HEALING JUSTICE LDN

Evidence Making

Producing evidence on our own terms:
for community building, for radical action,
to build different futures

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TS NOT GAMES
PEOPLE
Iain Duncan Smith
DEATHS
their

Intro to resources

How do disabled people and others evidence welfare state violence? What counts as evidence, and how have we used that evidence for transformation?

This resource is part of a series from the Deaths by Welfare project, based on the creation of a publicly available timeline charting welfare state violence (co-created with John Pring); interviews with more than 50 disabled activists and bereaved family members; a podcast series; and a month long exhibition - Defiant and Life-Affirming: Resisting State Violence - in 2023. The resources are indebted to and oriented towards movement organising, activism and justice as a way to imagine welfare justice and create more life-affirming systems beyond the State.

This resource has been written by China Mills, with vital input from John Pring (Disability News Service), the Healing Justice Ldn team, and is made up of some of the many things we have learned from people whose loved ones have been killed by, and from disabled people resisting the violence of, the welfare state.

We would especially like to honour and thank: Rick Burgess, Ellen Clifford, Imogen Day, Tumu Johnson, Vince Laws, Paula Peters, John Pring, Dolly Sen, and anonymous contributors. To find out more listen to our podcasts.

Summary

In this resource we discuss:

- The tactics disabled people and bereaved families use to evidence state harm, while living at the sharp edges of it themselves.
- How being asked to provide evidence of state violence can itself be violent, especially within a system designed not to believe people.
- Navigating tensions of using evidence to appear 'reasonable' and appeal to government , while also validating disabled people's lives
- How we use evidence in ways that do not dehumanise us
- How disabled people use direct action to bring public attention to the evidence
- How disabled people's testimony can help us imagine and build a different kind of world

The Evidence

Disabled people's research and activism has been key in revealing the violence of the Department for Work and Pensions (DWP) and the wider State, and how that violence is often slow and bureaucratic. It developed gradually, out of sight, over many years. But eventually, particularly in the post-2010 austerity years, people began to die.

They took their own lives, they starved to death, they died through self-neglect, and due to stress caused by DWP's actions. Most of these deaths were linked to the processes DWP has used to assess the eligibility of disabled people for various benefits (why do call them 'benefits', when these are life-enabling and life-saving entitlements?), particularly the notorious work capability assessment, but also the assessment for personal independence payment.

Hundreds, probably thousands, have died. But the violence continues, despite the efforts of disabled activists and bereaved families of those who have been killed by the welfare system (we say, 'killed' because they didn't just die, there is a culprit - in the shape of a Government department).

Evidence demonstrates how disabled people are affected; the level of harm caused; the attempts

made by the DWP to cover up the harm it had caused; and how people who claim benefits, or try to, are still dying, and being subjected to serious harm through the actions of the DWP.

Despite this evidence, ministers continue to downplay the seriousness of what has emerged, arguing for example that 'cases of suicide are very small in number given the scale of DWP' and that they continue to learn from 'serious cases'.

Evidence of violence, & the violence of evidence

Ellen Clifford, a member of the steering committee for Disabled People Against Cuts, and author of "The War on Disabled People", explains:

"Trying to build awareness of the horrors that have been happening and the devastating impact; we've been fighting against that line you get all the time from the government: "There is no causal link." Which is so infuriating. It is always that; there's such a high expectation placed on us [disabled people] to prove the link, and to give evidence."



There is a violence in constantly being asked to evidence harms. For many disabled people this mirrors the violence of being made to prove that you're disabled and/or ill and to prove that you're "deserving" of benefits.

Our current welfare system is one where people are not believed.

Tumu Johnson (co-director at the feminist disabled women's collective, Sisters of Frida) shared that "there are ways in which the welfare state inflicts violence onto us [disabled people], that is obvious and undeniable… We are asked to prove over and over if we are disabled enough and "are deserving of what we need. Sorted into deserving and undeserving recipients.

