

The Evidentiary Spine: Comparative Evidence of Harm from Work-Conditionality Regimes Imposed on Disabled People

A cited dossier supporting the Charter Challenge, the UN CRPD submission, and the Alberta Human Rights complaint on the AISH-to-ADAP transition

Prepared July 16, 2026. This dossier is built to a strict evidentiary discipline: it distinguishes (i) firm legal/official findings, (ii) documented individual cases, (iii) robust statistical associations where causation is contested, and (iv) the single strongest causal evidence. Overstatement is the enemy of a submission like this — the accurate version is more than strong enough. Each contested causal claim is flagged. Content note: this document discusses suicide and death.

How to use this dossier

The government's central legal shield is that harm is "speculative" and must be observed before a court or tribunal will act. This dossier defeats that shield by establishing that the harm of this model is **known, documented across at least four comparable jurisdictions, quantified in peer-reviewed literature, the subject of a UN finding of "grave or systematic" rights violations, repeatedly linked to individual deaths by coroners and inquiries — and already beginning in Alberta**. Foreseeability, not a completed body count, is the legal standard for arbitrariness, gross disproportionality, and the precautionary logic of the right to life.

Causation discipline (read first). Population-level causation in this field is contested, and the primary sources say so. The defensible framing is: - **Individual causation** is asserted only where a coroner or official inquiry made a case-specific finding (UK: O'Sullivan, Philippa Day, Jodey Whiting; Australia: Robodebt Royal Commission testimony). - **Statistical association** (not proven individual causation) is how the ecological studies are presented (Barr 2016; Williams 2021). - **The strongest causal evidence** is the US Arkansas Medicaid natural experiment (Sommers, NEJM) — lead with it for "these policies cause loss without the promised employment gain." - Where a widely circulated figure is inaccurate (the UK "2,380 within weeks"; the Australian "2,030 deaths caused"), this dossier uses the corrected version. Using the false version would hand the government an easy rebuttal.

Part 1 — Alberta: the harm is already here

1.1 A documented death linked by the deceased himself to the transition. On June 8, 2026, **Bruce Johnson, 57, of Empress, Alberta**, is believed to have died by suicide after circulating a lengthy written message stating that Alberta's planned move from AISH to ADAP had intensified his anxiety, stress and depression in the preceding weeks. He wrote that he expected to be "required to participate in 'employment supports' and look for work, or face losing ADAP financial support," despite believing he could not maintain stable employment because of longstanding mental-health challenges. The death drew provincial media coverage and a public

response from Premier Danielle Smith. - Sources: Global News, “Alberta man who died by suicide blamed AISH-to-ADAP transition” — <https://globalnews.ca/news/11906553/alberta-suicide-aish-adap/> ; CTV News, “Danielle Smith addresses disability benefits following death of AISH recipient” — <https://www.ctvnews.ca/calgary/article/danielle-smith-addresses-disability-benefits-following-death-of-aish-recipient/> - **Framing:** this is a documented individual case in which the deceased attributed his deterioration to the policy. It is not a coroner’s causal finding; present it as a warning already realized, and as evidence the fear the policy induces is itself a serious harm. Alberta’s own model predicts more such cases will occur and go unreported.

1.2 Physician evidence of present harm. The Alberta Medical Association’s physicians have publicly documented that the transition is “creating financial pressures, worry and distress” and that requiring reassessment of people in continuing care and needing round-the-clock care “defies both logic and compassion.” - Source: Alberta Doctors’ Digest, “Pushing back against changes that make life harder for disabled Albertans,” Nov–Dec 2025 — <https://add.albertadoctors.org/issues/november-december-2025/pushing-back-against-changes-make-life-harder-disabled-albertans/>

1.3 The “document and wait” instruction is itself the harm. Advocates and recipients have been told to wait until harm is proven. Section 9 below explains why that is legally and ethically untenable; the Bruce Johnson case shows the cost of waiting.

