department for Communities on its proposals to move to a single assessment system for Personal Independence Payments and the health element of Universal Credit as a matter of urgency. Both Departments should ensure that they engage with disabled people and their representative organisations to understand the potential impact of any changes on these matters as a matter of urgency.

4.26 The NIHRC recommends that the Department for Work and Pensions and the Department for Communities engage with disabled people, their representative organisations and organisations which provide advice on social security to determine issues with Personal Independence Payments assessments and address them, ensuring that such assessment processes are consistently monitored to ensure they are operating effectively for service users.

Age Eligibility for Payments

4.27 The Pathways to Work Green Paper is considering a proposal to delay access to the health element of Universal Credit until an individual is 22 years old.¹³³ The Department suggests that this would ensure that young people are either “earning or learning”, prevent economic inactivity, ensure

¹³² Citizens Advice, ‘Pathways to Poverty: How Planned Cuts to Disability Benefits will Impact the People We Support’, (Citizens Advice, 2025).

¹³³ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 259.

that work is a “credible ambition” for young people with a disability and remove the potential to disincentivise work.¹³⁴

- 4.28 The Department for Work and Pensions notes that delaying this entitlement would mean funds could be diverted to improving work and training opportunities for 18 to 21 year olds.¹³⁵ Young people in NI already experience inequalities in access to work which makes them vulnerable to poverty. In NI, the unemployment rate for 16 to 24 year olds (5.8 per cent) is more than double that of 16 to 64 year olds (2.5 per cent). Gross hourly pay for 18 to 21 year olds is more than one third lower compared to the rate of hourly pay for employees of all ages in NI.¹³⁶ Denying young people access to claiming benefit support that they may be entitled to “risks pushing this group of young people into deeper hardship, and further away from engaging with employment or training”.¹³⁷
- 4.29 The Department for Communities does not publish disaggregated data showing the number of people availing of the health element of universal credit by age, so the number of individuals who would be affected by this proposal in NI is not available.
- 4.30 The NIHRC is concerned that there is a considerable number of 18 to 21 year olds in NI living with a disability or long term health condition who will lose the health element of Universal Credit without any guarantee that measures will increase their access to training or education, leaving them without any means of financial support.
- 4.31 **The NIHRC recommends that the Department for Work and Pensions engages with the Department for Communities and**

¹³⁴ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at paras 255-258.

¹³⁵ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 255.

¹³⁶ Department for the Economy NI, ‘Young People Inequalities in NI Skills System’. Available at: [Young People Inequalities in the Northern Ireland skills system - accessible text version | Department for the Economy](#)

¹³⁷ Joseph Rowntree Foundation, ‘Young people caught in crosshairs of health and disability reforms’. Available at: [Young people caught in crosshairs of health and disability reforms | Joseph Rowntree Foundation](#)

makes publicly available the required data to sufficiently analyse the impact of the proposal to delay access to the health element of universal credit until 22 years of age.

- 4.32 The Department for Work and Pensions is also considering raising the age at which young people move from Disability Living Allowance for Children to the Personal Independence Payment, from 16 to 18.¹³⁸ The Department states that this proposal is intended to “better align the age at which young people first claim adult disability benefits with other key milestones in the transition to adulthood and support available”.¹³⁹ It would also delay the pressure on young people to go through adult Personal Independence Payment assessments.¹⁴⁰
- 4.33 The UN CRC guarantees the right of the child to express their views “freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”. The UN CRC Committee notes that “it is essential that children with disabilities be heard in all procedures affecting them and that their views be respected in accordance with their evolving capacities”.¹⁴¹ The UN CRC Committee also states that “children should be provided with whatever mode of communication they need to facilitate expressing their views”.¹⁴² The UN CRC Committee notes its concern that children’s views “are not systematically taken into account in decisions affecting them and in national and local decision-making” in the UK and NI.¹⁴³ The UN CRC Committee recommended that the UK Government “strengthen measures

¹³⁸ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 260.

¹³⁹ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 260.

¹⁴⁰ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 260.

¹⁴¹ CRC/C/GC/9, ‘UN CRC Committee General Comment No 9 on the Rights of Children with Disabilities’, 27 February 2007, at para 32.

¹⁴² CRC/C/GC/9, ‘UN CRC Committee General Comment No 9 on the Rights of Children with Disabilities’, 27 February 2007, at para 32.