"Disabled people aren't believed. So many people have fought so hard to shine a light on the violence that happens continuously. The violence that is by design and is deadly". (Tumu Johnson, Healing Justice Ldn's Rehearsing Freedoms Festival 2023).

The system creates a 'burden of proof' for disabled people and folks who claim welfare, "constantly framed as needed to be this way to protect from people abusing the system or people taking advantage of the system" (anonymous).

This makes it seem as though "people are extracting from the state… when the reality is the State is extracting from people". This is a system that doesn't start from a position of trust, and sees 'proof' "through a medicalized, positioning of professionals as having knowledge" (anonymous).

Tactics of evidence-making

Disabled people and bereaved families have found so many ways to evidence how the Government makes their lives unlivable.

Tactics include:

Suicide notes

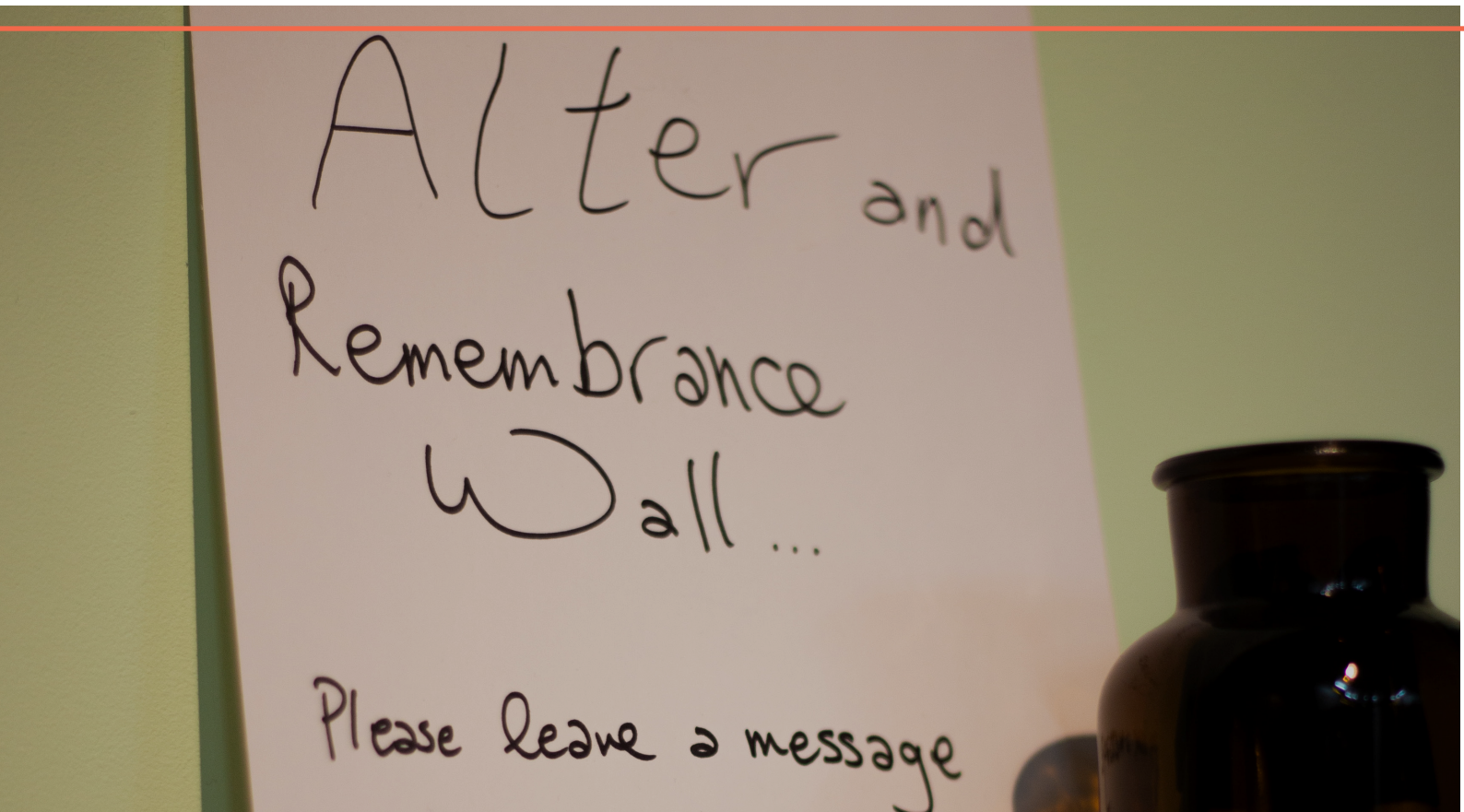
A number of people have left suicide notes blaming government policy for their deaths. Stephanie Bottrill, a 53 year old woman, who after being subjected to the 'bedroom tax' (the reduction of your housing benefit if you have a spare room), died by suicide in 2014, leaving a suicide note for her son that said: "Don't blame yourself for me ending my life. The only people to blame are the Government."