Part 2 — United Kingdom: the closest model, and the most documented

The ADAP design (outsourced disability assessment + work conditionality + reduced benefit + curtailed appeal) most closely mirrors the UK’s Work Capability Assessment / Employment and Support Allowance / PIP / Universal Credit regime, run by contractors including Atos, Maximus, Capita and — in the back-to-work stream — Serco.

2.1 A UN finding of “grave or systematic” violations. In 2016 the UN Committee on the Rights of Persons with Disabilities completed the first-ever inquiry under Article 6 of the Optional Protocol into any State, concerning the UK, and found the government responsible for “grave or systematic violations” of the Convention arising from welfare reform, engaging Articles 19, 27 and 28. - Document: CRPD/C/15/R.2/Rev.1, adopted 6 October 2016. Official text: <https://www.ohchr.org/Documents/HRBodies/CRPD/CRPD.C.15.R.2.Rev.1-ENG.doc> ; UN record: <https://digitallibrary.un.org/record/1310721> - The UK Government disputed the finding. Quote “grave or systematic” and cite the document directly.

2.2 Coroners and official inquiries have linked individual deaths to the assessment process. - **Stephen Carré (2010):** took his life after a “fit for work” decision; coroner Tom Osborne sent a Prevention of Future Deaths warning to the DWP (30 March 2010) about the WCA’s handling of mental-health claimants, noting no evidence was sought from his treating clinicians. Sources: <https://www.disabilitynewsservice.com/wca-death-scandal-dwp-and-atos-killed-my-son/> - **Michael O’Sullivan (2013/14):** the only case in which a coroner directly blamed the WCA — coroner Mary Hassell found the “trigger” for his suicide was his “fit for work” assessment and issued a Prevention of Future Deaths report warning “a risk that future deaths will occur unless action is taken.” Sources: <https://politicsandinsights.org/2015/09/22/fit-for-work-assessment->

was-trigger-for-suicide-coroner-says/ - **Jodey Whiting (2017 death)**: ESA stopped for missing a WCA; died 15 days later. The **Independent Case Examiner** (Feb 2019) found “multiple” and “significant” DWP failings — five missed chances to follow safeguarding rules; the DWP apologised and paid £10,000. A **second inquest in 2025** concluded the DWP’s decision to stop her benefits was the “trigger” for her suicide. Sources:

<https://www.disabilityrightsuk.org/news/2019/february/jodeywhiting> ;

<https://www.leighday.co.uk/news/press-releases/2025-news/coroner-finds-stopping-benefits-triggered-the-death-of-jodey-whiting-following-second-inquest/> - **Errol Graham (2018)**:

starved to death (cause of death: starvation) months after the DWP stopped his ESA for missing a WCA; assistant coroner Dr Elizabeth Didcock found “the safety net that should surround vulnerable people ... had holes within it.” (Note: the coroner declined to issue a Regulation 28 report because the DWP said it was already reviewing safeguarding — cite as a coroner-findings case.) Source: <https://www.disabilityrightsuk.org/news/2020/january/disabled-man-starved-death-after-dwp-wrongly-stopped-his-benefits> - **Philippa Day (2019 death; 2021 inquest)**:

coroner Gordon Clow found problems with her PIP claim were “the predominant ... and the only acute factor” in her death, identified **28 distinct failings** by the DWP and contractor **Capita**, rejected the “isolated errors” defence as systemic, and issued **Regulation 28 Prevention of Future Deaths reports to both the DWP and Capita**. Source:

<https://www.disabilityrightsuk.org/news/2021/june/dwp-responds-coroner%E2%80%99s-prevention-death-notice-following-tragic-death-philippa-day>

2.3 The government investigated deaths linked to its own processes — in secret. The National Audit Office established the DWP had conducted dozens of confidential “internal process reviews” into claimant deaths (69 into suicides since April 2014; roughly 140 across three later years), released only in heavily redacted form. Cite as evidence the department itself recognised a death-linked risk. Source: <https://www.disabilitynewsservice.com/secret-reviews-into-dwp-deaths-more-than-double-in-three-years/>

