

“To make a political decision to deny the most vulnerable people additional financial support during a pandemic is indefensible and inhumane”

Phil Wayland on UK High Court upholding denial of Unemployment Credit uplift to two million claimants

Kelly Taylor
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In April 2020, during the first UK lockdown, the government announced a £20-a-week increase in the Universal Credit (UC) social security benefit. The additional payment, scrapped last October, was not extended to the roughly two million people on “legacy benefits”, waiting to be migrated to the Universal Credit system. This particularly affected the disabled, long-term sick, and unpaid carers.

Four legacy benefit claimants challenged this decision in the High Court on the grounds of unlawful discrimination under the European Convention on Human Rights. Last Friday, Mr Justice Swift dismissed their claim.

The *World Socialist Web Site* spoke to Phil Wayland, one of the claimants in the High Court case.

Phil said, “I’ve been on welfare benefits since 2010 and over the last 12 years I’ve had to complete several work capability assessments. Every time, I’ve had to appeal the decisions made by the DWP [Department of Work and Pensions], which can take up to a year to complete, to fight for £10 a day. I’ve won every single appeal with more points than the last claim. I have spent nearly 5 years of my life fighting for the right to receive benefits.

“The government has a policy of enforced hardship to welfare claimants to try to change behaviours and force people back into work. That they have done this to the long-term sick and disabled, who cannot change their behaviour is sadistic cruelty.

“When the pandemic hit the decision was made to uplift the UC benefit by £20 a week, but not legacy benefits. I

receive Employment Support Allowance (ESA) and I have no idea when I am due to be moved to UC [the UC roll out is scheduled to continue until 2024 after the government missed its 2017 deadline]. To make a political decision to deny the most vulnerable people in our society additional financial support during a once-in-a-generation pandemic is indefensible and inhumane.”

According to the Joseph Rowntree Foundation, 54 percent of people living in destitution in December 2020 were disabled or suffering long-term ill health. Now the UK is experiencing a cost-of-living crisis with inflation at a 30-year high. Phil explained, “For sick and disabled people there has been a continuous crash since 2008. There has been no recovery.

“The denial of the £20 uplift added further misery to people already struggling to cope financially. The current cost-of-living crisis is again going to impact those most unable to afford it.

“The recent announcement from the UK government of support for people due to excessive energy prices does not help those on benefits at all—they have done everything to avoid uplifting benefits to help the most vulnerable. The council tax rebate that has been offered will not be available to many disabled people as their benefit payments cover these costs, so they are just faced with ever-increasing energy bills. This £1,500 [the total amount spent per person on the £20 uplift] would have been a lifeline to many people.”

Describing the treatment of the disabled and clinically vulnerable during the pandemic, Phil said, “You know,

around 60-70 percent of people who have died are the sick and disabled or have underlying health conditions. So not only are you more likely to die during the pandemic, but you did not get any additional financial support.

“I agree with you that the current policy of lifting of COVID restrictions looks like there is a conscious policy to allow the weak to die. As Ken Loach says it’s ‘Conscious cruelty’.

“We are invisible. We are not even an afterthought; we are not thought about at all. The actions of the DWP over the last decade: it appears they are trying to erase ‘Disability’ as a category as if we don’t really exist.”

On the Labour Party, Phil explained, “They brought in the whole work capability assessment process during the initial austerity program around the 2008! As a party, even under [former Labour leader Jeremy] Corbyn, they have not been a forceful opposition and have failed to capture the plight of people on welfare. They have not been good enough.

“There are a few individual MPs who have been better than others at fighting for the sick and disabled. As a whole when you need a united front against government policy and the mainstream media propaganda they have not been good enough in the slightest.”

He described Labour leader Sir Keir Starmer as “absolutely woeful. There is no hope of tackling any of our problems—the NHS, climate change, etc—under his leadership.”

Speaking about the High Court claim, Phil said, “The ruling effectively said that it was okay to discriminate against people on legacy benefits because the additional £20 was for those people who would lose their job due to the pandemic. However, the money was given to all UC claimants, not just new claims. Therefore, people who were long-term unemployed also received the uplift.

“The problem with this judgement is it lacks all political context. The uplift of the payments was not done for altruistic reasons, but rather because they knew that there would be people claiming benefits who would not normally do so, and the miserly level income of the unemployed would be exposed and they would see through the lie that people on benefits are too comfortable.

“The judgement states that this was indirect discrimination, therefore acceptable. But it wasn’t, this was direct discrimination as it was done on purpose—this was a purely political decision by the UK Government.

“We have all agreed to keep on fighting and lodge an appeal against the ruling”.

Phil explained by Martin

, a full-time carer for his mother with progressive multiple sclerosis and another claimant in the case. He described the court’s decision as “proving yet again that there is no justice for those of limited means at the hands of the institutions of this state.”

Calling the government’s conduct “repugnant”, he noted that in the days they had spent waiting for the ruling, “[Chancellor] Rishi Sunak and the Tory cabinet wrote off at least £4.7 billion in fraudulent COVID loans and the UK government had £8.7 billion in PPE losses... The rich get away with it, and the poor get shafted.”

Martin “called out the two-faced nature of the Conservative party and its allies, clapping and proclaiming that they ‘love carers’, while simultaneously sticking them in the back. I also want to call out the other politicians who have consistently failed to protect the two million legacy benefit claimants throughout this pandemic.”

Referring to his experience of the COVID-19 crisis, he explained that carers “were offered no assistance and no backup... No thought was given to ensuring our ability to purchase PPE to perform our role. No price protections were put in place when items eventually came back on tap, forcing us to have to turn to opportunists and scalpers for the basics...”

“As a community, unpaid carers watched our kin bury their loved ones, all while watching the disastrous decision making of the UK government, resulting in the seventh highest death toll on the planet.”



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