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Ireland's lone parents, social welfare and recession

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Abstract

This paper analyses recent changes to the structure of Ireland's One-parent Family Payment (OFP) as an example of how austerity has not only impacted on Irelands most vulnerable but also structurally changed Ireland's social welfare system. We use various analytical tools including gender typologies, feminist principles and economic and social human rights frameworks to make sense of recent policy developments for Irish lone parents and key social security features of austerity budgets and to examine the recent trajectory of welfare changes for Irish lone parents and how it is transitioning to a more conditional employment focused regime for lone parents. We conclude that, given Ireland has been relatively slow to embrace this type of regime; it is not too late to learn from lessons elsewhere which show that forced labour market participation of lone parents does not alleviate child or adult poverty.

Keywords

Lone parents, social security, austerity, adult worker, feminist, employment.



Introduction

This paper analyses recent changes to the structure of Ireland's One-parent Family Payment (OFP). Reforms to lone parent payments during Ireland's economic crisis provide a useful test-case to examine the impact of austerity reforms on women's rights to social security, and to consider recent policy shifts being pursued in relation to the double burden of care and paid work in Ireland's social welfare and labour market. Irish One Parent Family Payment is to some degree an outlier in contemporary welfare states in that until very recently Irish lone parents could claim means-tested income support until their youngest child was 18 years, or 22 if still in full-time education (Murphy 2012). The paper uses analytical tools to make sense of recent policy developments including gender typologies, feminist principles and economic and social human rights frameworks as well as tracing ideological discourses. The paper first briefly reviews the gendered development of Irish social security and describes the evolution of the OFP in a male breadwinner liberal welfare regime. It then sketches the key social security features of austerity budgets before describing the recent trajectory of welfare changes for lone parents. Feminist principles and human rights frameworks are then utilised to analyse the shifts between these reforms. An analysis of policy discourse exposes political compromises between these positions and explains the ambiguity and contradictions in OFP policy shifts.

History

Gender segregation has always been a feature of the Irish social welfare system. Pre independence the 1838 Irish Poor Law was administered according to gender and there was overt gender discrimination in the 1911 UK National Insurance Act. Social insurance remained gender segregated post independence, with lower contributions and payments, of shorter payment durations for women for most of the history of the Irish Republic. Irish social policy's distinctive gendered differentiation is reflected, for example, in women's marginalisation in means-tested Home Assistance, and the 1952 Social Welfare Act, which consolidated a male breadwinner system. Irish gender segregation is reflected in social welfare systems elsewhere in Europe, but was reinforced in a Catholic and conservative Irish state, which provided in the 1937 Constitution (Article 41.2.2) that the "State shall ... endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home". (Ireland 1937)

Reform in the early 1970's attempted to address the reality of women's poverty. The establishment of an Unmarried Mothers Allowance was consistent with the male breadwinner model, classifying women in relation to their marital and family status. The 1980's were characterised by pressure from both the feminist movement and the EEC Directive on equality in social security¹ to introduce greater gender equality. Some reforms led to direct gender equality in social protection; reforms also gave men access to payments for contingencies previously presumed the sole preserve of women (e.g. lone parenthood and widowhood). However, reforms were introduced in a minimalist manner, creating new poverty and unemployment traps that directly impact on low income women and their families. The minimalist approach was reflected in two key policy decisions (Murphy 2003). Firstly, equal treatment required that the state define the concept of dependency. Adult dependents – overwhelmingly female – were defined as spouses earning £50 or less per week.

¹ Council Directive 86/378 (EEC) of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes



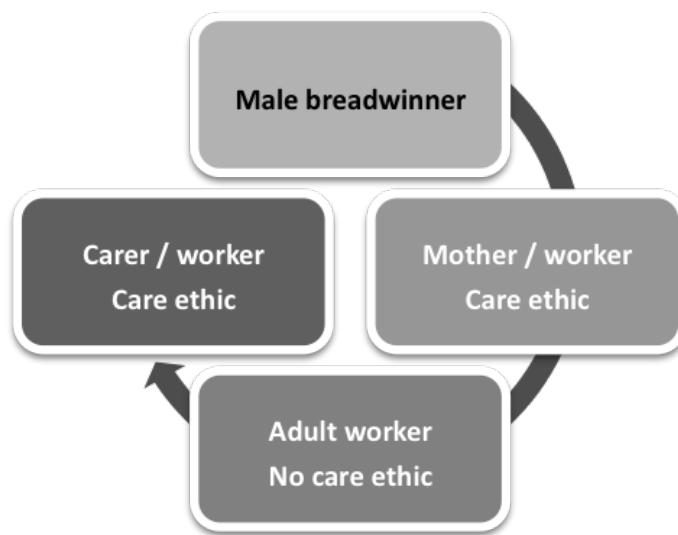
This arbitrary and sharp cut-off point created poverty and unemployment traps, effectively restricting women to low paid and/or marginal employment. Secondly, to contain the cost of equal treatment, and maintain economies of scale implicit in family-based payments, the ‘limitation’ rule was introduced. This meant that even where both spouses met unemployment eligibility criteria, the value of the welfare payment was ‘limited’ to that of an adult plus an adult dependent.² This discouraged women from becoming labour market active and led to household formation barriers for low income couples, who lose a portion of an adult payment on cohabitation or marriage and crucially women lose economic independence. Despite changes in language, from ‘adult dependant’ to ‘qualified adult’, or from ‘unmarried mother’ to ‘one parent family’, the concept of the male breadwinner is very much alive in Irish social security policy. While equal treatment ruled out direct discrimination, there remains a very definite legacy of indirect gendered discrimination which values maternal care and wifely labour in the Irish social welfare system.