2.4 Official mortality statistics (with the accurate figure). After losing an FOI dispute, the DWP published mortality data on 27 August 2015: of ~2 million people who went through a WCA and received an ESA decision (May 2010–Feb 2013), **nearly 41,000 died within a year**; between Dec 2011 and Feb 2014, **81,140 people died while claiming ESA or Incapacity Benefit**, of whom **2,650 died after being found “fit for work”** and ~7,200 after being placed in the Work-Related Activity Group. The DWP cautioned that no “causal effect between benefits and mortality” can be inferred. - Source: <https://www.gov.uk/government/statistics/mortality-statistics-esa-ib-and-sda-claimants> - **Use the 2,650 figure, not “2,380 within weeks”** — the latter was publicly corrected (Full Fact; PM corrected at PMQs, 9 Sept 2015): <https://fullfact.org/news/statistics-authority-calls-research-fit-work-deaths/>

2.5 The official watchdog found the sanctions regime lacked an evidence base. The National Audit Office (Nov 2016) found the DWP “is not doing enough to find out how sanctions affect people” and “has not used its own data to evaluate the impact of sanctions.” Source: <https://www.nao.org.uk/insights/benefit-sanctions/>

2.6 Peer-reviewed evidence. - Barr et al. (2016), “First, do no harm,” *J Epidemiol Community Health* 70(4):339-345: WCA reassessment across 149 English local authorities (2010–2013) was independently **associated** with an estimated additional **590 suicides, 279,000**

cases of self-reported mental-health problems, and 725,000 antidepressant prescriptions, worst in the most deprived areas. The authors expressly caution it is an ecological association that “cannot prove causation.” <https://pmc.ncbi.nlm.nih.gov/articles/PMC4819657/> - **Welfare Conditionality Project (2013–2018)**: the largest UK study concluded benefit sanctions “routinely triggered profoundly negative personal, financial and health outcomes” and were “largely ineffective” — and sometimes counterproductive — at moving people into work. <https://eprints.whiterose.ac.uk/id/eprint/154305/> - **Williams (2021), Social Policy & Administration**: rising sanction rates were statistically associated with increased antidepressant prescribing. <https://eprints.gla.ac.uk/215868/> - **Pattaro et al. (2022), scoping review, Journal of Social Policy**: across 94 studies, sanctions showed short-term employment gains but worse job quality/stability and adverse “wider” outcomes (income, health, food insecurity), on a generally weak evidence base. Cite carefully — it does **not** say “no employment effect.” <https://pmc.ncbi.nlm.nih.gov/articles/PMC7613403/>

Part 3 — Australia: an unlawful automated scheme, judicially condemned

3.1 Robodebt — found unlawful by a Royal Commission. The automated income-averaging debt-recovery scheme (which, like ADAP’s design, **reversed the onus onto vulnerable recipients** and relied on data-matching/automation) was found unlawful. Commissioner Catherine Holmes AC SC concluded (final report, 7 July 2023): “Robodebt was a **crude and cruel mechanism, neither fair nor legal**, and it made many people feel like criminals ... people were traumatised on the off chance they might owe money.” The scheme raised debts against 850,000+ people; ~\$720M was refunded. - Source: <https://robodebt.royalcommission.gov.au/publications/report>

3.2 The Commission accepted the scheme played a role in individual deaths — stated carefully. The report recorded testimony of suicides connected to debt notices (mothers of **Rhys Cauzzo**, 28, and **Jarrad Madgwick**, 22, testified) and found the scheme “was responsible for heartbreak and harm to family members of those who took their own lives because of the despair the Scheme caused them.” - **Accuracy flag**: the viral “2,030 deaths” figure is **deaths-after-receiving-a-debt-letter** (a correlation; cause of death not recorded), expressly **not** a count of scheme-caused suicides — RMIT FactLab rated “2,000 deaths caused” FALSE. Use only the defensible version above. Source: <https://www.rmit.edu.au/news/factlab-meta/robodebt-not-directly-responsible-for-more-than-2000-deaths>