¹⁴³ CRC/C/GBR/CO/6-7, ‘UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI’, 22 June 2023, at para 23.

to promote the meaningful participation of children in family, community and school settings and in policymaking at the local and national levels”.¹⁴⁴

- 4.34 The care component for Disability Living Allowance for children per week currently ranges from the lowest payment of £29.20, the middle payment of £73.90, and the highest payment of £110.40.¹⁴⁵ The 2025/26 rate of the Personal Independence Payment’s daily living component ranges from £73.90 to £110.40 per week.¹⁴⁶ Delaying access to the Personal Independence Payment for 16 and 17 year olds who may be in receipt of the lowest payment of Disability Living Allowance could potentially delay their access to a higher rate of payment to assist them and their families with the additional costs associated with their disability, particularly as they get older and their needs change.
- 4.35 In NI, 8,000 children living in poverty live in a household with at least one disabled child.¹⁴⁷ Also in NI, the rate of poverty for carers is 28.3 per cent, this is higher than the UK average of 23.6 per cent.¹⁴⁸ The UN CRPD Committee has highlighted the lack of a policy framework to address poverty faced by families with children with disabilities in the UK and NI, recommending that the State “in close consultation with organizations representing children with disabilities, develop and implement policies aimed at eliminating the higher level of poverty among families with children with disabilities”.¹⁴⁹ The NIHRC is concerned that introducing measures to delay access to Personal Independence Payments for 16 and 17 year olds could negatively impact levels of poverty experienced by children with disabilities and their families in NI.

¹⁴⁴ CRC/C/GBR/CO/6-7, ‘UN CRC Committee Concluding Observations on the Combined Sixth and Seventh Periodic Reports of the UK of Great Britain and NI’, 22 June 2023, at para 23.

¹⁴⁵ UK Government, ‘Disability Living Allowance for Children’. Available at: [Disability Living Allowance \(DLA\) for children: DLA rates for children - GOV.UK](#)

¹⁴⁶ Department for Work and Pensions, ‘Benefit and Pension Rates 2025 to 2026’. Available at: [Benefit and pension rates 2025 to 2026 - GOV.UK](#)

¹⁴⁷ Action for Children, ‘Child Poverty and Barriers to Work’, (AfC, 2024).

¹⁴⁸ Carers NI, ‘Policy Measures to Tackle Poverty Among Unpaid Carers in NI’, (Carers NI, 2023).

¹⁴⁹ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 21(a).

- 4.36 **The NIHRC recommends that the Department for Work and Pensions ensures that changes to social security entitlements do not leave children with disabilities and their families and carers at a financial disadvantage, and ensure that children with disabilities are in receipt of social security payments that are sufficient to meet their additional required needs.**
- 4.37 **The NIHRC recommends that the Department for Work and Pensions consults effectively and robustly with children and young people with disabilities on any changes to entitlements to social security benefits which may affect them, ensuring that children and young people with disabilities have access to whatever mode of communication they need to facilitate expressing their views.**

Support into Work

- 4.38 Chapter three of the Pathways to Work Green Paper addresses proposals to support people into work. These measures include additional spending of £1 billion a year by 2029/30 to shape support and introducing a baseline level of engagement for individuals in receipt of the health element of universal credit.¹⁵⁰
- 4.39 The Department for Work and Pensions notes its commitment to supporting employers to promote healthy workplaces and recruiting and retaining workers with a health condition or disability.¹⁵¹ This is a welcome commitment, but the Department does not set out how it intends to address the full range of systemic barriers to work confronting persons with disabilities.

¹⁵⁰ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 210.

¹⁵¹ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 208.

- 4.40 The UN ICESCR Committee has identified the persistent issue of pay disparity for disabled people in the UK and NI, recommending that the UK Government and NI Executive “strengthen measures to guarantee equal pay for work of equal value, particularly for ... persons with disabilities”.¹⁵²
- 4.41 The UN CRPD Committee notes concerns with “insufficient affirmative action measures and provision of reasonable accommodation to ensure that persons with disabilities can access employment on the open labour market”.¹⁵³ The UN CRPD Committee recommended that the UK Government and NI Executive:
- ensure that reasonable accommodation is provided to all persons with disabilities who require it in the workplace, that regular training on reasonable accommodation is available to employers and employees without disabilities, and that dissuasive and effective sanctions are in place in cases of denial of reasonable accommodation.¹⁵⁴
- 4.42 In NI, disability-related discrimination complaints represent the highest number of enquiries in respect of employment to the Equality Commission NI.¹⁵⁵
- 4.43 Discrimination, stigma and attitudes act as a persistent barrier to the workplace, with disabled people more likely to face prejudice in the workplace than people without disabilities, particularly individuals with mental health issues.¹⁵⁶ Accessible workplaces remain an issue for disabled people in NI, with research indicating that workplaces contain a number of unnecessary physical barriers.¹⁵⁷ Access to accessible transport is also an

¹⁵² E/C.12/GBR/CO/7, ‘UN ICESCR Committee Concluding Observations on the Seventh Periodic Report of the UK of Great Britain and NI’, 12 March 2025, at paras 36-37.

¹⁵³ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 56(b).

¹⁵⁴ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 57(b).

¹⁵⁵ Equality Commission for NI, ‘Key Inequalities in Employment’, (ECNI, 2018).

¹⁵⁶ NI Statistics and Research Agency, ‘Disability Within the NI Labour Market’ (NISRA, 2022), at 12.

