

Carrots and sticks: problem drug users and welfare reform

Emma Wincup explores both the New Labour government's and the Coalition's proposals to tackle problem drug users through welfare reform.

In recent years there has been a growing recognition of a high level of worklessness among problem drug users, alongside an appreciation of the key role played by employment in sustaining recovery. This short article explores the New Labour government's controversial proposals to redefine drug treatment as a 'work-related activity' and require all problem drug users wishing to claim benefits to take steps to abstain from drug use. It ends by considering briefly an alternative approach proposed by the Coalition government to 'nudge' drug dependent benefit claimants towards drug treatment, potentially through the use of financial incentives.

Developing a 'new regime'

A 'new regime' for making benefit payments to drug 'misusers' was first proposed in the 2008 Drug Strategy (HM Government, 2008). One of its aims was 'delivering new approaches to drug treatment and social re-integration' and it promised 'a radical new focus on services to help drug users to re-establish their lives' (ibid). Most of the proposals included in the Strategy for promoting social reintegration relate to tackling worklessness among drug 'misusers'. The 'new regime' aimed to build upon existing specialist employment support offered to problem drug users. It was distinct from existing practice in advocating that an initial referral to drug treatment should become mandatory for all drug 'misusers' seeking to claim benefits, borrowing practices from the field of criminal justice. The New Labour

government's position was stated very explicitly in the 2008 drug strategy: 'we do not think it is right for the taxpayer to help sustain drug habits when individuals could be getting treatment to overcome barriers to employment' (ibid).

Five months after the publication of the 2008 Drug Strategy the Green Paper, *No One Written Off: Reforming Welfare to Reward Responsibility*, was published (Department for Work and Pensions, 2008). For problem drug users it proposed three possible 'carrots'. The first was payment of a 'treatment allowance' for a limited period of time to allow an individual to concentrate on stabilising their drug use without the risk of falling foul of the obligation to seek employment attached to other out-of-work benefits. The second was offering individuals claiming this allowance, where appropriate, to see a specialist employment advisor and draw up a rehabilitation plan, detailing the steps to be taken to address their problem drug use and address barriers to employment. The third was access to drug treatment for the estimated 100,000 problem drug users claiming benefits not currently engaged in treatment. These 'carrots' were accompanied by a 'stick': failing to engage with drug treatment and with specialist employment support without good cause would result in a referral back to Jobcentre Plus and a potential benefit sanction. Despite considerable opposition to plans to identify problem drug users, particularly through the use of drug testing, and to make benefit payments



Photo courtesy of Melinda Kerrison

conditional upon participating in drug treatment, the White Paper simply set out how the government intended to take the proposals initially proposed in the Green Paper forward. The subsequent *Welfare Reform Bill 2009* (WRB) included a clause that made new provisions for claimants who were dependent on, or had the propensity to misuse any drug. The lack of opposition to the 'new regime' as the WRB progressed through the House of Commons is worth noting because it sends out a powerful message that controversial measures such as quasi-compulsory drug treatment are palatable to all political parties despite the considerable ethical dilemmas they present. Significant amendments were only made to the proposals as a consequence of amendments tabled in the House of Lords. Most significantly there was a move away from making participation in drug treatment a condition of claiming benefits. However, despite amendments the provisions within the Act still represents, as Baroness Meacher acknowledged in the House of Lords (22 October 2009), a 'radical departure from any benefits regime we have had to date'.

The New Labour government planned to introduce Welfare Reform Drug Recovery Pilots in five pilot areas in England in October 2010. It was proposed that problem drug users engaged in treatment would receive a 'treatment allowance' and could choose to participate in an 'Additional Support Programme', offering integrated and personalised support to promote access to the labour market. In contrast, problem drug users not participating in drug

treatment would be required to attend a 'Substance Related Assessment (SRA)' and a 'Treatment Awareness Programme' as part of a mandatory rehabilitation plan. Problem drug users would be identified via self-disclosure, information received from criminal justice agencies, SRAs and, as a last resort, drug testing.

