

Just Fair’s Evidence to the House of Lords COVID-19 Committee inquiry ‘Living online: the long-term impact on wellbeing’

Our Submission

1. This submission is written by Just Fair. Just Fair is a UK charity that is working to realise a fairer and more just society by monitoring and advocating for economic and social rights in the UK. We ensure that law, policy, and practice comply with the international and domestic human rights obligations pertaining to economic and social rights. We are committed to increasing public awareness of human rights law and the capability to use it.

2. This submission is supported by evidence from:

2.1 Better ConNEcted,¹ a collaboration of organisations and individuals across the North East of England who are working in some way to tackle digital inclusion and are passionate about creating lasting change in this arena. The Better ConNEcted campaign was developed in response to the digital exclusion experienced by many groups in the North East of England during the first COVID-19 lockdown – in summer 2020. Its aim is to build a North East where digital inclusion is a right enjoyed by all, where people have the skills, technology and internet to access goods, services and information, in order to close the digital divide. The campaign development team is supported by Just Fair, NE Law Centre, ReCoCo, VONNE, Difference, Hartlepool Action Lab, Newcastle Vision Support, APLE Collective, Crisis NE, Action Foundation, Not-Equal, Digital Voice, Inclusion North, and the Wharton Trust. Most of these groups are members of the Social Rights Alliance North East (SRANE).

2.2 The Alliance for Inclusive Education (ALLFIE)², a national organisation led by disabled people working on educational issues and, in particular, working to promote the right for disabled students (including those with special educational

¹ <https://www.betterconnected.org.uk/>

² https://www.allfie.org.uk/?gclid=EAIaIQobChMI2dL2zr7B7QIVcYBQBh0OYApjEAAAYASAAEgIM5PD_BwE

needs and disabilities; SEND) to be included in mainstream education, as set out in Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD).³

2.3 Inclusion Barnet⁴ is a Peer-Led Deaf and Disabled People's Organisation (DDPO), based in Barnet, North West London. Nearly all of its directors and staff have lived experience of disability, including mental health issues and/or long-term health conditions.

3. This submission looks at the economic and social rights implications of digital technology on people's wellbeing in the UK. We make recommendations based on human rights measures we think should be taken by the UK Government going forward to ensure no group of people is disproportionately affected or disadvantaged by the increasing use of digital technology in society.

³ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

⁴ <https://www.inclusionbarnet.org.uk/>

Executive Summary

4. While digital technology is regarded as an integral part of everyday life, and remote, virtual and online living bring benefits to some people, research shows that certain groups of people do not have access, or are unable to use, digital processes.
5. Inequalities based on disability, age (and other protected characteristics) and/or socio-economic status are leading to people being disproportionately impacted by the “digital divide”. As a result, people across the UK have been experiencing a number of violations of their socio-economic rights, including their right to protection from non-discrimination and this will have a long-term impact on their well-being. The digital divide has been made worse by the impacts of the COVID-19 pandemic.
6. Social and economic rights are afforded to all without discrimination and are included in a number of international human rights standards that successive UK Governments voluntarily ratified and with which the UK Government is obliged to comply. In particular, the UK has ratified seven legally binding international human rights treaties which relate to economic and social rights and protect all people.
7. Any measures taken by the UK Government or public authorities which increase or decrease the extent to which people are ‘living online’ should have human rights at its core in order to adequately respond to the needs of the population.
8. There are many issues related to living online that the UK Government could address in order to improve long-term wellbeing, particularly for people who are being disproportionately affected or disadvantaged by the “digital divide”.

Background to digital exclusion

9. ‘Digital exclusion’ includes “those who lack access either to the internet or to a device, or the skills, ability, confidence or motivation to use it”.⁵
10. Prior to the COVID-19 pandemic, there were an estimated 15.2 million people in the UK who either have no, or limited use of the internet.⁶ Over 11 million adults in the UK lack basic digital skills such as being able to complete online forms and locate websites.⁷
11. Digital exclusion is an issue across England. For example, the North East of England has the highest proportion of internet non-users in the country, 12.1% for the region in 2018.⁸ Responses to a variety of surveys carried out in the North East of England by Just Fair and other organisations suggest that the primary barrier to digital inclusion is lack of access to the internet, mainly due to unaffordability of internet and data packages. This research has found that other barriers include lack of access to laptops and smart phones, poor accessibility for those with visual impairments and learning difficulties, concerns around privacy, and in some cases a lack of confidence to use the technology available. As of August 2020, 18% of Londoners “lack one or more basic digital skills, and large areas of London currently don’t have full fibre connections to homes”.⁹
12. According to the Good Things Foundation, 90% of people who do not use the internet are likely to be disadvantaged in some way.¹⁰ Our research finds that elderly adults,

