

## **Response to the Social Security Advisory Committee call for evidence on social security and separated parents**

**April 2019**

Women's Aid Federation of England (Women's Aid) is the national charity working to end domestic abuse against women and children. Over the past 44 years, Women's Aid has been at the forefront of shaping and coordinating responses to domestic violence and abuse through practice, research and policy. We empower survivors by keeping their voices at the heart of our work, working with and for women and children by listening to them and responding to their needs.

We are a federation of over 180 organisations who provide just under 300 local lifesaving services to women and children across the country. We provide expert training, qualifications and consultancy to a range of agencies and professionals working with survivors or commissioning domestic abuse services, and award a National Quality Mark for services which meet our quality standards. We hold the largest national data set on domestic abuse, and use research and evidence to inform all of our work. Our campaigns achieve change in policy, practice and awareness, encouraging healthy relationships and helping to build a future where domestic abuse is no longer tolerated. The 24 hour National Domestic Violence Helpline (run in partnership with Refuge) and our range of online services, which include the Survivors' Forum, help hundreds of thousands of women and children every year.

Women's Aid welcomes the opportunity to respond to the Social Security Advisory Committee's call for evidence on social security and separated parents. We have restricted our answers to the questions posed that most relate to our area of expertise; domestic abuse. Our answers focus on the experiences of resident parents and their children, as the majority of survivors we work with are the main carers for their children after separation. These survivors frequently tell us about the economic abuse they have experienced from perpetrators, but also the ways that the tax and benefits system does not recognise or consider the multiple disadvantages that they, and their children, face.

### **How does the current tax and benefit system affect living standards and well-being of non-resident parents, resident parents and their children? This includes income and time spent with children and how people feel treated in the social security system.**

We know that women are far more likely than men to be: the main carers, or resident parents, for children after separation; more reliant on social security; have lower incomes; and are more likely to be in low-earning, part time work.<sup>1</sup> We are aware that reforms made to the welfare system in recent years have impacted disproportionately on women, and on certain groups of women – and their children – in particular.<sup>2</sup>

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<sup>1</sup>EHRC (2019) *Women's rights and gender equality in 2018: Update report*, EHRC, [published online](#); Gingerbread (2018) *Single parents in the UK: prevalence, characteristics and impact*, Gingerbread, [published online](#);

<sup>2</sup>Recently published evidence has highlighted the negative impact of welfare reform on BME women and single mothers. See, for example, Hall, S. et al. (2017) *Intersecting inequalities: The impact of austerity on Black and Minority Ethnic women in the UK*. Women's Budget Group and Runnymede Trust, [published online](#)

Women's Aid would like to refer the committee to the work of the Women's Budget Group on the disproportionate impact of welfare reform on women,<sup>3</sup> and the work of the End Child Poverty coalition on the impact of such reforms on children in low income families.<sup>4</sup>

**Are there any subgroups who are particularly affected by the tax and benefit system following separation? For example, type of benefit recipient, whether in work or out of work, shared care arrangements or protected characteristic, such as age?**

Domestic abuse is a gendered crime, which is rooted in gender inequality. As such, it intersects with and exacerbates the economic inequalities experienced by women, and means that survivors of domestic abuse, and their children, are far more likely to be pushed into poverty. For example, nearly a third of respondents in Women's Aid's Survivor Voice Survey 2018 said that access to money had been controlled by a perpetrator of domestic abuse, and two fifths of respondents said that domestic abuse had negatively impacted on their long-term employment prospects and earnings. Nearly half of survey respondents told us that they didn't have enough money to pay for basic essentials, like food and bills, while they were with their abusive partner.<sup>5</sup>

The period immediately following separation is proven to be an extremely dangerous time for survivors, with an increased risk of physical harm from perpetrators.<sup>6</sup> Leaving an abusive relationship therefore places survivors in a perilous and vulnerable position, both physically and economically. Once separated, many survivors do not receive any economic support for children from their former partners, and struggle to meet basic costs. There is no free childcare for under-twos, and survivors have often fled far from their family networks and therefore have no informal support to draw on for childcare. As a result, they are far more likely to have a high burden of unpaid care work.

When unpaid care work is combined with the serious, long-term physical and psychological effects of domestic abuse, the result is that many survivors struggle to find and maintain work after separating from abusive partners. Women's self confidence is often completely broken by their experiences and they need time and support to rebuild self-esteem and take steps towards finding employment or re-entering the job market.