¹⁵⁷ NI Statistics and Research Agency, ‘Disability Within the NI Labour Market’ (NISRA, 2022), at 13.

important factor to consider when dismantling systemic barriers to employment for persons with disabilities, particularly for individuals living in rural areas.¹⁵⁸ Research also indicates that recruitment practices are a key barrier to the workplace for disabled people, with online platforms, lengthy job descriptions and a lack of advertised jobs with flexible work or job-sharing options.¹⁵⁹

4.44 The NIHRC notes the loss of the European Social Fund and its programmes targeting individuals furthest from the labour market, including disabled people and children and young people in NI has not been replaced.¹⁶⁰ The European Social Fund programmes targeted access to employment, social inclusion, skills for growth and technical assistance in NI, with social inclusion focusing on persons with disabilities.¹⁶¹ The loss of this funding has had a disproportionate impact on persons with disabilities and their access to employment.

4.45 Additional funds for work support will be paid into NI's Barnett consequential but will likely not be ring-fenced, and therefore the NI Executive could choose to allocate the funds to another initiative entirely, not related to work support.¹⁶²

4.46 **The NIHRC recommends that the Department for Work and Pensions ensures that additional funding made available to the NI Executive for use toward employment support is ring-fenced for that purpose.**

¹⁵⁸ NI Statistics and Research Agency, 'Disability Within the NI Labour Market' (NISRA, 2022), at 13-14.

¹⁵⁹ NI Statistics and Research Agency, 'Disability Within the NI Labour Market' (NISRA, 2022), at 14.

¹⁶⁰ Equality Commission for NI and Ulster University, 'Impact of Brexit on Section 75 Equality Groups in NI: EU Funding', (ECNI and UU, 2022), at 29.

¹⁶¹ Equality Commission for NI and Ulster University, 'Impact of Brexit on Section 75 Equality Groups in NI: EU Funding', (ECNI and UU, 2022), at 32.

¹⁶² 'UK Government's Green Paper and Implications for NI', Ulster University and Joseph Rowntree Foundation, Ulster University Belfast, 28 April 2025.

Conditions and Sanctions

- 4.47 The Department for Work and Pensions sets out proposals for a new ‘support conversation’, intended to be delivered by an appropriately skilled person “for individuals who have a health condition or disability that is affecting their ability to get into work or return to work”.¹⁶³ The Department notes that “there will be the ultimate backstop of sanctions to underpin the expectations of engagement, but this should be used only as a last resort”.¹⁶⁴
- 4.48 Previous welfare reforms in the UK in 2012 and 2016 operated a system of conditions and sanctions. Evidence indicated that these sanctions were applied in a disproportionate manner and increased hardship faced by claimants. Additionally, sanctions did not take into account the specific barriers that disabled people and people with long term health conditions faced.¹⁶⁵ The UN CRPD Committee has recommended that the UK Government ensures “the adjustments and support necessary [for persons with disabilities] to access work, as well as financial support, are not subject to sanctions or conditional upon carrying out job seeking activities”.¹⁶⁶
- 4.49 Concluding, on his visit to Great Britain and NI, the then Special Rapporteur on poverty, Philip Alston, identified the absence of evidence “that blunt and harsh sanctions actually help claimants move closer to work”.¹⁶⁷ Additionally, an inquiry by the Committee for Work and Pensions found sanctions to be “harmful and counterproductive”, contributing to distrust and trauma of vulnerable individuals.¹⁶⁸

¹⁶³ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 217.

¹⁶⁴ Department for Work and Pensions ‘Pathways to Work: Reforming Benefits and Support to Get Britain Working’ (DWP, 2025), at para 247.

¹⁶⁵ CRPD/C/15/4, ‘UN CRPD Committee Inquiry Concerning the UK of Great Britain and NI carried out by the Committee Under Article 6 of the Optional Protocol to the Convention’, 24 October 2017, at para 106.

¹⁶⁶ CRPD/C/GBR/CO/1, ‘UN CRPD Committee Concluding Observations on the Initial Report of the UK of Great Britain and NI’, 3 October 2017, at para 57(c).

¹⁶⁷ A/HRC/41/39/Add.1, ‘Special Rapporteur on Extreme Poverty and Human Rights Visit to the UK of Great Britain and NI’, 23 April 2019, at para 57.

¹⁶⁸ UK Parliament Hansard, ‘Work and Pensions Committee: Benefit Sanctions’, 6 November 2018.

- 4.50 The Pathways to Work Green Paper proposes to allow individuals to try work without fear of losing access to benefits or having to go through a reassessment process.¹⁶⁹ This is a useful proposal for individuals who feel ready to enter the workforce, however, it will require individuals to trust that trying work will not be used against them to remove benefits. Sanctions and conditionality have been seen to erode trust in the Government and appears counterproductive to the UK Government's intended outcome.
- 4.51 The NIHRC notes that sanctions will be used as a last resort, however, it is important that the Department sets out exactly what these sanctions will be and what will constitute a last resort during the consultation stage. Persons with disabilities and other stakeholders must be able to assess the proposals and provide their views.
- 4.52 **The NIHRC recommends that the Department for Work and Pensions takes immediate steps to set out exactly what it means by introducing sanctions as a last resort and ensures that disabled people and their representative organisations are effectively consulted on these proposals.**

¹⁶⁹ Department for Work and Pensions 'Pathways to Work: Reforming Benefits and Support to Get Britain Working' (DWP, 2025), at para 125.

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