⁵ Justice, ‘Preventing Digital Exclusion from Online Justice’ (April 2018) <https://justice.org.uk/new-justice-report-on-preventing-digital-exclusion/>

⁶ Good Things Foundation & Professor Simeon Yates, ‘The real digital divide? Understanding the demographics of non-users and limited users of the internet: an analysis of Ofcom data’ (June 2017) https://www.goodthingsfoundation.org/sites/default/files/research-publications/ofcom_report_v4_links.pdf

⁷ Administrative Justice Council, ‘Digitisation And Accessing Justice in the Community’ (April 2020) <https://ajc-justice.co.uk/wp-content/uploads/2020/04/Digitisation.pdf>; Justice, ‘Preventing Digital Exclusion from Online Justice’ (April 2018) <https://justice.org.uk/new-justice-report-on-preventing-digital-exclusion/>

⁸ ONS, ‘Exploring the UK’s digital’ (4 March 2019) <https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/articles/exploringtheuksdigitaldivide/2019-03-04#the-scale-of-digital-exclusion-in-the-uk>

⁹ Mayor of London, ‘Digital access for all’ (7 August 2020) <https://www.london.gov.uk/talk-london/economy-skills-work/digital-access-all>

¹⁰ Good Things Foundation & Professor Simeon Yates, ‘The real digital divide? Understanding the demographics of non-users and limited users of the internet: an analysis of Ofcom data’ (June 2017)

asylum seekers, disabled people, those on low incomes and those experiencing homelessness are amongst those at risk of digital exclusion.¹¹ The Good Things Foundation’s data shows that 64.4% of non-users are aged 65 or over; 47.7% of non-users have a disability or long-standing health issue; 49.5% of non-users are in DE social class; and 44.5% of non-users have an annual household income less than £11,500.¹² The UK Government must comply with its obligations under a number of binding human rights laws and recognise the rights of people with protected characteristics (see Human Rights Framework below).

13. The Equality and Human Rights Commission (EHRC) reports that a “wide gap in internet usage between disabled and non-disabled people has persisted”.¹³ Disabled people make up a large proportion of adult non-internet users meaning they will be disproportionately face difficulties in accessing information.¹⁴ According to a recent survey by the Glasgow Disability Alliance, only 37% of their members have home broadband, and for those who do have it they may lack the skills or confidence to use the internet.¹⁵

Human Rights Framework

14. The UK Government’s human rights obligations should inform any decisions and steps it takes to ensure digital technology does not have negative impacts on economic and social wellbeing. Under international human rights law,¹⁶ the UK Government is under

https://www.goodthingsfoundation.org/sites/default/files/research-publications/ofcom_report_v4_links.pdf

¹¹Just Fair research; Also see UN Independent Expert on the enjoyment of all human rights by older persons, “‘Unacceptable’ – UN expert urges better protection of older persons facing the highest risk of the COVID-19 pandemic’ (2020)

¹² This data may vary as a result of COVID-19; Good Things Foundation & Professor Simeon Yates, ‘The real digital divide? Understanding the demographics of non-users and limited users of the internet: an analysis of Ofcom data’ (June 2017)

¹³ EHRC, ‘Being disabled in Britain: A journey less equal’ (3 April 2017)

<https://www.equalityhumanrights.com/sites/default/files/being-disabled-in-britain.pdf>

¹⁴ Just Fair, ‘Written Submission to the inquiry into the unequal impact: Coronavirus and the impact on people with protected characteristics by the Women and Equalities Select Committee’ (July 2020) <https://committees.parliament.uk/writtenevidence/3531/pdf/>

¹⁵ Glasgow Disability Alliance, ‘COVID-19 supercharges existing inequalities faced by Glasgow’s 150,000 disabled people’ (28 April 2020) <http://gda.scot/our-community/news/2020/4/28/covid-19-supercharges-existing-inequalities-faced-by-glasgows-150-000-disabled-people>