Not everyone leaves a note. Some people leave other kinds of evidence about what killed them - their bodies found next to letters from the DWP telling them they were 'fit for work' or that their benefits had been stopped.

Coroners naming the DWP

By 2010, coroners' reports started to name Department for Work and Pensions (DWP) policy as a 'trigger' in people's suicides. Many families (including Joy Dove - for her daughter Jodey Whiting, and Imogen Day for her sister Philippa Day) have fought so hard for justice from the inquest system, for the role of the DWP and their outsourced partners to be named as a trigger/ contributing factor in their loved ones' suicides, and for coroners to write Prevention of Future Deaths report [see Justice resource].

Others, such as Gill Thompson (following the death of her brother David Clapson) and Jill Gant (following the death of her son Mark Wood), tried to persuade coroners to name DWP's actions as a trigger but were unsuccessful.



Naming those who have died

Naming those who have died is important to disabled people's documentation of evidence as part of a fight for justice, whether listed online on the Calum's list 'welfare reform deaths memorial page' and the Black Triangle Campaign website; written in paint on the 'DWP Deaths Make Me Sick' shrouds, created by DPAC member and artist-activist Vince Laws; stitched into banners, with names and photos to show 'Deaths due to sanctions and benefits cuts', created by Maggie Zolobajluk; and through direct action and film-making, such as the 'Broken Hearts for the DWP' documentary created by Mad artist and activist Dolly Sen.



Wrenching (or securing) evidence from the State

Disabled activists and allies have used the Freedom of Information (FOI) process to find out what the DWP knows about the deaths of disabled people who claim benefits. John Pring, from Disability News Service, has submitted over 25 freedom of information (FOI) requests and several complaints to the Information Commissioner's Office (ICO) to find out that the DWP has carried out hundreds of reviews into the deaths of people who claim benefits.

The reviews (known as Internal Process Reviews, or IPRs) contain hundreds of recommendations, including repeated warnings that policies were potentially life-threatening.

The DWP continues to resist the release of IPRs, even to the families of those who have died.

Also see the Deaths by Welfare timeline and John Pring's book "The Department: How a Violent Government Bureaucracy Killed Hundreds and Hid the Evidence", for evidence of DWP's own (often well-hidden) research into harms.

“Finding allies that the oppressors have not put on the blacklist”

Rick Burgess explains:

“As a population, we’ve been targeted. And when you target people, you dehumanise them. So we were treated as something less than human; so they weren’t listening to us; they weren’t respecting us.

“So we thought, “Well, we need some authoritative third-party to say, ‘Actually, guys! There’s something really terrible here.’ When you’re a disregarded cohort—a hated demographic—you need to find allies that the oppressors have not put on the blacklist to try and speak on your behalf a little bit, because they’ve locked us out; they’re ignoring us. And they’re killing us.” (Rick Burgess, Deaths by Welfare podcast episode 4)

Rick was part of a group who contacted epidemiologists, asking them to research, and provide evidence for, what was then already really clear to disabled people, but largely ignored by government, politicians and most of the media: which was that the Work Capability Assessment was making people suicidal.