Gender Typologies and Feminist Principles

Core feminist principles can help assess the nature of social security reforms. We can evaluate social welfare changes according to the degree to which they promote or deny economic autonomy and direct rights, and so enable women’s economic independence where income is both individualised and adequate enough to secure autonomy (Murphy 2003). The payment structure should enable a smooth transition between welfare and work, especially by supporting atypical work more commonly accessed by women. Enabling economic participation also enables women’s future access to pensions. A feminist approach also means recognising the difference between law and practice and paying particular attention to design and implementation to remove hidden gender obstacles (e.g. rules favouring uninterrupted labour market participation or rules blocking re-entry entry after time out of the labour market for caring). Moving from a caring society to an equal society requires avoiding reinforcement of deeply embedded gender differentiated care roles that contribute significantly to women’s inequality. The principle of a gender-neutral approach to care implies a care infrastructure and equal sharing of care obligations, where social and economic policy enable mothers and fathers to share care.

A feminist framework seeks to recognise, but also break down, past path dependencies. Women’s specific needs and interests must be ensured if social and economic rights are to be fully and equally realised, but it is crucial to avoid locking-in historically gendered patterns. An active rights approach means locally integrated delivery of social security, maximally enabling and empowering people’s agency and productive capacity. The approach must challenge rather than accommodate gender inequalities, and inform a framework for social security that helps achieve a more equal world capable of generating normative human rights. Central to this is recognition of women’s care work in the social security system, but in a manner that avoids perpetuating traditional gender divisions (Lynhc and Lodge 2008). The basic feminist model in below is useful in envisaging alternative ways to share productive and reproductive care work, to understand how they inter-relate, and to analyse how to break path dependencies.

2 The limitation was extended to cohabiting couples following a Supreme Court judgement in the 1984 Hyland case; it was applied to same sex cohabitantes following recognition of civil partnerships.

Figure A Gender typologies of care and work

Male focused typologies like 'male bread winner' or 'modernised male breadwinner' – reflecting deeply differentiated gender roles where women perform 'wifely labour' (Shaver & Bradshaw, 1994) – have been replaced by 'mother / worker' models that still reinforce gender differentiation in the duplicate roles modern women play as mothers, carers and increasingly as workers. A feminist model favours moving to gender neutral models that can fully accommodate care roles, but also enable labour market participation. This requires avoiding 'adult worker' models that do not accommodate a care ethic, and moving towards a 'carer / worker' model which does recognise care work (Lewis & Guillari, 2005). Irish lone parents have to date been framed by male breadwinner assumptions where in the absence of the male breadwinner the lone parent is allowed an unconditional welfare payment that does not require any paid employment, over time in the 1990's the shift is towards a mother worker regime where part time work is facilitated alongside maternal care. The latest shifts from mid 2000's lone parent policy shifts towards an adult worker regime where the adult is expected to work fulltime with care, in theory, provided by public care or purchased in the market place. The ideal would be a carer-earner model which facilitates an adequate level of labour market participation while also accommodating care choices (Murphy 2012). This is unlikely to be facilitated by a system that privileges or insists on full time employment.

Austerity Budgets

Changes to the OFP have to be seen and understood in the context of wider budget cuts impacting on all social welfare claimants; this section briefly outlines these changes and draws out the gender implications³, before going on to introduce in greater detail the cuts to lone parents payments and analysing them in a gender and rights framework. Reductions in entitlements for people of working age have been a recurring austerity theme. In both 2010 and 2011, all working age social welfare payments including one parent family payment was cut by 4%. The minimum income social assistance safety