Responses to the 'new regime'

Throughout the WRB's passage through the policy process, there were no objections to the principle of using the benefit system as another site to promote access to treatment but considerable disquiet about linking drug treatment to the payment of benefits. A recurring theme within the House of Lords debates was that linking sanctions to drug treatment would have harmful consequences for individual drug users, their families and wider society. This echoed the concerns of many organisations working in the drugs and anti-poverty fields and medical professionals. It was argued that withdrawing benefit payments, wholly or in part, from problem drug users would almost inevitably lead to hardship and place considerable financial pressure on families supporting problem drug users. They argued that it ran the risk that problem drug users might resort to (re-)offending in order to compensate for lost income, and might deter problem drug users from engaging with the benefit system in the first instance or after being sanctioned, thus denying them access to support to tackle the considerable barriers they might face to obtaining employment and blocking another route to drug treatment. Ultimately, critics of sanctions highlighted that they had the potential to be counterproductive, further excluding problem drug users rather than promoting their social reintegration.

The wider implications of New Labour's government's insistence – unchallenged by the opposition parties – on linking sanctions to taking steps to address problem drug use despite only equivocal evidence of effectiveness, lack of public support and widespread opposition merits further consideration. The *Welfare*

Reform Act 2009 encapsulated New Labour's 'Third Way' project to combine rights with responsibilities. Under the proposed 'new regime', some problem drug users were judged to be incapable of acknowledging their responsibilities to society and deemed to need the 'discipline' of sanctions in order to change their behaviour and fulfil their obligations to society. Thus, access to social security benefits was no longer viewed as an automatic right in response to financial need; rather access to it was based upon judgments about the acceptability of a claimant's behaviour (Grover, 2010).

Looking toward the future

In a press release issued on 17 June 2010, the Department of Work and Pensions promised a 'radical rethink on getting drug and alcohol users back to work' and plans to introduce a two-year pilot scheme were abandoned. More generally, the Coalition government wasted little time in setting out their vision for drugs policy in a consultation paper which stated that they wished 'to give the voice of the "Big Society" the power to influence [its] development' (Home Office, 2010a). Comprising of 43 questions, one of the themes addressed was whether the benefit system could aid recovery and reintegration, either through the use of 'carrots' such as additional support for those undertaking drug treatment or 'sticks' in the form of benefit sanctions for those who do not take action to address their drug dependency. The subsequent Drug Strategy – *Drug Strategy 2010 Reducing Demand, Restricting Supply and Building Recovery Supporting People to Live a Drug Free Life* (Home Office, 2010b) – included proposals (albeit very sketchy ones) to increase the number of drug-dependent benefit claimants who engage with drug treatment and rehabilitation services and ultimately find employment which helps to sustain their recovery. It proposed that the benefit system could offer appropriately tailored conditionality for those already engaged in drug treatment and rigorous enforcement of the typical conditions for those that are not. A suggested longer-

term plan offers incentives through the benefit system to 'choose' drug treatment.

The impact of such proposals for problem drug users needs to be considered alongside the Coalition government's plans to introduce a 'sweeping reform of welfare' (HM Government, 2010). Addressing what Iain Duncan Smith has termed the 'sin' of worklessness has become familiar political rhetoric over the past few months and public support is being whipped up for tough measures to tackle the dependency culture. In a speech announcing the WRB, David Cameron made it explicit that there would be a tougher approach to benefit sanctions and the promotion of a new 'culture of responsibility'. In this respect problem drug users are likely to become an easy target, with little recognition of the social and economic context in which problem drug use occurs or the exclusionary practices of the wider society which stigmatises both current and former problem drug users. ■

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References

- Department for Work and Pensions (2008), *No One Written Off: Reforming Welfare to Reward Responsibility*, London: The Stationery Office.
- Grover, C. (2010), 'Social security policy and vindictiveness', *Sociological Research Online*, 15, p. 8.
- HM Government (2008), *Drugs: Protecting Families and Communities: The 2008 Drug Strategy*, London: HM Government.
- HM Government (2010), *The Coalition: Our Programme for Government*, London: HM Government.
- Home Office (2010a), *2010 Drug Strategy Consultation Paper*, London: Home Office.
- Home Office (2010b), *Drug Strategy 2010 Reducing Demand, Restricting Supply and Building Recovery Supporting People to Live a Drug Free Life*, London: Home Office.
- House of Commons Library (2008), *Welfare Reform Bill: Committee Stage Report, Research Paper 09/23*, London: House of Commons Library.