But 10 years after that research was published, Rick now believes its impact was not as powerful as he had hoped it would be at the time, - and that it may have simply led to DWP being even more secretive afterwards with its data.

In 2016, thanks to pressure and years of research by disabled people, the UN Committee on the Rights of Persons with Disabilities investigated the UK government and found that 'grave and systematic violations' of Disabled persons' rights had taken place because of austerity measures and welfare reforms since 2010, which had 'disproportionately and adversely' affected the rights of Disabled people. In a follow-up report in 2024, the UN found that no significant progress had been made in addressing these concerns, that the government does not consult with Disabled people, and that the government uses a "rhetoric that devalues disabled people and undermines their human dignity" (UNCRDP Report 2024).

Disabled people and allies have and continue to be creative geniuses in using multiple tactics to evidence the harms of the



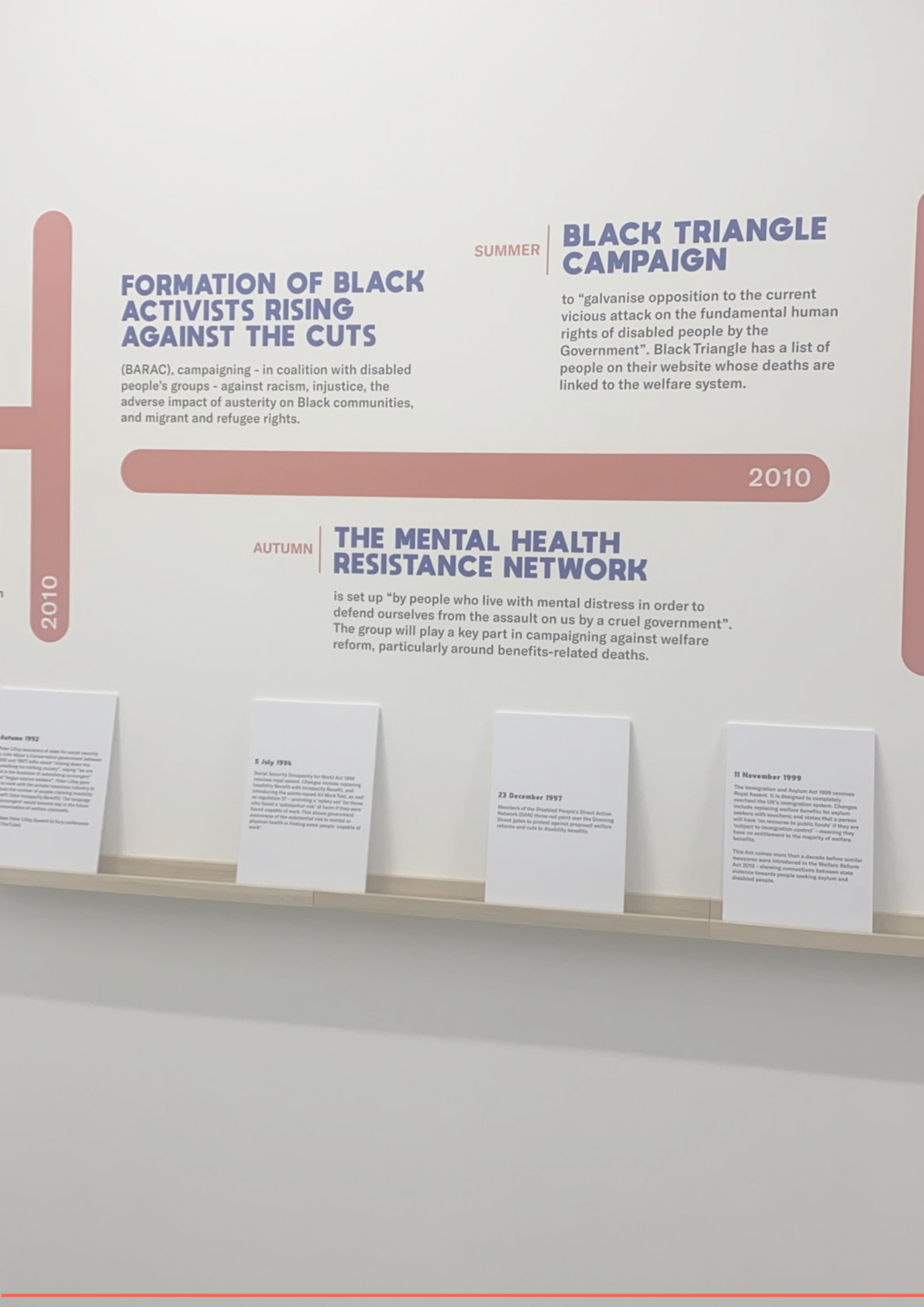
Reflection Point

(Please write, draw)

What kinds of evidence-making have you been involved with or witnessed?
What forms have these taken? How have they made you feel? Have they achieved what you hoped they would? In what ways? And if not, why do you think that might be?

How can we understand the impact of these different tactics? Do we want impact within the system - helping the DWP to tinker at the edges of harmful policies in ways that might be life-saving right now but may ultimately reinforce the power and violence of the system?

Even if our evidence doesn't change the Government, can it impact in other ways: mobilising people to take action? Affirming people's dignity? Finding connections between different experiences to build cross-movement solidarities?


2010
FORMATION OF BLACK ACTIVISTS RISING AGAINST THE CUTS
(BARAC), campaigning - in coalition with disabled people's groups - against racism, injustice, the adverse impact of austerity on Black communities, and migrant and refugee rights.
SUMMER
BLACK TRIANGLE CAMPAIGN
to "galvanise opposition to the current vicious attack on the fundamental human rights of disabled people by the Government". Black Triangle has a list of people on their website whose deaths are linked to the welfare system.