¹⁶ International Convention on the Elimination of All Forms of Racial Discrimination (CERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention on the Rights of Persons with Disabilities (CRPD)

a legally binding duty to respect, protect, and fulfil the enjoyment of economic and social rights.¹⁷

15. According to the principle of non-discrimination, the UK Government is obliged to respect, protect, and fulfil economic and social rights without discrimination.¹⁸
16. The Equality Act 2010 ('the Equality Act') protects people from discrimination on the basis of nine protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation). The UK Government's response to COVID-19 and the increasing use of technology will be more effective if it considers how to mitigate the disproportionate impact of the "digital divide" on groups who share different protected characteristics.
17. The grounds of discrimination prohibited under international human rights law are broader than under the Equality Act; for example, they include socio-economic status¹⁹ and nationality.²⁰
18. The UK Government must take specific, positive measures to ensure the protection and equal enjoyment of rights for groups particularly affected by the current crisis,²¹ such as disabled people.²²
19. The Equality Act contains the Public Sector Equality Duty (PSED), which requires all public authorities carrying out public functions to take active steps to consider equality when exercising their functions.²³

¹⁷ ICESCR

¹⁸ The UK has voluntarily agreed to the legal obligation to prohibit or condemn direct and indirect forms of discrimination. These obligations are in the following international human rights agreements: the Convention on the Elimination of All Forms of Discrimination against Women (Article 1), the International Covenant on Economic, Social and Cultural Rights (Article 2(2)), the Convention on the Rights of Persons with Disabilities (Article 2) and the International Covenant on Civil and Political Rights (Article 4(1)). The principle of non-discrimination is also in regional human rights law such as the European Convention on Human Rights (Article 14), and domestic human rights law such as the Equality Act 2010

¹⁹ Economic, Social and Cultural Rights, General Comment No. 20: Non-discrimination, 2 July 2009; Human Rights Committee, General Comment No. 36: Right to Life, 3 September 2019

²⁰ Nationality encompasses migrants, refugees, asylum-seekers, stateless persons: see Economic, Social and Cultural Rights, General Comment No. 20: Non-discrimination, 2 July 2009

²¹ Human Rights Committee, General Comment No. 18: Non-discrimination

²² Article 11 CRPD

²³ Section 149 of the Equality Act 2010

20. Section 1 of the Equality Act provides a useful framework for public authorities to have due regard to the desirability of reducing the inequalities of outcomes resulting from socio-economic disadvantage when taking strategic decisions on exercising their functions ('the socio-economic duty').
21. According to the principle of non-retrogression, the UK Government cannot take unlawful regressive measures that prevent or reduce the enjoyment of economic and social rights, such as the right to mental and physical health.²⁴
22. The following evidence shows, as found by The Bach Commission, that "[t]echnology has the capacity to enhance, empower and automate, but it also has the potential to exclude vulnerable members of society".²⁵

Health

- **Health outcomes and effects on different groups**

23. **Disabled people:** Inclusion London finds that disabled people are more likely than their non-disabled counterparts to experience social isolation and poor housing that all have an impact upon one's health.²⁶ Office for National Statistics (ONS) reports that disabled people have disproportionately high levels of anxiety, loneliness, and concerns about access to healthcare and treatment, in comparison with non-disabled people. ONS reports that "[i]n July 2020, disabled people reported more frequently than non-disabled people that the coronavirus pandemic is affecting their well-being because it makes their mental health worse (46% for disabled people and 18% for non-disabled people), they are feeling lonely (42% and 29%), they spend too much time alone (36% and 25%)... or have no one to talk to about their worries (17% and 10%)."²⁷ ONS data shows that of the worries they had in July 2020, almost one-quarter of disabled people were most

²⁴ Article 12 ICESCR; Committee on Economic, Social and Cultural Rights, General comment No. 3: The nature of States parties' obligations, 1990

²⁵ Bach Commission, 'The Right to Justice: The final report of the Bach Commission' (September 2017) http://www.fabians.org.uk/wp-content/uploads/2017/09/Bach-Commission_Right-to-Justice-Report-WEB.pdf

²⁶ Inclusion London. (2020). Abandoned, forgotten and ignored. Retrieved from <https://www.inclusionlondon.org.uk/wp-content/uploads/2020/06/Abandoned-Forgotten-and-Ignored-Final-1.pdf>; Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie

²⁷ [Coronavirus and the social impacts on disabled people in Great Britain - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)

concerned about the impact of the coronavirus on their well-being (24%) (13% for non-disabled people); next most frequently, 13% of disabled people reported being most concerned about access to healthcare and treatment (compared with 3% of non-disabled people).²⁸

24. **Disabled people and access to health and support services:** ALLFIE's research shows that in-person support services are vital for promoting equality of access and opportunity for disabled students. According to the organisation, these services cover everything from specialist teaching, communication facilitation, therapists, learning mentoring, reviewing essay work, providing personal care, and mental health support.²⁹
25. "Disabled students' need for support has increased during the pandemic, while disabled students' support from [Disability Support Allowance] DSA and universities has decreased." Disabled Students UK, 2020.³⁰
26. ALLFIE reports that disabled students, because of their impairments and health conditions, may not be able to participate in their learning without accessing therapeutic interventions, the use of learning mentors, specialist teaching, and communication facilitation. For instance, without physiotherapy and occupational therapy, for many disabled students their physical health deteriorates.³¹
27. **Disabled students, health plans and therapy sessions:** ALLFIE reports that as a result of the Children and Families Act's s(42) easement, many disabled students are without education support. Whilst the COVID-19 guidance suggested therapy sessions ought to be provided via Zoom and other virtual platforms, ALLFIE has found that local authorities had made no effort to secure online or other SEND provision for disabled students with education, health and care plans (EHCPs) once the Secretary of State for Education gave notification at the beginning of May.³²

²⁸ [Coronavirus and the social impacts on disabled people in Great Britain - Office for National Statistics \(ons.gov.uk\)](#)

²⁹ [Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie](#)

³⁰ [Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie](#)

³¹ [Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie](#)

³² [Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie](#)

28. **Case study on SEN Child's health:** "We now have no respite and have no break from 24/7 care needs, plus we are expected to home school two children, including modifying home-schooling work for a visually impaired child. We now have no therapy intervention at all. This has been detrimental to my SEN child's progress and health." Disabled Children's Partnership, June 2020.³³
29. **Mental health services:** Inclusion Barnet finds that there is a concern that NHS mental health services will be overloaded and thus harder to access due to the negative impact of the pandemic on people not previously living with mental health issues. There are also feelings of anger on the part of people living with long-term mental health issues that this has suddenly become a topic of widespread concern, whilst they have been fighting for years to access adequate treatment.
30. **Welfare benefits, and digital literacy, accessibility and connectivity:** Significant increases in waiting times for benefit enquiries and applications on phone lines and major technical issues with online benefit claims processes have created barriers in accessing support. Some people have had to wait up to 1.5 hours to get through to the Personal Independence Payment (PIP) enquiry line and UC helpline. Access to remote, online support with benefit applications/reviews is not accessible for all and can be limited by impairment, literacy, digital literacy or access to technology. Better ConNected reports that there is increased difficulty in obtaining and sharing written consent or authorisation online has limited the type of assistance available to benefit claimants.
31. Better ConNEcted recommends:
- 23.1 Electronic versions of some benefit claims forms made available to support remote assistance (Employment and Support Allowance, Universal Credit, Attendance Allowance, Disability Living Allowance) increased the support available to claimants remotely.

³³ Submission to the Women and Equalities Committee Inquiry: Unequal impact? Coronavirus, disability and access to services - Allfie

23.2 Introduction of electronic PIP2 ‘How your disability affects you’ forms – although these are currently only available upon request to claimants who have their own email address.

23.3 Welfare benefit appeals are currently being conducted remotely; the conference call system being used allows a representative to participate in the tribunal. Remote proceedings should continue to be an option for those who benefit.

23.4 Urgent action is needed to expand the UK Government Department of Work and Pensions’ (DWP) capacity to reduce benefit application and decision wait times and resolve technical issues with the online claims process.

23.5 Increase technical capacity to allow benefit claimants, representatives and supporting professionals to submit applications and supporting evidence electronically across benefit systems.

