

Dear Lord McKenzie of Luton and Baroness Sherlock,

I am writing to you as the Labour Lord spokespersons on Work and Pensions to urge you to ensure the Labour Party as the Official Opposition acts to stop the new workfare regulations introduced last week following a High Court ruling that the former regulations were unlawful.

The Official Opposition must support the EDM tabled by John McDonnell MP last week stating:

That an humble Address be presented to Her Majesty, praying that the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 (S.I., 2013, No. 276), dated 12 February 2013, a copy of which was laid before this House on 12 February, be annulled.

The purpose of this EDM is to oppose the new statutory instrument put forward by the Minister of State for Work and Pensions laid before Parliament under the negative resolution procedure in the wake of the Court of Appeal judgement in the case of Reilly and Wilson vs. the Secretary of State for Work and Pensions. This judgement concluded that the Jobseeker's Regulations 2011 were unlawful as they do not comply with the frameworks outlined in the Jobseeker's Act 1995. Specific reference was made to the lack of description for each of the named "work for your benefit" schemes in the 2011 Regulations.

I am asking you to support the move to challenge the new regulations on the following two grounds:

- 1) That the new regulations do not adhere to the Court of Appeal judgement as
 - i) they fail to provide a complete and coherent description of the schemes named therein, and
 - ii) as such they allow – under the contracting out guidelines in s.17 (2) (a) – for an unduly broad flexibility of interpretation in the requirements for claimant participation in the scheme on the part of the authorised employees and scheme providers;

- 2) That there is consistent recent evidence from the Department of Work and Pensions and other sources that these "work for your benefit" schemes – including the Mandatory Work Activity scheme which is not covered under the judgement – have no or little impact on the speed with which people move into employment and can actually be detrimental for those placed on such schemes in their search for employment*.

I thank you for your consideration of this request and hope that you will soon be able to give me an indication of your intentions on this issue.

Yours sincerely,

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*For example, please see the following reports:

Community Action Programme:

http://research.dwp.gov.uk/asd/asd5/report_abstracts/rr_abstracts/rra_824.asp

Work Experience Scheme:

http://www.cesi.org.uk/sites/default/files/publications/Young_people_and_unemployment_FINAL.pdf

Mandatory Work Activity:

http://statistics.dwp.gov.uk/asd/asd1/adhoc_analysis/2012/early_impacts_mwa.pdf