2010
AUTUMN
THE MENTAL HEALTH RESISTANCE NETWORK
is set up "by people who live with mental distress in order to defend ourselves from the assault on us by a cruel government". The group will play a key part in campaigning against welfare reform, particularly around benefits-related deaths.
5 July 1994
23 December 1997
11 November 1999
The Immigration and Asylum Act 1999 receives Royal Assent. It is designed to completely overhaul the UK's immigration system. Changes include replacing welfare benefits for asylum seekers with vouchers; and states that a person will have 'no recourse to public funds' if they are 'subject to immigration control' - meaning they have no entitlement to the majority of welfare benefits.
This Act comes more than a decade before similar measures were introduced in the Welfare Reform Act 2012 - showing connections between state violence towards people seeking asylum and disabled people.

Evidence of pain and harm

Often we imagine that evidence of harm is a way to fight for government accountability. In doing this, our evidence sometimes risks reinforcing dominant and dehumanising ideas of disabled people who claim welfare as damaged or lacking agency (see Eve Tuck, 2009 - damage centred research).

The Deaths by Welfare project - evidencing how the welfare system kills people - risks doing this too. We try to navigate this by centring and focusing on disabled people's resistance, agency, creativity and community-building. But some questions hang heavy over us:

How many people have to die before people start listening and making change?

Do we think that if we reach a certain number of deaths, people would suddenly start to care?

Do we think those in power don't already know?

Do we think they care?


ONE
DEATH
IS
ONE
TOO
MANY!
(Racquel Rolnik - Un Rapporteur. 11.9.13)
PRISONERS

Paula Peters (disabled activist and member of DPAC) says:

“Sadly, the full extent of the absolute travesty of the outcome of these assessments will never, ever be known. There will never, ever be any number, but one death is one too many. And there have been way too many” (Paula Peters, Deaths by Welfare podcast episode 1).