32. **Case study on welfare benefits and the impacts of digital exclusion:** “I’m street sleeping with no access to a phone or the internet, but I’ve been told that I can only get Universal Credit by calling a number and only get a house if I go online to bid for properties. I’m in a catch 22. I want to improve my life and move forward but, at the moment, due to the lockdown and being digitally excluded I can’t.” Hartlepool resident, 2020.³⁴

- **Suggestions how digital technology might improve or provide opportunities for physical health and fitness**

33. **Reduced costs, time and stress:** Better ConNEected finds that remote and/or virtual services have increased, giving many better access to healthcare appointments. This has helped reduce costs, time and stress associated with travelling to appointments for some people.³⁵

- **Suggestions of what UK Government, employers and other organisations reduce negative impacts of digital technology on physical health**

³⁴ Better Connected.

³⁵ [Manifesto-Full-Report.pdf \(justfair.org.uk\)](https://www.justfair.org.uk/Manifesto-Full-Report.pdf)

34. **Prioritisation of support:** Better conNEcted finds that the approach of the Government’s COVID-19 response has been one which has prioritised support for those with medical/health needs – the ‘clinically vulnerable’. Many disabled people have not been ‘vulnerable enough’ to qualify for that support. As a result, they have been put at risk, e.g., not being able to get priority shopping slots and therefor struggling to access food.
35. **Case study on prioritisation of support and food insecurity:** “I spent multiple evenings trying to find available online [food shopping] slots, and even tried logging in to the app in the middle of the night to try and secure a slot... You can imagine my relief then when I heard that supermarkets were going to prioritise vulnerable people, giving them priority for delivery slots, and also imagine my horror and increasing frustration when I found out that a totally blind person wasn’t classed as vulnerable according to the Government’s guidelines issued to supermarkets. At that point, I felt completely let down and abandoned.” Newcastle Vision Support Member, 2020.³⁶
36. **Disabled people, digital technology and clinical guidance:** Better conNEcted finds that some of the clinical guidance relating to the prioritisation of treatment was too generic, devaluing the lives of disabled people.
37. **Digital technology, access to justice, and physical and mental health:** In 2016, following the UK Government’s White Paper, the Ministry of Justice and Her Majesty’s Courts and Tribunals Service (HMCTS) started a programme of court reform, ‘Transforming our justice system’, which proposed reforms including increasing the use of technology in the justice system in England and Wales.³⁷ Plans for a new “Online Court” for certain civil proceeding means that people are required to interact with digital processes, such as an online justice system, to make applications and claims, or resolve disputes. The HMCTS reform programme aims to “benefit everyone who uses it”.³⁸

37.1 The Second Report on the Court and Tribunal reform by the House of Commons Justice Committee found that “Poor digital skills, limited access

³⁶ [Manifesto-Full-Report.pdf \(justfair.org.uk\)](https://www.justice.gov.uk/manifesto)

³⁷ Ministry of Justice, ‘Transforming our justice system: summary of reforms and consultation’ (2016) https://consult.justice.gov.uk/digital-communications/transforming-our-courts-and-tribunals/supporting_documents/consultationpaper.pdf

³⁸ HM Courts and Tribunals Service, ‘The HMCTS reform programme’ (9 November 2018) <https://www.gov.uk/guidance/the-hmcts-reform-programme#our-reform-programme>

to technology, low levels of literacy and personal disadvantages experienced by particular groups create barriers to access to digital justice services. HMCTS has not taken sufficient steps to address the needs of vulnerable users, particularly as regards an absence of adequate legal advice and support”.³⁹ As a public body, this evidence suggests that the HMCTS is failing to comply with the principle of non-discrimination, as recognised in international and domestic law.

37.2 Legal aid, digital exclusion, and physical and mental health:

According to research conducted by the Administrative Justice Council, modernisation of the justice system for areas of social welfare law must acknowledge “the greater need for assistance, support and advice throughout the digital justice process to ensure access to justice and a quality service”.⁴⁰ It is widely documented that certain groups of people who are disadvantaged and marginalised by the digital divide are those people who are disproportionately affected by the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). The removal of public funding for many areas of social welfare law, including welfare benefits and family adds further stress both physically and mentally, for those who are trying to pursue justice without legal aid.⁴¹ The UK Government’s failure to take steps to resolve the problems caused by LASPO is regressive and fails to comply with its obligations to respect and fulfil economic and social rights.

