

## Work and Pensions Committee – Universal Credit and domestic abuse

Written evidence submitted by WinVisible (women with visible and invisible disabilities)

WinVisible (women with visible and invisible disabilities) is a multi-racial organisation with a UK-wide network: enabling women to have a voice, and providing self-help information, advocacy, campaigning and other activities, on many issues. We produce information on benefit rights and directly work with and support women claimants with visible and invisible disabilities. For many years, we have raised the connection between disabled women's financial dependence and vulnerability to abuse, including as a consequence of charges for social care taken from disability benefits. In 2015, we were among the organisations and individuals who gave evidence to the UN Committee on the Rights of Persons with Disabilities which found that UK welfare reforms have led to "grave and systematic violations of the rights of persons with disabilities" (2016).

1. We are entirely opposed to Universal Credit (UC) which cuts or abolishes premiums which were established as necessary under Income Support, and additional benefit amounts for children and adults with specific needs: including via the two-child limit, abolition of severe and enhanced disability premiums, benefit cut to [disabled children and their families](#), the total benefit cap, and so on. The single monthly payment to the man as head of household is another particularly dangerous and retrograde feature of UC. And where women manage to escape and then claim UC in their own right, the built-in delay to the start of payments, including for rent, is causing women to go back to the violent partner, as [reported](#) to the inquiry by Nicola Kyser-Forrest from Calderdale Council.
2. The single monthly payment when paid to violent men is as dangerous as the total benefit cap, which is condemned by [Women Against Rape](#) for trapping women and children with violent men, and for penalising single mothers fleeing violence who rely on benefits to pay the rent in their safe accommodation. When the total benefit cap was first challenged at the Supreme Court in 2015, although the overall appeal failed, Lady Hale, currently President, stated: "*The prejudicial effect of the cap is obvious and stark... This prejudicial effect has a disproportionate impact upon lone parents, the great majority of whom are women, and is also said to have such an impact upon victims of domestic violence, most of whom are also women*" (para 180, see <http://www.bailii.org/uk/cases/UKSC/2015/16.html>)
3. Child Tax and Childcare Credits were, and where still in place, are almost always claimed by and paid to the mother, including in couple households in recognition that, like Child Benefit, it is payable to the person who has main responsibility for caring for the child/children. This is invariably the mother, whether or not she has a waged job. This principle was long ago established with the introduction of Child Benefit (formerly Family Allowance), and has been defended several times since, which specified payment directly to the mother and excluded payment via the father's pay packet, in recognition that the mother was the main carer and would ensure the money was spent for the child's welfare. See also: [The many ways in which Universal Credit could adversely affect family structures](#)
4. Overnight, UC substantially risks reducing women's financial power and independence in couple households, while boosting men's, who now not only

benefit from a most likely higher wage from his job, but get the benefits too that women would otherwise have got. And substantial evidence has already been presented that abusers wield this increased state-conferred power to exert control over how the family money is spent and to prevent women and children from leaving domestic violence.