Evidence inside/outside the State and the “trap of wanting to appear reasonable”

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“It is important on the one hand, that we make sure that the evidence we’re using is robust, so it can’t be used to discredit us, because they will use every opportunity.

“There are people within the disability sector who get held back, I would say, and fall into the trap of wanting to appear reasonable. There are people who think, ‘Well, the way that you engage and influence with government is to be reasonable.’ But I think we have to understand the limitations of this approach.

“If they don’t want to listen, they’re not going to listen however you put across your evidence.”

“Policymakers are only going to listen to the evidence that you’re giving them if it’s already acceptable to their pre-existing agenda. If they don’t want to listen, they’re not going to listen however you put across your evidence.

“But also, they aren’t reasonable. They’re violent. They create injustice. They created a system that’s deliberately designed to push people into poverty because our lives are worth less to them than other people’s.” (Ellen Clifford, Deaths by Welfare podcast episode 1).

Reflection Point

(Please write, draw)

Can you imagine what our actions might be like if we didn’t want to appear reasonable to the Government? What would our evidence be like? And for whom?

Reflection Point cont.

John Pring, a disabled journalist who is editor of Disability News Service, and co-creator of the Deaths by Welfare timeline, talks about all the evidence - the coroner's reports, the reviews carried out into deaths by government,

"all building up into a giant pile of evidence. It's continued over three decades... the evidence is all there. And now they're refusing to carry out research into the impact of their policies: they don't want the proof of what they're doing to people". (John Pring, Deaths by Welfare podcast episode 3).

So, if their policies are harmful by design then this suggests that producing evidence to appeal to the government on the basis of their ignorance might be a tempting but flawed theory of change [see Design resource].

Someone who wants to remain anonymous spoke about tensions in organising inside/ outside the State. The language of petitions and appeals are all necessary in bringing evidence to light but "evidencing deaths doesn't curtail future deaths". He reminds us that "all we have in this is each other to support each other. If we turn to the state to have a conscience - we'll be holding our breath for a long time."

