

FROM THE BRITISH WELFARE STATE TO ANOTHER AMERICAN STATE

The ongoing welfare reforms have created an atmosphere of fear and despair within the British disabled community, that includes sufferers of chronic ill health and those with mental health difficulties.

Claimants in receipt of the former Incapacity Benefit are being transferred to the Employment and Support Allowance (ESA) but, to retain this disability benefit, claimants are required to make themselves available for a 'functional assessment', known as the Work Capability Assessment (WCA), as exclusively conducted by the private contractor Atos Origin IT Ltd Medical Services; better known as Atos Healthcare. Since 2008 successive British governments have adopted the WCA with the intention of the Department for Work and Pensions (DWP) removing as many claimants as possible from disability benefit, to permit the long ago planned move from the welfare state to welfare funded by private insurance.

During three years of detailed independent research, I exposed the links between the British government and the American healthcare insurance giant Unum (Provident) Insurance as first identified in the 2010 report: *Atos Healthcare or Disability Denial Factories*.⁽¹⁾ This report exposed the links between the DWP and the healthcare insurance giant, and also identified the fact that the WCA had been designed in consultation with Unum Insurance and was the realisation of the long ago planned 'Thatcher Legacy', which was the total destruction of the welfare state.⁽²⁾ This foreign influence on British welfare reforms was to become the focus for the second year of my research that culminated in the report: *Welfare Reform – Redress for the Disabled*⁽³⁾ as first quoted during the welfare reform debates in the House of Lords during September 2011.

Over time, this often disturbing research evidence was published across the Internet and was welcomed by various academics, a growing number of frontline national charities, medical and healthcare professionals and service-users. The interest was growing as the research exposed the fact that the DWP's American corporate 'adviser' was identified as one of the most discredited health insurance giants in the world.⁽¹⁾⁽³⁾ By 2005, following copious numbers of successful legal cases throughout the USA, the California Department of Insurance Commissioner, John Garamendi, stated: "Unum Provident is an outlaw company. It is a company that has operated in an illegal fashion for years..."⁽⁴⁾ By 2006, New York Attorney General Spitzer ordered Unum (Provident) Insurance to reconsider 200,000 previous claims, in a settlement benefitting 48 States, and also levied another \$15 million dollar fine against the company in addition to the \$multi-million dollar fines already imposed over several years via successful litigation.⁽¹⁾⁽³⁾⁽⁵⁾ In 2007, the American Association for Justice identified Unum (Provident) Insurance as "...the second worst insurance company in the US."⁽⁶⁾⁽⁷⁾ To date, the company have not carried out the 200,000 reconsiderations, ordered in the 2006 multi-state settlement, as Unum Insurance does appear to continue to be a law unto themselves. A name change to, simply, Unum Insurance has not altered this company's long history of resisting payment to genuine health insurance claimants⁽⁸⁾ as confirmed in a compelling CBS News interview.⁽⁹⁾

Yet this is the company chosen to 'advise' successive British governments since 1994 and this American influenced system of disability denial was adopted by the DWP, using Atos Healthcare to conduct the WCA as a guaranteed method of reducing the welfare budget, regardless of the large amount of detailed evidence against it.⁽¹⁾⁽³⁾⁽⁷⁾⁽¹⁰⁾ Indeed, in America, Professor John Langbein of the Yale School of Law produced a paper identified as 'The Unum Provident Scandal' that exposed Unum's policy of disability denial that continues to be referenced to this day.⁽¹⁰⁾

Not only was the Atos examination exposed as being ‘unfit for purpose’ by the President of the Appeal Tribunals,⁽¹¹⁾ but also most recently by the representatives of Britain’s doctors and nurses as the WCA was identified by both the British Medical Association (BMA)⁽¹²⁾ and the Royal College of Nurses (RCN)⁽¹³⁾ as being totally detrimental to the welfare of patients. DWP Ministers continue to disregard all reported evidence against the Atos assessment.

For six years from 2003 Unum (Provident) Insurance funded the former DWP Chief Medical Officer, Professor Sir Mansel Aylward, who retired from his role at the DWP to become the Director of the ‘UnumProvident Centre for Psychosocial and Disability Research’ at Cardiff University. During that time, Professor Aylward co-authored arguably the most damaging report in the history of British welfare as *The Scientific & Conceptual Basis of Incapacity Benefits*, TSO 2005⁽¹⁴⁾ was, effectively, a blueprint for the introduction of the WCA.

The Green Paper: *A New Deal for Welfare: Empowering people to work* - 2006⁽¹⁵⁾ was subsequently exposed by the academic Professor Alison Ravetz, whose detailed independent assessment identified the content of the Green Paper as leaving much to be desired.⁽¹⁶⁾ It remains cause for concern that Professor Ravetz’s critical assessment of the Green Paper was provided as a contribution to the public consultation process; so the DWP accessed this disturbing evidence and then totally disregarded the significance of it.