37.3 Digital transformation of the court estate: The digital transformation of the court estate must be accompanied by adequate legal advice. Research shows that the shrinking of the legal advice sector in social welfare law, which is a result of legal aid cuts, has implications on the right

³⁹ House of Commons Justice Committee ‘Court and Tribunal reforms’ (Second Report of Session 2019, October 2019) <https://publications.parliament.uk/pa/cm201919/cmselect/cmjust/190/190.pdf>

⁴⁰ Administrative Justice Council, ‘Digitisation And Accessing Justice in the Community’ (April 2020) <https://ajc-justice.co.uk/wp-content/uploads/2020/04/Digitisation.pdf>

⁴¹ EHRC, ‘The impact of LASPO on routes to justice’ (Research report 118 , September 2018) <https://www.equalityhumanrights.com/sites/default/files/the-impact-of-laspoon-routes-to-justice-september-2018.pdf> ; Administrative Justice Council, ‘Digitisation And Accessing Justice in the Community’ (April 2020) <https://ajc-justice.co.uk/wp-content/uploads/2020/04/Digitisation.pdf>

to health of people seeking welfare advice.⁴² For example, the Advice Services Alliance and Low Commission found that where people received welfare advice, their health improved; they had “lower stress and anxiety, better sleeping patterns, more effective use of medication, smoking cessation, and improved diet and physical activity.”⁴³ The combination of digital exclusion in a digital justice system, together with limited legal and welfare advice, violates the UK Government’s obligation to respect, protect, and fulfil the right to mental and physical health⁴⁴ of all people without discrimination.⁴⁵

Social interaction

- **Social impacts for those who cannot, or choose to not use the internet**

38. **Social isolation and right to be heard:** Inclusion Barnet finds that people are unable to access online services and activities for a wide variety of reasons (lack of equipment, lack of data, lack of skill support etc). Not only does this mean that many have been socially isolated to a far greater extent than those who are able to access the internet, it raises the issue that we may not be hearing the voices of the people impacted. They may not have the opportunity to give feedback on the shift to digital, because they have no access to the surveys seeking this information.

- **Opportunities for social interactions and ways of developing relationships**

39. Better ConNEcted finds that the COVID-19 pandemic has brought benefits to some disabled people. Greater use of technology has helped to connect and support some people who would normally have found it difficult to engage in particular activities. Some disabled people have benefitted from a new level of community support, with many examples of help provided by local people. Some voluntary, community and social enterprise (VCSE) organisations have found great value in providing online support. They have been able to reach some service users who would not normally have

⁴² Administrative Justice Council, ‘Digitisation and Accessing Justice in the Community’ (April 2020) <https://ajc-justice.co.uk/wp-content/uploads/2020/04/Digitisation.pdf>

⁴³ Advice Services Alliance and The Low Commission, ‘The Role of Advice Services in Health Outcomes’ (June 2015) <https://www.thelegaleducationfoundation.org/wp-content/uploads/2015/06/Role-of-Advice-Services-in-HealthOutcomes.pdf>

⁴⁴ Article 12 (ICESCR)

⁴⁵ Article 2(2) (ICESCR)

been reached through traditional methods. VCSE organisations have shown great agility and innovation in responding to their service users' needs during a hugely difficult time.

40. Inclusion Barnet has also found that many people have found that things are actually *more* accessible to them now. Some of these people are very anxious about a return to social norms.⁴⁶

Work

- **Do people have digital skills required as jobs change?**
- **What additional training is required to ensure that the workforce is equipped with digital skills?**
- **Do we need more investment and faster roll-out of broadband?**

41. **Sanctuary scholars:** Better ConNected finds that during the COVID-19 lock-down measures, all university learning has moved online, with students needing to access courses using their own laptops and home internet. For many disadvantaged students this has been difficult, and it has been a particular challenge for sanctuary scholars.⁴⁷ This is demonstrated in the following case study:

“Being... an asylum seeker I have got many restrictions. I live on £37 a week, which restricts me to obtain my basic daily needs every day during the pandemic. All the study materials are online and to access online I need data. As I didn't have the right to apply for the [university's] hardship fund for the students it was quite hard for me to continue with my studies during COVID-19 without the support from the university.” Asylum seeker, Newcastle, 2020.

⁴⁶ Inclusion Barnet, 2020.