In addition, when living in refuge, the need to protect survivors' identities often means that they cannot safely continue working because the perpetrator would find them. Specialist domestic abuse services, including refuges, provide vital work and training opportunities and support in this regard - but access to financial assistance through the tax and benefit system remains extremely important in supporting survivors and their children to escape domestic abuse and rebuild their lives. We have welcomed the government's recognition of this, and exemptions to protect survivors living in refuges from some welfare reforms.

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<sup>3</sup> Women's Budget Group (2018) *WBG briefing: Women and social security*, [published online](#)

<sup>4</sup> End Child Poverty (2018) *Unhappy birthday! The two child limit at one year old*, Child Poverty Action Group and The Church of England, [published online](#)

<sup>5</sup> Women's Aid (2019) *The Domestic Abuse Report 2019: The Economics of Abuse*. Bristol: Women's Aid, [published online](#)

<sup>6</sup> 55% of women killed by their ex-partner or ex-spouse in 2017 were killed within the first month of separation and 87% were killed in the first year. For more details see the Femicide Census (developed by Karen Ingala Smith and Women's Aid Federation of England working in partnership, with support from Freshfields Bruckhaus Deringer LLP and Deloitte LLP). (2018) *The Femicide Census: 2017 findings. Annual Report on cases of Femicide in 2017*. Published online: Karen Ingala Smith and Women's Aid

However, Women's Aid remains highly concerned that a number of welfare policies are restricting survivors' abilities to provide for themselves and their children on separation. For example:

As well as having a disproportionate impact on single mothers and those with young children, the lowered benefit cap is restricting survivors' ability to move on from refuge - as their benefits cannot cover the costs of housing.

The two child limit - a dangerous policy which disproportionately impacts women and children and threatens to increase child poverty - forces survivors to disclose domestic and sexual abuse if they want to access the 'non-consensual conception' exception. Many will never do this because of trauma, shame and fear. This means that survivors who have separated from abusive partners and are eligible to claim the exception in order to receive benefits for their third or subsequent children are not doing so.

The 'Domestic Violence Easement' (DVE) exempts survivors from the Jobseeker's Allowance work-related requirements for 13 weeks. However, a number of eligibility requirements mean that survivors can struggle to access the provision. These include a six-month time limit on evidence of domestic abuse and a requirement that victims can only use the DVE once in a 12 month period, which do not reflect women's lived experiences of domestic abuse.

Inflexible benefit systems and processes are compounded by gaps in knowledge and awareness about domestic abuse among Job Centre Plus (JCP) and other Department for Work and Pensions (DWP) staff working with, and advising survivors. Although we have welcomed the opportunity to work with the government to improve training for customer service managers with JCP+, and look forward to rolling this out across the country, training for all frontline professionals on domestic abuse is still not comprehensive and delivered by specialists as routine. This means that some eligible survivors are not accessing the DVE provision or the 'non-consensual conception' exception to the two child limit for Tax Credits and Universal Credit - because they are not being supported by professionals with in-depth understanding on training on domestic abuse. Survivors' experiences illustrate some of these problems and missed opportunities:

*"Being pushed to go back into work all the while coming to terms with rape trauma was, to be honest, really quite horrendous [...] There was quite a lot of pressure on me from my work coach who said I wasn't finding work quick enough, but I didn't feel able to work. I just had to push through it. I only recently found out that I could have had support. That could have made all the difference"* (Women's Aid Survivor Voice survey respondent).

*"I don't understand the process. On the website it says if you need any advice, call the Tax Credits hotline and ask to be put through to the specialist exceptions department. I tried to do this, but the person refused. He said he couldn't put me through without me disclosing what I wanted to discuss or without a referral, but I didn't feel able to tell him, so I put the phone down. It was very insensitive"* (Women's Aid Survivor Voice survey respondent).

We are also aware of systems and processes that have not been intentionally designed to negatively impact on survivors of domestic abuse, but which do this nevertheless. The example below illustrates this:

*"I wasn't aware that my husband had claimed child benefit for one of our children in his name, so when we separated they said I'd have to find proof that this child*

*actually lived with me. I ended up having Tax Credits for all my children frozen for seven weeks, which when you've got four children and you rely on it a lot, it's really hard and it added to the stress that I was under at the time" (Women's Aid Survivor Voice survey respondent).*

Finally, it is important to note that an increasingly vulnerable group of survivors in terms of accessing welfare benefits and support is those with 'No Recourse to Public Funds' (NRPF) – which includes those with insecure status, undocumented migrants, asylum seekers and European Economic Area (EEA) nationals. As the NRPF condition means survivors are unable to access welfare benefits, few refuge services, who are facing a funding crisis, are able to fund their stay. Over a quarter of survivors refused access to a refuge space, who were supported by Women's