3 Budget analysis drawn from Budget statements over 2009-2015 <http://www.finance.gov.ie/budget> supplemented with analysis <http://www.socialjustice.ie/content/budget-home>

net, Supplementary Welfare Allowance (SWA), was cut by 5.3% in 2011. In May 2009 social assistance payments for unemployed people under age 20⁴ were halved; in 2010, reduced rates were extended to the under 25s.⁵ Younger lone parents were protected from this age related approach. A series of structural reforms to Jobseeker payments⁶ (Table I below) made it more difficult for part-time and atypical workers to qualify for Jobseeker payments, and reduced the level of payment due. These structural changes are gendered: more onerous eligibility criteria make it harder for women – over-represented in low paid, atypical and part-time work – to qualify for payment, and where they do, they receive less income support. These reforms relate to atypical work so have particular consequences for low skilled workers, including many lone parents. A pre-crisis DSFA (2006) review examined the application of Jobseeker conditions to workers employed on a part-time, casual or systematic short-time basis. Instead of accommodating atypical workers, recent changes have had the cumulative effect of excluding more low-paid and precarious workers from social protection. The consequences for women are greater, and suggest a fundamental ambiguity in government policy: despite an aspiration to increase the number of women in employment, policy changes have made it more difficult for women to access sustainable part-time work that accommodates work-life balance.

Table 1 Changes to Jobseekers payments affecting atypical workers, 2009-2013

Condition		Was	Now	Implemented
Qualifying: no. of social insurance contributions	No. paid since first started working	52	104	Budget '09
	No. contributions in relevant tax year	Paid or credited	Min 13 paid	
Duration: no. contributions paid	260 or more	15 months	9 months	Budget '09 Budget '13
	Less than 260	12 months	6 months	
Entitlement to a full payment: determined by average earnings	Rate of payment	Earnings band		Budget '09
	45%	<€80	<€150	
	65%	€80 & <€125	€150 & <€220	
	78%	€125 & <€150	€220 & <€300	
	100%	€150 +	€300 +	
Casual & part-time workers	Unemployment week	6 days	5 days	Budget '12
	Sunday working	Not included	Assessed	

Budget 2012 saw controversial cuts in social assistance entitlements related to disability and caring. Entitlement to Carer's Allowance was made more restrictive for non-residential carers (80% of recipients are women). Income received as a home help is now assessed in means-tests, as are social welfare

4 Claimants with dependent children or in approved training or education programmes were exempted.

5 The €100 rate was extended to people up to age 21; a €150 rate was introduced for 22-24 year olds.

6 In addition, employment on Sundays is now assessed in the Jobseeker's Allowance means-test, reducing payments for atypical workers.



payments for carers; again some lone parents combine both caring and parenting roles. Budget 2013 announced a cut in the Respite Care Grant. As 64% of carers are women,⁷ these changes too have a gendered impact. Budget 2014 was announced on October 15th 2013 (a change of date occasioned by the new European Semester) and the overall focus of the budget was to reduce younger and older people's income supports but also saw a specific lone parent tax credit worth €1650 pa restricted to main carer (where previously it was available to two parents as long as both shared a parenting role). Treoir (2013), critiqued the blanket approach which would apply to all fathers regardless of their level of involvement in the lives of their children and which is clearly a disincentive to co parent and a loss of €30 or more per week for the second parent.

Rent Supplement (RS), an income support for low income tenants in the private sector, has also been a focus of austerity reforms. Tenants' minimum contribution to their rent was increased twice in 2009, and again in 2010 and 2012, while maximum allowable rents were reduced in 2009, 2010 and 2012. In 2009, access to RS was restricted to those eligible for social housing or who were already renting for at least 6 months. At the same time, the capital budget for social housing construction was severely curtailed. These reforms may 'ghettoise' the most vulnerable tenants seeking lower rents; and there is evidence of an increase in homelessness.⁸ Lone parents comprise a significant proportion of both the social housing list and rent supplement and these changes impacted disproportionately on lone parents. Ireland's austerity regime has also seen severe cuts in child income supports. Budget 2009 announced a phased withdrawal of universal Child Benefit (CB) for children aged 18. Universal Early Childcare Supplement⁹ was halved, then abolished at the end of 2009; however in 2010, a universal (school) year of free half-time pre-school Early Childhood Care and Education (ECCE) was introduced. CB was cut by a further 10% in 2010. Up to this point, social welfare dependent families had been protected from the impact of CB cuts with increases in other child related entitlements. But from 2011, when CB rates were cut by a further 7%,¹⁰ the poorest families were not protected. Budget 2012 announced the phasing out of higher CB rates for larger families and introduced cuts in mean-tested child income supports.¹¹ Further CB cuts were implemented in 2013, so that cumulatively, rates have been cut by 22% for smaller families, and by a third for larger families. Further cuts in means-tested child income supports were implemented in 2013.¹²

Austerity budgets and their impact on one parent families

Pre crisis, income support for lone parents was delivered through One Parent Family Payment (OPF) a means tested social assistance payment for single parents living alone with children aged up to 18 (or 21 if in full time education). Substantial reforms in both 1994 and 1997 introduced a substantial income disregard to encourage participation in paid employment for those in receipt of the precursor

7 Central Statistics Office (2009) 'Quarterly National Household Survey: Special Module on Caring'. Dublin: CSO

8 TSA Consultancy (2012) 'Out of Reach: The Impact of Changes in Rent Supplement'. Dublin: Focus Ireland.

9 For children under 6.

10 8% for families with three or more children.