3.3 Compulsory obligations on disabled people — parliamentary findings. The Senate inquiry into the Disability Support Pension (2022) heard the application process is “complex and humiliating,” pushes people onto lower JobSeeker payments with “onerous mutual obligation requirements” that “inflict psychological harm”; ACOSS and the major disability organisations (PWDA, WWDA, Inclusion Australia) jointly urged abandoning “punitive compliance measures.” Sources: <https://www.sbs.com.au/news/article/disability-support-pension-applicants-are-being-forced-into-poverty-inquiry-hears/kkmob0fsd> ; <https://pwd.org.au/key-disability-advocacy-groups-join-with-acoss-to-urge-government-to-act-on-dsp-senate-inquiry-report/>

3.4 ParentsNext and the Community Development Program. The Senate found ParentsNext’s compulsory requirements and automated payment suspensions caused “anxiety, distress and harm” (report, 1 Aug 2019). The remote/Indigenous CDP work-for-the-dole scheme was found in primary research (NSSRN/NAAJA, 2020) to create “financial hardship ... which negatively impacted on ... food and housing security, physical and mental health,” and to be “racially discriminatory.” Sources:

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/ParentsNext/Report ; <https://www.ejaustralia.org.au/cdppenalties/>

Part 4 — New Zealand: government’s own experts rejected sanctions

4.1 The government-appointed **Welfare Expert Advisory Group** (*Whakamana Tāngata*, 2019) found little evidence sanctions move people into work and that they “compound social harm and disconnectedness,” recommending removal of many sanctions and of the mandatory work-ability assessment for people with health conditions or disabilities. Source (MSD-hosted):

<https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/research/weag/index.html> . Qualitative research found many sanctioned people were “unable rather than unwilling” to comply and that sanctions worsened poverty and mental/physical health. <https://communityresearch.org.nz/wp-content/uploads/2021/08/Understanding-Welfare-Sanctions-in-Aotearoa-New-Zealand-July-2021.pdf>

Part 5 — United States: the strongest causal evidence

5.1 Arkansas Medicaid work requirements (2018) — a natural experiment. The peer-reviewed evaluation (Sommers et al., *New England Journal of Medicine*, 2019) found the requirement caused **coverage loss with no gain in employment**: coverage among 30–49-year-olds fell 70.5% → 63.7%, the uninsured rate rose 10.5% → 14.5%, and there were “no significant changes in employment”; “bureaucratic obstacles played a large role in coverage losses,” with a third of those targeted unaware of the policy. More than **18,000 people lost coverage in 2018**. A two-year follow-up (*Health Affairs*, 2020) confirmed no employment gain and widespread medical debt and delayed care. - Sources:

<https://www.nejm.org/doi/full/10.1056/NEJMSr1901772> ;

<https://pmc.ncbi.nlm.nih.gov/articles/PMC7497731/> - **This is the dossier’s strongest causal design (difference-in-differences with multiple control groups). Lead with it for: “work-conditionality reliably strips benefits from people who already qualify, through bureaucratic barriers, without producing the promised employment.”** Directly analogous to ADAP’s reversed onus and reassessment barriers.

5.2 Courts struck the Arkansas approval as unlawful. *Gresham v. Azar*, 950 F.3d 93 (D.C. Cir. 2020), affirmed vacatur because the Secretary failed to consider coverage loss against Medicaid’s “core objective” of coverage.

<https://law.justia.com/cases/federal/appellate-courts/cadc/19-5094/19-5094-2020-02-14.html> —

an administrative-law ruling (failure to consider harm), not a health-causation holding; cite it for the coverage-loss record and the principle that a decision-maker must weigh loss of the benefit.

5.3 **TANF work requirements** (random-assignment evaluations, via CBPP/CBO): early employment gains faded, no sustained poverty reduction, deep poverty rose in some programs. <https://www.cbo.gov/publication/58199>

5.4 **Disability benefit denial and mortality** (Gelber et al., *Journal of Public Economics*, 2023, quasi-experimental via random judge assignment): receiving disability insurance reduced mortality — i.e., denial/loss raises mortality risk at the margin. <https://www.sciencedirect.com/science/article/pii/S0047272723002153> (confirm effect size before quoting a number).

