

08-25 UC - Income & Capital Disregards for Miscarriage of Justice Compensation Payments

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INTRODUCTION

1. This memo gives guidance on the Social Security (Income and Capital Disregards) (Amendment) (No. 2) Regulations 2025¹ [SS (I&C) (Amdt) Regs 2025], SI 2025/778. The changes take effect from 22.07.25. These regulations¹ extend to England, Wales and Scotland.

1 [SI 2025 No.778](#)

BACKGROUND

2. UC regulations¹ are amended to include miscarriage of justice compensation payments as payments to be wholly disregarded. From 22.07.25 miscarriage of justice payments are added to the list at ADM [H5140](#).

1 [UC Regs 2013, reg 76](#)

Meaning of miscarriage of justice compensation payment

3. Miscarriage of justice compensation payment means

1. a payment made under relevant legislation¹ **or**

2. any other payment made by the Secretary of State, the Scottish Ministers or, in Northern Ireland, the Department of Justice for the purpose of compensating a person for

2.1. a miscarriage of justice in criminal proceedings **or**

2.2 being wrongfully charged with a criminal offence.

1 [CJA 1988 s.133\(1\)](#)

INCOME AND CAPITAL DISREGARD

4. Payments derived from compensation as a consequence of a miscarriage of justice are disregarded indefinitely¹ where

1. a person receives a payment under relevant legislation²

2. the partner of a person referred to in 1. receives a payment which is derived from

2.1. that payment from that person **or**

2.2. their estate **or**

3. the payment is made to the personal representative of a person referred to in 1. where they

3.1. were the deceased person's partner immediately before death

and

3.2. receive a payment from the person's estate.

Note: This disregard extends to miscarriage of justice compensation payments received before 22.07.25.

1 [UC Regs 2013, reg 76](#); 2 [CJA 1988 s.133\(1\)](#)

ANNOTATIONS

Please annotate the number of this memo (ADM 08-25) against the following ADM paragraphs [H5140](#) and [H2051](#)

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E,

Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#)
Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: July 2025

The content of the examples in this document (including use of imagery) is for illustrative purposes only.