11 Income support for back to school costs was withdrawn for pre-school children, and the allowance was cut by 18-25%. Child allowances in households claiming social insurance payments for people with long-term disabilities, carers and pensioners was withdrawn where the 'qualified adult' had earnings over €400 per week, in line with Jobseeker's Benefit.

12 Income supports for back to school costs were further reduced by 20-33%.



of the OFP. These reforms sought to incorporate the cost of child care into earned income disregards. In May 2013 there were 87,586 recipients and the payment cost approximately €1b per annum. While 36% of recipients work in paid employment such work tends to be part time (reflecting both childcare responsibilities, job supply and the structure of income disregards which incentivise part time work). 98% of lone parents are women, 13% aged under 24, 56% are between 25 and 39 while 31% are aged between 40 and 66. The vast majority have one or two children. Ireland remains an outlier in not imposing some form of work conditionality on lone parents, up to 2014 lone mothers whose youngest child was 21 was still exempted from work obligations (Murphy 2012). This section outlines key gendered social security debates in Ireland and uses gender rights frameworks to assess recent (pre, early and late crisis) social security change.

The 1990's brought little structural change in the gendered division of social welfare but did see significant change in gender expectations concerning care and employment, particularly a shift in the perception of mothers, from carers to workers (Coakley, 2005). This shift is reflected in reforms to earnings disregards for both adult dependents (1996) and lone parents (1994 and 1997) to encourage participation in paid employment. This move in the role of social protection, from providing social protection to promoting economic connection, is consistent with the experience of other European and liberal welfare states. In 2006, the Department of Social and Family Affairs (DSFA) proposed making labour market participation compulsory for lone parents and qualified adults whose children were over a certain age (five or seven years). This was consistent with a Developmental Welfare State which grounds social inclusion in labour force participation and education. While such reforms were generally well received, women's groups raised significant concerns. These related to Ireland's under-developed childcare infrastructure, the quality of work available to low skilled women, gendered issues concerning access to social insurance, pensions and in-work benefits, and a failure to appreciate the nature of the challenge in combining paid employment with the reality of parenting alone. Any political momentum associated with this was sidelined by the 2007 financial crisis and the austerity budgets that followed.

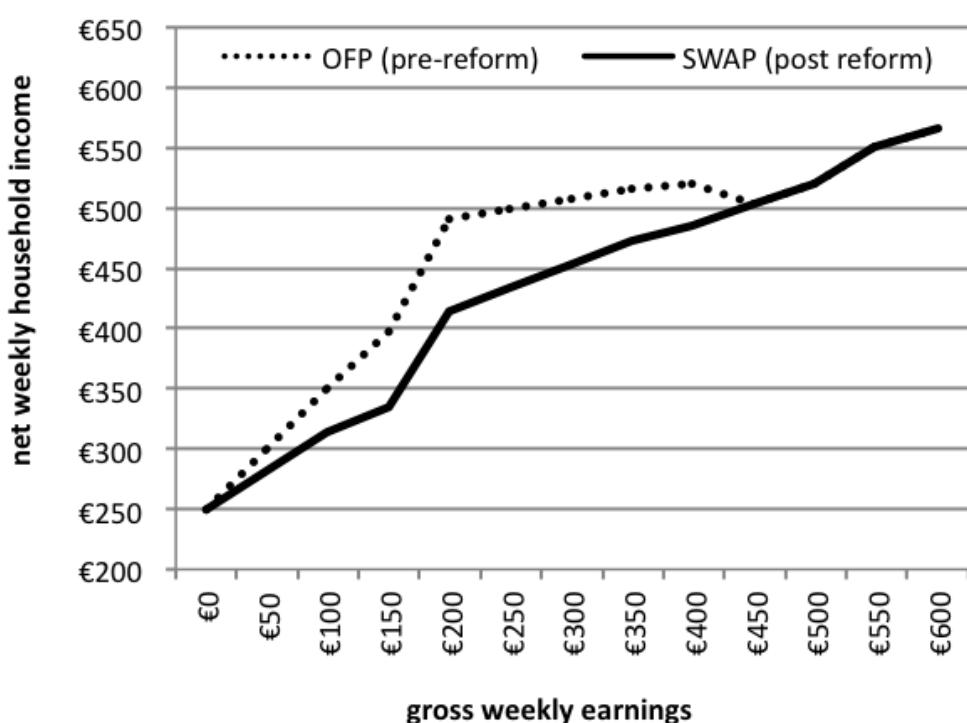
A first set of changes was signalled in DSP (2010) proposals for a single social assistance payment for people of working age (SWAP). The primary motivation for this reform was to tackle long benefit duration for working age claimants, particularly lone parents, by closing gaps between Jobseeker and other working age payments (Martin, 2011). A parliamentary report (OCJSPE, 2012a), while approving of a SWAP in principle, recommended delaying introduction because the necessary supports, activation opportunities and quality jobs were not yet in place. The issue of SWAP was then consideration by the Advisory Group on Tax and Social Welfare (AGTSW), their 2014 proposals on working age supports were forwarded to the Minister for Social Protection in July 2014 but never published, the agenda and appears to be losing political momentum for the broad working age population.