“On closer examination, it appears that this entire body of work is largely self-referential – that is, it appeals for validation to itself and is framed within the same political and policy agenda. In practical terms, it means opting out by the state of responsibility for a large section – estimated two thirds – of those affected by illness or disability. In future, it will be harder to qualify for the benefit, while those already receiving it, in many cases over long periods will, despite assurances, have justifiable anxieties about their future benefit status... UnumProvident, an American company, is involved in a number of lawsuits for ‘bad faith’ in refusing to honour disability insurance claims. This reinforces the caution against taking this apparently impressive body of work at face value. It is not research undertaken in the spirit of open enquiry. It is **commissioned** research and, as such, **pre-disposed towards ideologically determined outcomes.**”⁽¹⁶⁾(My emphasis. MS)

This statement was written by Professor Ravetz in 2006 and it has now come to pass, with the nation’s chronically sick and disabled benefit claimants living in fear of the arrival of their appointment for the WCA, as conducted by Atos Healthcare, and the endless incorrect decisions regarding future benefit entitlement by DWP ‘Decision Makers.’⁽¹⁷⁾

The main influence of the Green Paper content was *The Scientific & Conceptual Basis of Incapacity Benefits*, TSO 2005⁽¹⁴⁾, as authored by Professors Mansel Aylward and Gordon Waddell and published by the UnumProvident Centre for Psychosocial and Disability Research, Cardiff University. Research evidence has confirmed the profound influence of a discredited American corporate insurance giant with the DWP since 1994 and the most damaging reports, used to influence and inform government policy on welfare, have been produced via a research centre who have adopted the Unum philosophy and cannot possibly be considered to be ‘independent’ research evidence.

On 17th April 2013 the United Kingdom honoured Baroness Thatcher with a ceremonial funeral at an admitted cost of £3.6million, to acknowledge the nation’s first female Prime Minister, whilst her lasting legacy to the British people will be the successful destruction of the welfare state.

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<http://disability-studies.leeds.ac.uk/files/library/FROM-BRITISH-WELFARE-STATE-TO-ANOTHER-AMERICAN-STATE-2013-3rd-edit-FINAL.pdf>

REFERENCES:

- (1) Atos Healthcare or Disability Denial Factories: <http://www.whywaitforever.com/dwpatosveteranssummary.html>
- (2) Margaret Thatcher's role in plan to dismantle welfare state revealed: <http://www.guardian.co.uk/politics/2012/dec/28/margaret-thatcher-role-plan-to-dismantle-welfare-state-revealed>
- (3) Welfare Reform – Redress for the Disabled: <http://www.whywaitforever.com/dwpatosveterans.html#WRES>
- (4) Online Lawyer Source: <http://www.onlinelawyersource.com/unum/complaints/>
- (5) State Insurance commissioners reach settlement with Unum Provident: <http://www.insure.com/articles/healthinsurance/unum-settlement.html>
- (6) Unum Claims Denial - Legal Help: <http://unumclaimsdenial.com/2011/07/unum-ranked-2nd-worst-insurance-company-in-america/>
- (7) The Ten Worst Insurance Companies in America – The American Association of Justice <http://www.justice.org/docs/tenworstinsurancecompanies.pdf>
- (8) Unum Lawsuit Plaintiff Wins Re-instatement of Unum Disability Benefits, **MARCH 2013**: http://www.lawyersandsettlements.com/articles/first_unum/unum-lawsuit-insurance-disability-claims-12-18506.html?utm_expid=3607522-0&utm_referrer=http%3A%2F%2Fwww.lawyersandsettlements.com%2Flegal-newsarticles%2Fcase%2Ffirst_unum%2F#.UZOb0Vxwbc
- (9) Did Insurer Cheat Disabled Clients: CBS News interview: <http://www.youtube.com/watch?v=gknSNvGoX-c>
- (10) John H Langbein - The Unum Provident Scandal & Judicial Review of Benefit Denials, Yale University School of Law: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=917610
- (11) HH Judge Robert Martin: President of Appeal Tribunals, Report 2007-08: http://appeals-service.gov.uk/Documents/SSCSA_PresRep07_08FINAL.pdf
- (12) Scrap work capability assessment, doctors demand <http://bma.org.uk/news-views-analysis/news/2012/june/scrap-work-capability-assessment-doctors-demand>
- (13) RCN Congress: <http://www.rcn.org.uk/newsevents/congress/2013/agenda/1-disability-assessments>
- (14) The Scientific & Conceptual Basis of Incapacity Benefits, TSO 2005 <http://www.tsoshop.co.uk/bookstore.asp?FO=1279028&DI=607598>
- (15) A New Deal for Welfare: Empowering people to work: 2006 <http://www.official-documents.gov.uk/document/cm67/6730/6730.pdf>
- (16) Green Paper: A New Deal for Welfare: empowering people to work. 2006
- an independent assessment of the arguments for proposed Incapacity Benefit reform <http://disability-studies.leeds.ac.uk/files/library/ravetz-Green-Paper-IB-critique.pdf>
- (17) Unfit for Purpose: Citizens Advice Scotland: <http://www.cas.org.uk/publications/unfit-purpose>

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BIOG:

Mo Stewart is a former healthcare professional, a disabled female veteran and, for the last 4 years, has researched the links between the DWP, Atos Healthcare & Unum Insurance. To date, the research evidence has been quoted during welfare debates in the House of Lords, the House of Commons and in Westminster Hall. Mo routinely shares all research evidence with academics, medical and healthcare professionals, frontline national charities, selected politicians and service users.

Her previous report was also published by the Centre for Disability Studies at Leeds University: **The Hidden Agenda**: <http://disability-studies.leeds.ac.uk/files/library/THE%20HIDDEN%20AGENDA-a-research-summary-March-2013-FINAL.pdf>.

Mo's website can no longer be updated as the Webmaster is now seriously ill. Mo's earlier research is available on the website at: www.whywaitforever.com/dwpatosveterans.html#documents