⁴⁷ Treated as international students, asylum seekers are usually unable to study at university in the UK due to the high tuition fees that accompany learning and transport costs. A number of universities across the country have begun to offer Sanctuary Scholarships, where tuition fees are waived for successful asylum seeker applicants. In some cases, a grant towards learning and/or housing costs is also provided. These scholarships make it possible for more adults to have their right to education realised in the UK. [Digital support for Sanctuary Scholarship students in the NE \(betterconnected.org.uk\)](https://www.betterconnected.org.uk)

42. **Broadband and data:** Home broadband packages and substantial phone data are a luxury that most asylum seekers cannot afford. Without access to internet or their own laptops, these students are unable to continue their studies, putting themselves at risk of missing exams or failing assignments.
- **Effects on working from home on social and economic wellbeing**
 - **Effects on working from home on individuals, communities and wider society**
 - **Does home-working enable access to job opportunities for people excluded from certain jobs?**
43. **Disabled people and home-working:** Inclusion Barnet finds that disabled people are likely to be disproportionately impacted by the physical effects of working from home. Ability to access ergonomic equipment via employers and/or access to work is crucial.⁴⁸
44. **Disabled people and home-working:** Better ConNected finds that in many cases, disabled workers are benefitting from the increased flexibility offered by working from home arrangements. This helps some disabled people to balance work, health and caring needs. Disabled people often live with conditions which cause fatigue, pain and discomfort. Being able to work flexibly, at times when the individual feels more able to work, is of great benefit to some disabled workers. Working from home has allowed some disabled workers to more easily manage self-care, in the privacy of their own homes. Better Connected finds that increased homeworking and flexible working arrangements have been a positive benefit to some disabled workers.

Ownership of digital technology

- **What are the impacts on people's wellbeing as a result of who owns and controls access to technology?**
45. **UK Government provision of information:** Better ConNEected finds that communications from the UK Government about COVID-19 and the support available has failed to meet different communication needs, such as providing (British Sign Language) BSL signed briefings and Easy Read guidance. Better ConNEected reports that during the COVID-19 pandemic, many voluntary organisations and charities have had to fill the gap. The large scale move to online services and support has highlighted

⁴⁸ Inclusion Barnet, 2020.

the problem of digital exclusion as too many people in the North East region cannot access essential information, goods, services and support. This is due to affordability, poor infrastructure, poor digital literacy and inaccessible design. The UK Government, local services and businesses need to provide information in accessible formats in line with legislation.

Recommendations to the UK Government

In order to promote digital inclusion and positive wellbeing, the UK Government should -

- Minimise obstacles for certain groups of people identified as those who are digitally excluded, and provide inclusive, assistive technologies and alternative accessible processes
- Provide information, which is accessible to all people, including but not limited to through Easy Read formats, braille, British Sign Language and in hard copy
- Invest in personalised support that is flexible enough to meet individual needs, an individual, person-centred approach is key.
- Support and involve the participation of people, who are disproportionately impacted by the digital divide, in decision-making processes which affect the design and use of technology.
- Ensure that remote/virtual service provision remains an option for those who have benefited, including continuing to allow remote welfare benefit appeals and medical assessments in line with the feedback and experience of many disabled service users.
- Comply with its human rights obligations under international and domestic human rights law where it makes decisions or takes steps to digitally transform the justice system.
- Collect and make available in the public domain disaggregated data on the use of digital technology in the justice system, to support research by external experts.
- Collect and make available in the public domain disaggregated data on the level of demand for digital assistance across all areas of social welfare law, assessing the impact on the provision of legal advice services created as a result of an increased digital demand on front line service providers as digital justice processes are introduced in the justice system.
- Increase funding for social welfare advice and legal support across all sectors providing front line advice services to members of the public.
- Develop a process to monitor and evaluate the economic, social, and cultural rights impacts of 'living online'.

- Develop a process to incorporate economic, social, and cultural rights into UK domestic legislation so as to continue to improve protections for all people.
- Implement Section 1 of the Equality Act 2010 in England and Northern Ireland to minimise socio-economic disadvantage. The same duty was introduced in Scotland in 2018 under the name ‘Fairer Scotland Duty’ and is scheduled to be introduced in Wales in 2021.

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Further information

Just Fair is a charity (charity number: 1141484 company number: 07394478).

For more information, please contact:

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