There was however considerable momentum for changes to the One Parent Family Allowance. Two key structural reforms to the OFP were announced. Firstly income disregard for OPF allowance were to be made equivalent to Job seeker income disregards. Secondly, eligibility for the payment was restricted to parents of younger children.

1 Reducing higher earning disregards for lone parents

First, the higher earnings disregard for lone parents – in recognition of high childcare costs – was reduced. Budget 2012 announced phased reductions that will see it cut by 60% by 2016, levelling it down in line with Jobseekers Allowance. The weekly OFP earnings disregard are reduced from €146.50 as follows: €130 (2012); €110 (2013); €90 (2014); €75 (2015); €60 (2016). When these reforms were announced, no specific proposals were made in relation to addressing the high childcare costs that impact severely on lone parents' return from employment. Various arguments were made that the OFP earnings disregard was badly structured. Martin (2011) argued disregards were not restricted to those who actually paid for childcare and had the unintended consequence of incentivising part-time work, limiting the gains from longer working hours. As well as cost savings the primary policy rationale appeared to be to shift one parent family recipients from a pattern of part to full time work. As Figure A shows, cutting the disregard does redress this imbalance towards more even rewards from full time work, but it does this at the expense of reducing the overall return from work, particularly part-time work.

Figure A impact of loss of income disregards



This reform means significant reductions in household income for lone parents in paid employment, for example, a lone parent with one or two children, earning a weekly wage of €300, stands to lose €74 per week. Thus the net impact of the reform is to reduce the financial return from paid work, thereby weakening the incentive for lone parents to return to the labour market.¹³ A lone parent's decision to return to paid work must take account of implications for care and domestic work, and other time costs, as well as the cost of childcare (where this applies); the figures above would be further reduced by childcare costs. The SWAP reforms did not include a mechanism to recognise the higher childcare

13 In addition, the savings resulting would be significantly offset by an increase in Family Income Supplement (FIS) payments – Ireland's in-work benefit.



costs associated with lone parenthood, nor is there any acknowledgement that many mothers want, and choose, part-time employment to achieve work life balance. Without a more comprehensive, and effective, solution to high childcare costs, reform of social protection is unlikely to secure increased labour market participation by lone parents, and may indeed reduce it. Whatever their optimal work-life balance combination, lone parents will have less social protection. It is ironic that policy change ostensibly motivated by the goal of increasing transitions from welfare to work will in practice worsen welfare-to-work outcomes. It is clear that many women, if forced to choose between full-time care and poorly paid full-time work, with little accommodation of work life balance, will choose full-time care. ESRI analysis suggests that careful monitoring of the incentives facing this group is warranted, given the significant shift in policy, the fact that childcare costs are especially relevant for this group, and international evidence that the labour supply of lone parents tends to be more responsive than that of other groups (Callan et al 2014 p19).

It should also be noted that the income disregards occur alongside the range of other cuts, some impacting on all groups like rate cuts others impacting on all but disproportionately on lone parents (rent supplement), others impacting on families with children (Child Benefit cuts and cuts to Back to School Footwear and Clothing Allowance) as well as abolition of eligibility for half-rate social insurance payments (e.g. Jobseeker's Benefit) was withdrawn. Entitlement to a second payment for lone parents who were Community Employment participants – an active labour market programme with high rates of lone parent participation – was also withdrawn. These cumulative cuts have had a severe impact on these families (Murphy 2012). In an important partial reversal of the policy it was announced in November 2014 that the income disregards for One-Parent Family Payment will not reduce in 2015 and the income disregard will remain at €90. This means up to €90 per week can be earned without impact on the full One-Parent Family Payment. Half the remainder of gross earnings up to €425 per week is assessed as means.

2 Reducing access to One Parent Family Payment

From April 2011, the age threshold of parents youngest child was reduced for eligibility to the one parent family payment was reduced from 18 (or 21 in full time education) to 14 years.¹⁴ A series of panicked short term expenditure saving decisions saw the age further reduced – to age 7 by 2014 – in Budget 2012. This was consistent with reductions in the earnings disregard and the original SWAP report which had proposed extending Jobseeker work availability and job search conditions to OFP recipients.

Jobseekers are required to be capable of, available for, and to genuinely seek full-time employment,¹⁵ and to have no paid work on at least three days in any consecutive six.¹⁶ Many lone parents of young children manage work-life balance, and avoid high childcare costs, by working during school hours. However, these job search criteria exclude such working patterns: lone parents could be denied eligibility if they said they wanted to work part-time, and even if seeking full-time work, would also be ineligible if, for example, they worked five mornings a week during school hours.