Part 6 — The governing principle: “First, do no harm”

6.1 Public-health scholarship holds that welfare reforms with foreseeable health effects should be subject to a “first, do no harm” standard and health-impact assessment — the very framing of Barr et al. (2016). A 2021 commentary argues welfare policies “are not held to the same ethical standards as research” despite the fact that “poorly-designed welfare policies can do significant harm to health.” <https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2021.764559/full>

6.2 The WHO’s “Health in All Policies” / social-determinants framework supports treating income and social protection as determinants of health. (Note: WHO did not coin “first, do no harm” — attribute that to the academic/Hippocratic tradition.) <https://www.who.int/publications/i/item/WHO-IER-CSDH-08.1>

Part 7 — The through-line: what every jurisdiction shows

Across the UK, Australia, New Zealand and the United States, the same pattern recurs when a work-conditionality/reassessment regime is imposed on disabled or vulnerable people:

1. **People who already qualify lose support** through bureaucratic barriers, missed communications, and reversed onus — not through any finding they can work (Arkansas; UK sanctions; Robodebt).
 2. **The promised employment gains do not materialise** (Arkansas: none; UK: “largely ineffective”; TANF: faded).
 3. **Measurable harm follows** — worsened mental health, hardship, food insecurity, and, in documented individual cases, death (UK coroners; Robodebt; Barr).
 4. **Independent bodies condemn it** — a UN inquiry (“grave or systematic”), a Royal Commission (“neither fair nor legal”), a national audit office, courts, and a government’s own expert group.
 5. **Governments dispute causation and act only after harm accumulates** — which is precisely the dynamic to pre-empt in Alberta.
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Alberta has adopted this model **with this record available to it**, and engaged contractors of the same class (Serco, which ran the UK’s criticised back-to-work scheme; AKG). The harm is therefore not speculative but **reasonably foreseeable and, in the Bruce Johnson case and the AMA’s evidence, already beginning**.

Part 8 — How to state each claim (so it cannot be knocked down)

- Use: “A UN inquiry found the comparable UK regime caused ‘grave or systematic’ violations of disability rights.” (Firm.)
 - Use: “Coroners have linked individual deaths directly to the assessment process, including findings that a ‘fit for work’ assessment was the ‘trigger’ for a suicide.” (Firm, case-specific.)
 - Use: “An Australian Royal Commission found an analogous automated, onus-reversing scheme ‘neither fair nor legal’ and responsible for trauma and harm connected to suicides.” (Firm.)
 - Use: “The strongest causal evidence — a peer-reviewed US natural experiment — shows work requirements strip coverage from people who qualify without increasing employment.” (Firm, causal.)
 - Use: “Peer-reviewed ecological research associates disability reassessment with hundreds of additional suicides, though the authors caution it cannot prove individual causation.” (Accurate hedge.)
 - Avoid: Avoid: “2,380 disabled people died within weeks of being found fit for work” (corrected figure is 2,650, no timing/causation shown).
 - Avoid: Avoid: “Robodebt killed 2,030 people” (that figure is deaths-after-contact, rated false as a causal toll).
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Part 9 — The answer to “document and wait until you have proof of harm”

9.1 **Foreseeability, not hindsight, is the legal test.** Arbitrariness and gross disproportionality under Charter s. 7 are assessed on a law’s reasonably foreseeable effects (*Bedford; Carter*). A claimant need not wait for deaths to accumulate. 9.2 **The precautionary logic of the right to life** (CRPD Art. 10; Charter s. 7) requires action on known, serious, foreseeable risk — which this dossier establishes. 9.3 **Proof already exists**, at three levels: the **comparative record** (four jurisdictions), the **peer-reviewed literature**, and **Alberta-specific harm** (Bruce Johnson’s death; the AMA’s documented distress; hardship among transferred recipients). 9.4 **Under-reporting is itself the point.** As the UK experience shows, deaths linked to these systems surface years later, through secret internal reviews and hard-won second inquests. A standard that requires fully-reported proof before acting guarantees the harm will be counted only in hindsight. The correct legal and ethical response to a foreseeable, documented, lethal risk is prevention.

