

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 12th SEPTEMBER 2011**

Question

Will the Minister explain to members how the change to the regulations governing Income Support is justified either morally or legally, in the context of the Human Rights (Jersey) Law 2000, and in the commitments contained in the Strategic Plan 2009 – 2014 and in the States determination to act in a non-discriminatory manner in that -

For over 19s both employed and unemployed are eligible for income support; for under 19s living independently, the employed are eligible, but if they become unemployed they become ineligible; and for under 19s living in their parents' home, both employed and unemployed are ineligible for income support as any benefit goes to the parents.

Answer

I can reassure members that the Income Support legislation has been confirmed as human rights compliant.

Tax funded benefits will always need to be targeted to specific groups. This does not necessarily create any issues of discrimination. For example, we currently provide a television licence benefit to people aged over 75, and general health benefits to those aged over 65.

It is appropriate for the Income Support Law to provide support at different levels for individuals of different ages. For example adults in Income Support households receive a higher value component than children. These rules ensure that public money is targeted appropriately.

The example provided in the question does not fully reflect the current legislation. The accurate position in respect of those under 19 years of age is that:

- Under 19s meeting the Income Support conditions for living independently, in education, employed or unemployed, are eligible for Income Support in their own right.
- A young person under 19 living in their parents' home, in full time employment, is not included in the benefit claim of their parents. The young person is theoretically able to apply for Income Support in their own right but, in reality, will never qualify for a benefit as their earnings will always exceed the value of the benefit available in that situation.
- Other young people under 19 living in their parents' home, in education or unemployed, are ineligible for Income Support in their own right as they are included in the benefit claim of their parents

NB. Young people with disabilities are subject to separate rules.