¹⁴ Changes were to be phased in over four years for existing claimants. Some exceptions were made for lone parents of a child with disabilities, and for recently bereaved parents.

¹⁵ Jobseekers can accept part-time work if offered it, but they must be seeking full-time work.

¹⁶ This has since been changed to four days in any consecutive seven, see next section.



Clearly the proposed reforms had fault lines which could result in lone parents giving up part-time work, or being denied income support for refusing to take up offers of full-time work. Such outcomes were politically untenable and the 'seven is too young campaign' galvanised public support. As the date for reduction of the age threshold approached, and in light of the political difficulties identified, new transitional arrangements were announced in May 2013 and applied to the 70% of lone parents who will lose entitlement to the OFP by 2015. This was accompanied by a childcare investment package intended to provide 6,000 after-school places for over 27,000 lone parents in the Jobseeker transitional category. The Department's briefing document¹⁷ identified four different transition possibilities for lone parents who lose OFP eligibility:

- *About one in twelve are currently receiving a half rate Carer's Allowance payment and would transfer to this payment exclusively. These lone parents will continue to manage a dual burden of care, both parenting alone and providing full-time care and attention to another person; however they would receive a lower level of income support.*
- *A further 15% were in paid employment of sufficient hours to qualify for the in-work benefit Family Income Supplement (FIS) as a 'top-up' to their OFP. These lone parents will transfer to the FIS scheme exclusively; however this provides a lower level of income support than they currently receive.*
- *Over a fifth of current recipients have no child under 14 years, and would transfer to Jobseekers Allowance, where they will have to comply with full conditionality requirements.*

The final group were lone parents whose youngest child is over the age of 7 (and therefore no longer eligible for OFP) but under age 14, accounting for over 40% of recipients. The Department announced a 'Jobseeker Transitional' arrangement for this group, temporarily exempting them from some Jobseeker conditionality requirements. They will not be required to seek full-time work, and can continue a part-time work pattern of more than three days a week (qualifying for a reduced Jobseeker payment subject to means). However, they will not be eligible for Job Plus – the primary incentive for employers to recruit Jobseekers – nor will they be included in the formal claimant count of unemployment, the Live Register. When their youngest child reaches age 14, they will transfer to full conditionality under the main Jobseeker scheme.

Implementation Challenges

Political targets for lone parent activation have shifted over time, from when the youngest child reached aged 7 in 2006, to 14 in 2009, to 12 in 2010, and back to age 7 in 2011. This political inconsistency and hesitancy means a very complicated implementation timetable, likely to cause significant confusion for both claimants and DSP staff. Table 2 below shows the transition targets and stages, with transition dates dependent on when lone parents first claimed the OPF payment and the age of their youngest child; Table 3 shows the DSP estimation of the numbers affected. Target dates for transition for various cohorts of lone parents are as follows.

¹⁷ D/SP (May 2013) *Briefing for the Lone Parent Representative Groups on the Transition of One-Parent Family Payment recipients as a result of the reforms to the Scheme.*

**Table 2 Time frame for when OFP ends (youngest child reaches the specific age)**

OFP payment commenced:	OFP ends when youngest child reaches age:			
	May 2012	July 2013	July 2014	July 2015
Before 27-Apr-11	18	17	16	7
Between 27-Apr-11 and 2-May-12	14	12	10	7
After 3-May-12	12	10	7	

Table 3 DSP estimation of numbers of OPF recipients affected by reform

	2013	2014	2015	Total
Total number OFP affected	9,300	7,782	46,020	63,202

The 2013 transition is now complete and appears to have been implemented smoothly; consultations were conducted directly with lone parents and their representative groups, DSP staff were informed and trained and help lines were equipped with additional staff. Reaction has been muted, with less feedback or resistance than anticipated. Early analysis shows that almost half (2,700) of the 5,600 claimants affected moved to Jobseekers Allowance or Jobseekers Transition, while 300 opted to retain Carers Allowance. A quarter (1,400) have remained in employment supported by FIS (more than anticipated by the DSP) and small number appears to have decided to regularise their relationships, becoming qualified adults on partners' claims. An unknown number have applied for disability or health related payments and a significant number are unaccounted for; while some may have prompted to leave the social protection system (perhaps regularising relationships or employment), it may also be the case that some vulnerable lone parents may be 'lost in transition'. There appears to be no infrastructure for meaningful monitoring and tracking. Data relating to the 2014 transition cohort has not yet been released; the scale of transition in 2015 remains daunting.

Can lone parents find decent employment?

A significant body of evidence shows that including lone parents in conditional activation programmes can lead to a 'precarity trap' where workers, particularly women, are caught in vicious cycles – being churned from welfare to precarious work and back again without impacting on the level of poverty experienced by lone parents and their children (Jaherling et al 2004, Wright 2012, Eurofound, 2010, Dobbins 2012, Loftus 2012, Murphy 2012, Daly 2010, Dean 2012). Increased activation, decreased social protection, and increased prevalence of atypical work could mean very negative outcomes for the most vulnerable workers. There are insufficient safeguards in the form of employment protection legislation to limit negative and perilous forms of atypical work and protect claimants and potential workers from being forced into and/or trapped in such work and caught in a precarity trap.