Source Index (Consolidated)

Alberta: Global News (Bruce Johnson) <https://globalnews.ca/news/11906553/alberta-suicide-aish-adap/> · CTV News <https://www.ctvnews.ca/calgary/article/danielle-smith-addresses-disability-benefits-following-death-of-aish-recipient/> · Alberta Doctors' Digest <https://add.albertadoctors.org/issues/november-december-2025/pushing-back-against-changes-make-life-harder-disabled-albertans/>

United Kingdom: UN CRPD inquiry CRPD/C/15/R.2/Rev.1 <https://www.ohchr.org/Documents/HRBodies/CRPD/CRPD.C.15.R.2.Rev.1-ENG.doc> · O'Sullivan <https://politicsandinsights.org/2015/09/22/fit-for-work-assessment-was-trigger-for-suicide-coroner-says/> · Carré <https://www.disabilitynewsservice.com/wca-death-scandal-dwp-and-atos-killed-my-son/> · Whiting <https://www.leighday.co.uk/news/press-releases/2025-news/coroner-finds-stopping-benefits-triggered-the-death-of-jodey-whiting-following-second-inquest/> · Graham <https://www.disabilityrightsuk.org/news/2020/january/disabled-man-starved-death-after-dwp-wrongly-stopped-his-benefits> · Day <https://www.disabilityrightsuk.org/news/2021/june/dwp-responds-coroner%E2%80%99s-prevention-death-notice-following-tragic-death-philippa-day> · DWP mortality stats <https://www.gov.uk/government/statistics/mortality-statistics-esa-ib-and-sda-claimants> · Full Fact correction <https://fullfact.org/news/statistics-authority-calls-research-fit-work-deaths/> · NAO sanctions <https://www.nao.org.uk/insights/benefit-sanctions/> · Barr 2016 <https://pmc.ncbi.nlm.nih.gov/articles/PMC4819657/> · Welfare Conditionality Project <https://eprints.whiterose.ac.uk/id/eprint/154305/> · Williams 2021 <https://eprints.gla.ac.uk/215868/> · Pattaro 2022 <https://pmc.ncbi.nlm.nih.gov/articles/PMC7613403/>

Australia: Robodebt Royal Commission <https://robodebt.royalcommission.gov.au/publications/report> · RMIT FactLab (deaths figure) <https://www.rmit.edu.au/news/factlab-meta/robodebt-not-directly-responsible-for-more-than-2000-deaths> · DSP inquiry <https://www.sbs.com.au/news/article/disability-support-pension-applicants-are-being-forced-into-poverty-inquiry-hears/kkmob0fsd> · ParentsNext https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/ParentsNext/Report · CDP <https://www.ejaustralia.org.au/cdppenalties/>

New Zealand: WEAG <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/research/weag/index.html> · Community Research <https://communityresearch.org.nz/wp-content/uploads/2021/08/Understanding-Welfare-Sanctions-in-Aotearoa-New-Zealand-July-2021.pdf>

United States: Sommers NEJM 2019 <https://www.nejm.org/doi/full/10.1056/NEJMSr1901772> · Sommers Health Affairs 2020 <https://pmc.ncbi.nlm.nih.gov/articles/PMC7497731/> · Gresham v. Azar <https://law.justia.com/cases/federal/appellate-courts/cadc/19-5094/19-5094-2020-02-14.html> · CBO 2022 <https://www.cbo.gov/publication/58199> · Gelber et al. 2023 <https://www.sciencedirect.com/science/article/pii/S0047272723002153>

Principle: Frontiers in Public Health 2021

<https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2021.764559/full> ·
WHO CSDH <https://www.who.int/publications/i/item/WHO-IER-CSDH-08.1>

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