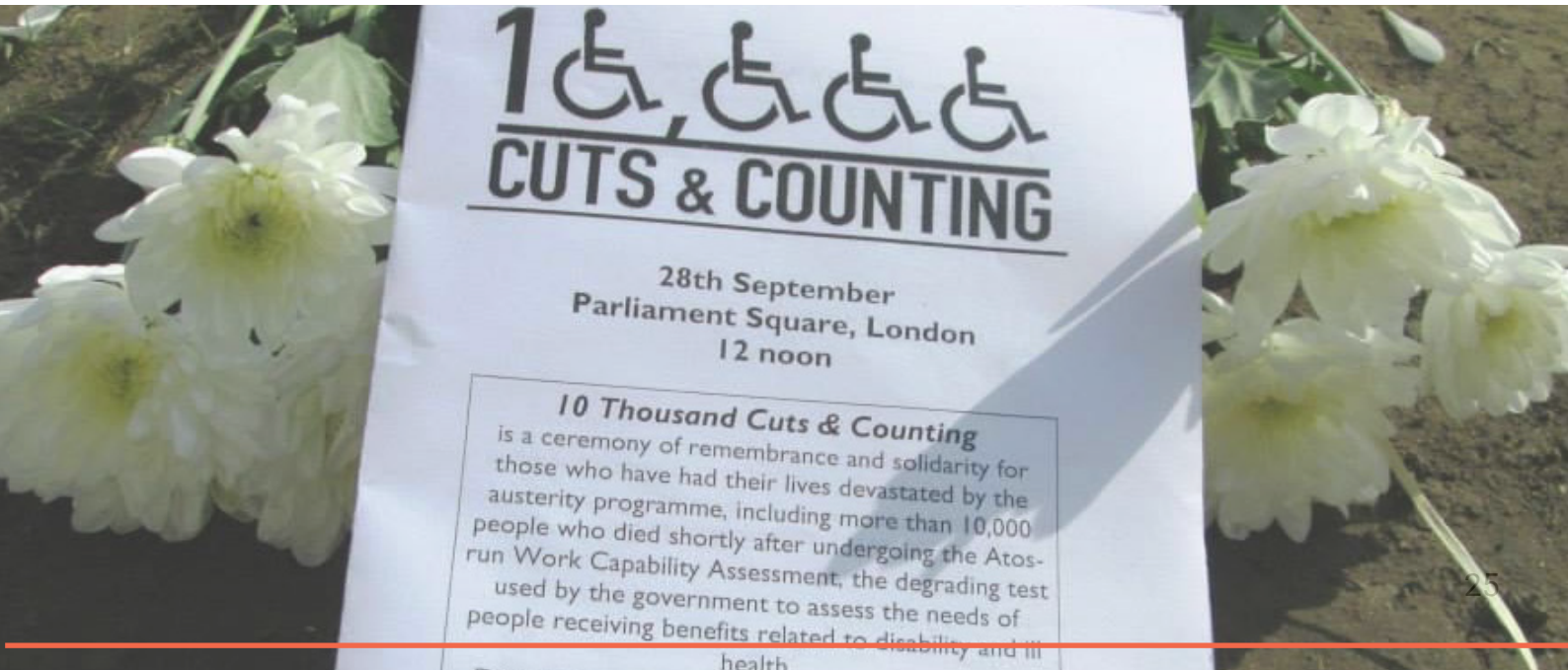


Irresistible evidence and radical action

There's a tension in having to produce credible evidence while also holding that the government might not be the only or even the best people to direct this evidence towards. We also need to look at "where knowledge is validated, what knowledge is deemed appropriate knowledge" - who gets to decide what counts as evidence - and challenge this (anonymous).

Radical action can be informed by evidence:

"how we create political change... [is by] using the evidence we've got, but recognising it's only one part. We have to have credible evidence in order to convince those people, but we also have to be prepared to take quite radical action in order for us to get noticed, because the media don't tend to want to cover our issues.



“Then we have to use forms of resistance that are unlikely to get funded, that are more political, that are trying to raise awareness among the public, but also educate them.” (Ellen Clifford).

Disabled activists have been creative and strategic in making evidence legible to different people. Mad artist-activist Dolly Sen explains that:

“It’s not what evidence, it’s what you do with it, I think. All evidence is important. I think the more important question is, “How do you share it to the wider public? How do you make evidence irresistible?” (Deaths by Welfare podcast episode

One tactic to do this has been direct action: Disabled people have been at the centre of multiple direct actions and protests against the Government and the companies it uses to outsource welfare: Chaining wheelchairs together to stop traffic; delivering a coffin to a company outsourced to carry out disability assessments; organising public memorials and vigils; co-organising with anti-war coalitions under the banner of Welfare Not Warfare.



Evidence as testimony, towards different futures

Our evidence doesn't have to be solely focused on harm or only aimed at the Government - it can shape more radical action, and it can be a form of bearing witness, a way of validating people's experiences, a tool for disabled people.

We need credible evidence "not because the government will listen to it" but because it "validates us and the experiences that we're going through. And I think that's important. I think it's also really important... Paula Peters said that we're bearing witness to what's happening. That we're recording it". (Ellen Clifford).

This is similar to Mia Mingus' (a queer physically disabled Korean transracial writer and educator) call for disabled people to leave evidence:

"We must leave evidence. Evidence that we were here, that we existed, that we survived and loved and ached. Evidence for each other that there are other ways to live--past survival; past isolation." (Mia Mingus, on her blog Leaving Evidence.)

In reimagining future welfare, someone who wants to remain anonymous talked about a "total reconceptualization of what we deem as proof of people's contexts and difficulties", moving away

from the narrative of people "abusing the system or people taking advantage of the system… and really recognizing what that narrative does in othering people and saying that people are extracting from the state… When [in] reality the state is extracting from people, it's the system that's abusing people."