The incidence of Irish precarious employment is increasing and is extending beyond occupations and sectors traditionally assumed vulnerable to precarity. Internationally there is a growing focus on mini-jobs, micro-jobs and the idea of 'bundling' 'slivers of time' to create a working week. While such flexibility can be attractive to professionals and freelancers it is less likely that low income, low skilled workers will



be able to creatively manage or control the design of their working week (Pennycoc 2013). The wrong part-time jobs can cause a triple trap locking women into precarity, poverty and domesticity (Murphy 2012). Tackling this precarity trap means concerted and coordinated effort at three levels. Labour legislation is needed to rebalance regulatory flexibility and removing legal incentives for employers to create precarious jobs. The low income trap for workers can be addressed through recognising and accommodating the reality of precarious work while working to progress workers towards better jobs, by developing more flexible in-work benefits, and by addressing the issue of sanctions with safeguards to ensure activation into decent work. The low skill trap can be addressed through retraining and up skilling focused on needs of precarious workers. Ultimately what is required is a focus on decent work, both part-time and full-time. The nature of the Irish jobs strategy has so far been focused on high-end high quality jobs, many of which have to be filled by migrant labour with IT or language skills. Job creation strategies need more integration with activation policies in terms of the balance of high and low-paid jobs, and full and part-time jobs, in local economies. Incentivising employers to create decent part-time jobs will have gendered implications for employment distribution. This is highly relevant in a time of weak economic growth. Increasing the number of net jobs means increasing incomes in low-paid households; this raises aggregate demand and can contribute to growth.

Human Rights Approach: applying ICESCR non - retrogression scrutiny

What does all this mean for the human rights of lone parents and their children? It is very clear that Ireland fails even the most basic of tests that assess changes in budgetary policy, including changes to OFP, from a human rights perspective. The International Covenant on Economic Social and Cultural Rights offers principles for monitoring retrogression of progress in progressive realisation of human rights: an adequate budgetary governance process would require transparent reasonable justification, examination of alternatives, genuine participation, a focus on non-discrimination, and on-going commitment to sustained impact and realisation of rights and independent review mechanisms.¹⁸ The discrimination indicator enables examination of the gender impact of cuts and retrogressive measures. The Center for Economic and Social Rights (Holland, 2012) find most vulnerable populations are suffering the human rights impacts of the crisis disproportionately. The brief assessment in the Table below shows that one parent family austerity measures fail the test of proving that 'they have been introduced after the most careful consideration of all alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant'. In most cases, reasonable justification for the measures cannot be identified, nor has there been serious consideration of alternatives, even when they have been identified in government sponsored reports. There are substantive concerns about the discriminatory nature of many austerity reforms.

18 Committee on Economic, Social and Cultural Rights Para. 42 of GC no. 19 (General Legal Obligations of States – Right to social security) 2007.

Table 4 Human Rights Proofing Social Security in Ireland –ICESR non-retrogression approach¹⁹

Key Changes	Reasonable justification	Alternatives examined	Genuine participation	Discriminatory Equality grounds	Sustained impact realisation rights	Independent review
Cuts to rate of working age payments	No	No	No	Yes, working age	Yes	No
Rent supplement caps and minimum contribution increases	No	No	No	No	Yes	No
Imposition of conditionality for youngest 14 years +	No / some	No	No	Yes: age	Yes	No
Lone parent payments loss of income disregards	No / some	No	Yes	Yes: women, family status	Yes	No

The analysis shows that Irish austerity measures fail the test of proving that “they have been introduced after the most careful consideration of all alternatives and that they are duly justified by reference to the totality of the rights provided for in the Covenant”. In most cases, a reasonable justification for the measures cannot be identified, nor has there been serious consideration of alternatives. While lone parent representative groups have been consulted, the reforms do not reflect an accommodation of the concerns raised. CESR (Holland 2012:4)

“The substantive human rights principles of progressive realization, use of maximum available resources and non-retrogression, along with the procedural principles of transparency, accountability and participation have... been largely ignored in Ireland’s recovery measures, which have socialized losses incurred by incautious banks in a strategy that risks limiting the country’s economic wellbeing, and the social rights of its population, for many years to come”.

Further, CESR’s (Holland 2012:4) assessment of Ireland’s policy efforts

“indicates that the government is not taking all necessary steps to comply with its international obligations to respect, protect and fulfil economic and social rights. In particular, fiscal policies (both budget and tax-related) do not appear to be in line with the obligation to devote the maximum of available resources to fulfil economic and social rights progressively, and to guard against retrogression and ensure the rights of the most vulnerable, even in times of scarcity”.