5. The alleged option for women in this situation to ask the Work Coach (who has the power to report a claimant for sanction) or UC helpline to pay the money to them directly, behind their abuser's back, is grossly irresponsible. It puts the victim in greater danger from the abuser. If such a request is believed and granted (at the Work Coach's discretion), it is likely to enrage the abuser to exact his revenge. Further, as with having to state that her third child is a result of rape in order to be exempted from the two-child limit, will a victim's word be enough; what proof must she produce; why should she confide this to a state bureaucrat whose main role is enforcement of work conditions?
6. We remember [Elaine Morrall](#), the single mother of four children who died in November 2017 in freezing conditions in the family home, following a Universal Credit sanction for missing an interview while she was in intensive care in hospital. When Ms Morrall's serious health issues were disregarded despite her mother Linda informing the Jobcentre, what prospect do women with domestic violence issues or disabled women have, for the 'individual merits' of their requests to [split the household payment](#), to be considered, and when Alternative Payment Arrangements are officially disparaged in a patronising way, as not the correct way to "manage your money"? Government advice states that '*alternative payment arrangements are considered on a case by case basis and assessed on their individual merits. This allows for the household payment to be split. Wherever possible, these alternative payment arrangements will be temporary whilst you take steps to improve the way you manage your money.*' Reference: <https://www.gov.uk/government/publications/universal-credit-and-your-family-quick-guide/universal-credit-further-information-for-families>
7. Research by the [Runnymede Trust and Women's Budget Group](#) found that BAME women are hardest hit by the introduction of Universal Credit. And among women of colour, disabled BAME women are additionally disadvantaged.
8. Disabled women, including women with long-term mental ill-health and mental distress from trauma, are more likely to confide in us about experiences of rape, violence and abuse which they don't disclose to professionals or within mixed organisations of men and women. Disabled women, and women and mothers who become disabled while in a couple, report to us specific relationship pressures on them. Women with disabilities and/or long-term ill-health are especially vulnerable to mistreatment, exploitation and abuse as a result of financial dependence on partners or other immediate family members. The experiences of women in our network are borne out by research which showed that disabled women are twice as likely to suffer domestic violence, compared to non-disabled women.

<https://www.theguardian.com/society/2012/nov/19/domestic-violence-disabled-women-abuse>

9. The health conditions which mean women are reliant on benefits, are quite often the direct result of domestic rape and other violence. In January, the government had to remove one area of discrimination, conceding [a judge's ruling](#) that they had discriminated against claimants with mental distress. Eligibility for full mobility component of Personal Independence Payments had to be reinstated.
10. The dangerous impact of single payment of Universal Credit is compounded by disabled women's dependence for other reasons, some of which we indicate below.
11. Dependence for physical help. Many women with disabilities, who may not necessarily be getting disability benefits, are forced to depend financially and for daily living help on partners and immediate family members who may be abusive or become so. This is due to underfunding by central government of support services and independent living, lack of social care provision, cuts in care hours, and/or charges for homecare services taken from disability benefits by local Councils, which impoverish women and/or cause them to give up essential statutory support.
12. By comparison, joint assessment of income is prohibited in relation to homecare. In 2001, in a landmark legal challenge taken to the High Court, Sue Ferguson argued that her independence was compromised when her husband's income was included in her income assessment for homecare charges. Liverpool City Council conceded the case. Her victory set a rule that to this day protects disabled women against enforced financial dependence on their partners, by banning joint assessment of income. (See Department of Health charging [guidance](#), section IX.)
13. Discrimination against disabled mothers in child custody. There is widespread and growing national opposition to the soaring numbers of children being removed from their mothers and put in care or adopted. The most common reason for this removal is domestic violence. The [Support Not Separation](#) coalition, to which WinVisible belongs, spells out how mothers with physical disabilities and/or mental distress, rather than being allocated support for their caring responsibilities for a child, as is laid out by the Care Act 2014, face discriminatory decisions about whether they can cope, are denied State support and resources, and increasingly lose their children. Violent men are routinely abusing the family court system to control and coerce their ex-partners.
14. Legal aid has been slashed, leaving many women with disabilities with no access to a lawyer to enforce their rights on key issues, for example, disabled women going through divorce proceedings, trying to escape their violent ex-partner and live independently.
15. Escape routes and services for women with disabilities and women fleeing domestic violence have had their funding slashed under austerity cuts – 86% of which have

fallen on women. The national women's charity Women's Aid is running an SOS campaign in response to housing benefit cuts and government plans in funding for supported housing, saying 39% of refuges will be forced to close if the plans are implemented. In any case, the fact that social care support services do not follow disabled women to a refuge, that she may be placed in a residential home or hospital ward due to the shortage of accessible accommodation, or that she will have to give up hard-won accessible housing to get out, are all realities that work against disabled women leaving violent partners.

16. Similarly, our access to safe affordable housing in this current social housing crisis is greatly diminished, often forcing us to stay with violent men.

17. We are opposed to any measure which causes women to become more financially dependent as this makes women and children more vulnerable to men's violence. Women should get increased independent benefits for ourselves and all our children.

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