We need to "flip the scripts around burden of proof and around people abusing the system", and reposition "the people who are accessing welfare as having the understanding of their situations and what would benefit them."

The often invisible labour of documenting evidence and using this to change the system is exhausting.

Ellen Clifford talks about noticing a shift as the years of austerity and welfare reform roll on, where people are saying: "I'm really tired. I'm not going to expend my energy that I need to try and survive." (Ellen Clifford)

When our energies are limited and the exhaustion is real - it's important to get clear, together, on where we want to focus our energies. What's our bigger collective strategy to move us towards the welfare and world we want?



What kind of evidence (collective knowledge) would serve this strategy, and help us shape new futures? And what resources and conditions do we need to strategise together in times of extreme violence? This is evidence on disabled people's own terms, that bears witness, is grounded in resistance, and gestures towards a different future. As Ellen shared: "I'm hopeful that there might be a different time in the future when we're able to use what's happened now to create a different kind of society."

Reflection Point

(Please write, draw)

Can evidence also be for us - for community building, for radical action, to build different futures? Have you witnessed this or been part of evidence used in this way?

How do we make evidence legible to different people and make it irresistible? What about evidence through direct action, direct action, bearing witness, and as a way to resource us to reimagine future welfare, while holding that people are exhausted and scared.

How can we resource ourselves to move toward a collective strategy? What role would evidence play in this? What would it mean to have evidence on disabled people's own terms?

Reflection Point cont.

Resources

Caring for ourselves and each other when the state tells us that we don't matter is a radical act. We hope you find these resources and links useful.

- Caring for ourselves
  HJL aftercare menu and resources https://healingjusticeldn.org/methodology/hjl-aftercare-menu/

- Grief toolkit (by Camille Barton)
  www.global-diversity.org/grief-toolkit

- Deaths by Welfare
  Deaths by Welfare Project podcast (including BSL interpretation and captions):
  www.healingjusticeldn.org

- 'Welfare State violence: a feature, not a bug' with Stella Dadzie, Tumu Johnson, Derica Shields & China Mills:
  https://www.youtube.com/watch?v=6nJNJzm53pg

- Welfare state violence https://healingjusticeldn.org/methodology/calling-some-people-a-burden-provides-a-cover-story-for-welfare-state-violence/

Readings

- Ellen Clifford. The War on Disabled People: Capitalism, Welfare and the Making of a Human Catastrophe (London: Bloomsbury, 2022).

- John Pring. The Department: How a Violent Government Bureaucracy Killed Hundreds and Hid the Evidence. (London: Pluto Press, 2024: https://www.plutobooks.com/9780745349909/the-department/)

- China Mills and John Pring. "Weaponising Time in the War on Welfare: Slow Violence and Deaths of Disabled People within the UK's Social Security System," Critical Social Policy 44:1 (2024), pp. 129-149.

- Eve Tuck. 'Damage Centred Research' https://pages.ucsd.edu/~rfrank/class_web/ES-114A/Week%204/TuckHEdR79-3.pdf

- Ben Barr and others. 'First, do no harm', links between disability assessments and suicide' https://jech.bmj.com/content/jech/70/4/339.full.pdf

Other resources, groups, orgs to connect with & learn alongside

- Disability News Service: www.disabilitynewsservice.com
- DPAC (Disabled People Against Cuts): www.dpac.uk.net
- Calum's List http://calumslist.org/
- Black Triangle Campaign https://blacktrianglecampaign.org/
- Mia Mingus: 'Leaving Evidence' https://leavingevidence.wordpress.com/
- Vince Laws: 'DWP Deaths makes me sick' https://disabilityarts.online/blog/vince-laws/dwp-deaths-make-me-sick-shrouds-in-cambridge/
- Dolly Sen: Broken Hearts for the DWP https://dollysen.com/broken-hearts-for-the-dwp/

Thank you

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