¹⁹ Committee on Economic, Social and Cultural Rights Para. 42 of GC no. 19 (General Legal Obligations of States – Right to social security) 2007.

Conclusion: Ambiguity in Policy Making

The period reviewed shows that OFP reform policy has been developed in a series of stop-start moves in three clear stages: 2006, 2010 and 2013. Each stage was qualitatively different from the other, the changes triggered by a mixture of changing political administrations and consequent subtle shifts in ideologies, the reality of fiscal pressure occasioned by crisis, failure to invest in childcare, fears about capacity to implement and, crucially, pressure from lone parent and women's groups. The policy confusion and ambiguity in outcome shown above is evidence of competing ideologies, with policy outcomes resulting from a compromise between competing ideologies. Policy changes are an amalgam of three ideologies, each of which actively influences policy, with strong implications for gendering work and care (Nicaise, 2012). A social democratic approach champions the right to work but also the obligation to participate in employment and the need for high levels of participation and full employment. A neoliberal approach assumes that 'rational' humans will take up paid employment if it pays to do so and focuses on incentivizing low paid work ignores the care ethic that informs choices between paid employment and unpaid care. A conservative approach focuses on the moral imperative to work and avoid intergenerational joblessness and a 'dependency culture', stressing behavioural obligations and sanctions.

Pre-crisis reform proposals appear dominated by a social democratic approach to paid employment (consistent with the developmental welfare state language in use at the time). The early crisis reform proposals reflect a hardening of ideology and the more neo-liberal tone that accompanied crisis. While largely driven by the austerity imperative, later crisis transitional arrangements, along with a childcare investment package are in part reflective of a social democratic ideology; this coexists with a more conservative ideology that seeks to reinforce the role of other mothers (wives) in the home and to undervalue co parenting (Treoir 2013). The debate about these proposals highlights the considerable ambiguity in Ireland surrounding the issue of mothering, welfare and paid work. On the one hand, proposals to support women's economic participation are welcomed; paid employment offers the potential to overcome the lack of financial power that is fundamental to any discussion of women's poverty and also women's civic and political participation. On the other hand women are reluctant to undervalue the important role of care-giving relative to paid employment or to divorce policy aimed at increasing economic participation from policy debate about accommodating care, unpaid work and work-life balance.

All stages reflect patriarchal values and an inadequate recognition by the state of the double burden of care and paid work faced by lone parents and mothers more generally. The incapacity and unwillingness of the state to provide adequate support for care work, while reducing the financial return from paid employment, reflect a deep ambivalence on the part of the state towards the double burden of care and work faced by women; their poverty is seen as an acceptable risk and economically viable. The very name 'Jobseeker Transition' and the absolute lack of engagement with activation of partners or spouses suggests a society in an ambiguous stage with clear reluctance to leave behind home based child rearing, and an economy that wants adult workers but that remains ambiguous about investing in sufficient quality childcare to enable adults with caring responsibilities to work in paid employment. Ireland is therefore only on a partial and somewhat reluctant transition to an adult worker regime.

Jarehleing et al (2014) review the macro experience of the past decade and its focus on supply-side measures aimed at increasing labour market participation. Ireland comes late to this approach and can benefit from lessons elsewhere that show the limitations of measures that rely solely on the income-

raising effects of increasing labour market participation. They are clear that in the changed context of the income 'norm' being set by two earner parents, lone parents will always struggle to maintain relative living standards. (Lewis et al, 2008) In the changing context of the transition to a dual earner world substantial and continuous labour market integration may be necessary however as far as the risk of poverty during the single-parent phase is concerned additional income measures targeted directly at single parents' income are necessary. Without these the poverty risks of single parenting are likely to become even more significant.

Watson and Maitre (2012) show a significant impact of the crisis has been a phenomenal growth in jobless households with Ireland having 23% (over twice the European average) of jobless households and with children living in the majority 53% of these jobless Irish households. They also find that over the time of the crisis we see a structural shift in the number of children living outside two parent families.

Table 5 Number of children and adults living in coupled and other households

	Children			Adults age 18-59		
	2004	2007	2010	2004	2007	2010
In couple household	80%	77%	74%	70%	73%	72%
Not in couple household	20%	23%	26%	30%	27%	28%

Source Watson and Maitre 2012 (derived from SILC 2004,2007, 2010).

The degree to which children are living in one parent households and often jobless households does mean we need to seriously focus on the labour market participation of lone parents. However the move to make lone parents income support conditional on participation on full time employment and restrict income disregards to the equivalent to single people is going in the wrong direction. Despite Budget 2015 being coined 'the recovery budget' lone parents are due a further cut in income disregards in the 2015 social welfare bill and the subsequent 2016 budget and social welfare bill. There is still time to pull back this policy direction and recognise the reality of lone parents life and what can be achieved with 24 hours to combine care, parenting, work and everything less any one might aspire to live a flourishing life.