*Magda's story*

*Magda was a woman with NRPF seeking refuge with one child. She was unable to access the housing benefit she needed to stay in refuge, and was told by social services that her only option was to return to 'her own country'. She gave up her search and stayed with the perpetrator.*

Aid's No Woman Turned Away project in 2017, had NRPF.<sup>7</sup>

The Destitution Domestic Violence Concession (DDVC) - secured through advocacy from the 'by and for' BME women's sector - is a lifeline to support, providing survivors with welfare benefits for three months so they can stay in refuge while applying for Indefinite Leave to Remain (ILR) under the Domestic Violence Rule (DVR). However, the DDVC and DVR are only available to those on spousal visas, where their spouse or partner is a British citizen or has settled status in the UK. 67% of women with no recourse to public funds supported by the NWTAA caseworkers in 2016-17 were ineligible for the DDVC.<sup>8</sup>

### **Is there any evidence of how this is changing under Universal Credit?**

The problems identified above have been exacerbated by Universal Credit (UC), claims for which involve a five-week wait and payments made monthly in arrears. For survivors of domestic abuse, who are experiencing heightened physical and economic risks after escaping an abuser, this waiting period is particularly difficult - leading to debt and hardship.

*"After separating from my abusive partner, I was living with my parents while looking for work in my professional field, but I needed the benefits system to tide me over in the short term. After claiming you have to wait a couple of months, and the support is backdated. This means that unless you've got someone to take you in and look after you – I don't know what I'd have done if I hadn't had my parents. I felt the government didn't really consider individual stories, or take into consideration the fact that I wasn't receiving any support at all from my son's father" (Women's Aid Survivor Voice survey respondent).*

Delays present huge issues if a woman is escaping to refuge, because the complexity of their change in circumstances, the level of consent required by DWP from an individual,

<sup>7</sup>Women's Aid (2017) *Nowhere to Turn: Findings from the First Year of the No Woman Turned Away Project*, [Accessible online](#).

<sup>8</sup>Women's Aid (2017) *Nowhere to Turn: Findings from the First Year of the No Woman Turned Away Project*, [Accessible online](#).

and issues with dual housing benefit can mean claims take significant time to process.

Refuges have reported that women can sometimes wait up to 10 weeks for payment.<sup>9</sup>

Claimants can apply for benefit advances for up to a full month of their UC payment upfront, although amounts given vary depending on individual circumstances. Advances must be repaid over a twelve month period, and for many survivors this will have a huge impact on their available resources and may push them, and their children, into poverty. The delay involved in making a claim for Universal Credit also has broader impacts for newly separated survivors of domestic abuse and their children, as the example below shows:

*“Most of our residents will need a solicitor through Legal Aid, which is a means tested benefit. Let’s say a resident moves in to our refuge, we claim Universal Credit, and two weeks later she gets a letter from her abuser’s solicitor about child contact, with a court date in two weeks’ time. As a claim for UC takes six weeks, we don’t yet have the required evidence for Legal Aid. The resident has to attend court with no representation.”* (Women’s Aid member service refuge support worker).

We have welcomed DWP’s recent commitments to improve help with advances and build a fairer and more flexible social security system for claimants, particularly women and families. We look forward to continuing to work with the government in this regard. In order to help mitigate the negative impacts of welfare reform on survivors, and to improve their access to the welfare benefits they need to support themselves and their children after separation, Women’s Aid recommends the following measures:

Introduce, through the Domestic Abuse Bill, a duty to assess all welfare reform policies for their impact on survivors of domestic abuse.

Exempt survivors from the benefit cap and end the two child limit for Tax Credit and Universal Credit, which can undermine survivors’ recovery and independence.

Expand the DVE provision to a 12 month period, remove the six-month time limit on evidence of domestic abuse to access the provision, and remove the requirement that victims can only use the DVE once in a 12 month period.

Remove the requirement for survivors to have to repay benefit advances within twelve months.

Reform the eligibility criteria for the Destitution Domestic Violence Concession (DDVC) to ensure all women with insecure immigration status can access a life-saving refuge space.

Create flexibility in the UC system so that survivors can obtain proof of having made a claim in order to access Legal Aid in the interim period.

Ensure that all Job Centres have a work coach who is a fully trained domestic abuse specialist and continue to work with Women’s Aid to deliver comprehensive training on domestic abuse for all DWP staff.

**For further information, please contact xxxxx xxxxxxxxx Women’s Aid’s Research and Policy Officer: xxxxxxxxxxxxxxxxxxxxxxxxxxxxx**

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<sup>9</sup> Policy in Practice, Universal Credit: making it work for supported housing residents, October 2018