

Refuge briefing: Domestic Abuse Bill 2019 Second Reading, Universal Credit

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About Refuge

Refuge is the largest specialist provider of gender-based violence services in the country supporting over 6,500 women and children on any given day. Refuge opened the world's first refuge in 1971 in Chiswick and 47 years later, provides: a national network of 46 refuges, community outreach programmes, child support services, and acts as independent advocates for those experiencing domestic, sexual, and gender-based violence. We also run specialist services for survivors of modern slavery, 'honour'-based violence, and female genital mutilation. In partnership with Women's Aid, Refuge provides the National Domestic Violence Helpline which receives hundreds of calls a day.

Summary

The definition of domestic abuse in the upcoming Domestic Abuse Bill will include economic abuse for the first time in any Government definition. This delivers the strong message that economic abuse is just as serious as other forms of domestic abuse, and can have devastating consequences on survivors. However, the social security system has undergone significant change since 2010, including through the introduction of Universal Credit (UC), and in our experience there are several aspects of UC that facilitate and exacerbate economic abuse. Single payments are used by perpetrators to gain immediate control over the entire household income and perpetrate economic abuse against the survivor. Additionally, the five-week minimum delay between applying for and receiving the first UC payment impoverishes survivors at the point they are fleeing. It is essential that in addition to including economic abuse in the definition, that the Government goes further and introduces policies that will guard against perpetrators exploiting UC to further abuse survivors. Refuge is therefore calling for:

- All Universal Credit payments to be paid separately by default in recognition that this model can and is being used by perpetrators to economically abuse their partners
- Survivors of domestic abuse to be exempt from repaying advance Universal Credit payments in recognition of the expensive and traumatic nature of the immediate aftermath of fleeing domestic abuse

Universal Credit single payments

Universal Credit is paid in arrears via a single household payment into one bank account. In 2018, Refuge surveyed 65 frontline staff and conducted in depth interviews with survivors. This research showed that single payments can facilitate and exacerbate economic abuse, as perpetrators can gain immediate control over the entire household income.

Ruth* came to one of our refuges in October 2018 with her child after fleeing her abusive husband. She suffered physical, economic, and emotional abuse. Her perpetrator received their Universal Credit and Ruth was unable to access any of the money. As a result, Ruth and her child suffered severe financial hardship, struggling to buy essential items such as food, toiletries, and school uniform. After Ruth left her ex-partner she had to deal with the stress of having no money and the process of making a new UC claim, alongside managing the impact domestic abuse has had on her and her child. Ruth was referred to mental health services as her mental health suffered due to the extreme pressure and stress she was under.

*All survivor names have been changed

Frontline workers also said that some survivors are struggling to put aside the small amounts needed to flee due to UC single payments:

“Universal Credit payments going to one person in the household has meant clients have found it very difficult to put any money aside in order to flee – sometimes not even enough to travel to a refuge.”

Other staff highlighted that UC had driven rent arrears, which further restricted options for survivors:

“Where the housing element of Universal Credit has gone to the perpetrator, many don’t pay the rent and instead spend the money, yet our clients are jointly responsible for the rent arrears – which if they do flee and move on, could have a significant impact on their ability to access future housing.”

While it is the case that survivors can request split payments when they are experiencing abuse, in our experience, requests are highly likely to put survivors at greater risk of further abuse and harm. Perpetrators will always know a request for split payments has been made, as the request will appear on their online log. If the request is granted, they will become aware of this as their monthly UC payments will decrease. In response to our concerns, the Secretary of State for Work and Pensions announced earlier this year that the main carer of any children will receive the UC payment by default, and they are currently testing a UC application form that is intended to achieve this. Refuge welcomed this change, but remain concerned that the single payment model remains vulnerable to abuse, even when it is intended to reach the main carer of children, and will do nothing to support women without children who are jointly claiming UC with their perpetrator.

Refuge therefore maintains that separate UC payments by default is the safest option for survivors of domestic abuse. In recognition of the risk single UC payments pose to survivors of abuse, the Scottish Government has already committed in law to introducing separate UC payments by default. However, Scotland is dependent on the DWP’s IT infrastructure, and therefore support, to implement this change.

Additionally, the Joint Committee on the Draft Domestic Abuse Bill recommended the Government investigate implementing separate UC payments by default in order to prevent the UC system itself being used to facilitate economic abuse. It is essential for the protection of survivors that the Domestic Abuse Bill should be amended to implement separate UC payments by default.

Refuge urges MPs during second reading to call on the Government to amend the Domestic Abuse Bill so that Universal Credit is paid separately by default, in line with Scotland’s plans, in order to safeguard against perpetrators using the UC payment structure to perpetrate abuse.

Five-week delay

Under UC, all applicants must wait a minimum period of five weeks before they receive a payment.¹ Survivors often flee with very little or no money, frequently due to economic abuse, and are unable to take more than a few items with them. Survivors therefore have to replace essential items for themselves and their children, such as school uniform and winter coats, during that crisis period, as well as cope with the traumatic effects of abuse. The five-week delay often forces survivors who have fled into extreme poverty. Some survivors question their decision to leave due to the severe financial hardship they experience. A refuge worker told us:

¹ Since April 2018 existing housing benefit is paid for two weeks after a Universal Credit application, therefore claimants have three weeks without housing costs and five for all other types of benefit.

“The changeover to Universal Credit has caused a significant delay in accessing benefits when women arrive at the refuge. The five-week waiting time means women have to survive with their children with no income, and only a few food bank vouchers. This means that many struggle with whether they've made the right decision to leave if they can't even feed their children on their own.”

A survivor told us:

“I don't know if they understand the impact that it has when you have to wait so long. Especially in that period when you're fleeing. I think if they understood the additional stress that it causes you, for something mundane when you're trying to cope with all these massive issues, I think if they realised the additional pressure that it puts on women who are fleeing, I think maybe they would try and do something to try and quicken the process, or something to help access funds quicker in that first space of time.”

Whilst survivors can request advance UC payments, these are deducted from UC payments for up to 18 months. This is at a time when survivors need to have access to enough money in order to rebuild their lives and homes after fleeing, often with nothing. Refuge is of the view that survivors fleeing abuse should be exempt from paying back advance payments in recognition of the traumatic and expensive nature of fleeing. The Joint Committee on the Draft Domestic Abuse Bill agreed that the five-week delay was particularly damaging for survivors, and recommended Ministers consider converting advance payments into grants for survivors.

Refuge urges MPs to raise during second reading the particular difficulties survivors fleeing abuse experience when they face either a minimum five-week delay in receiving Universal Credit, or having diminished funds when trying to set up a new home and move on from abuse after fleeing, and urge the Government to exempt survivors from having to pay back advances.

Summary of recommendations

Refuge is firmly of the belief that the Domestic Abuse Bill has the potential to transform the response to domestic abuse, if it is used to implement some much needed policy reform. We are pleased the impact of economic abuse has been recognised in the proposed definition of domestic abuse, but some aspects of UC must be reformed to safeguard against the UC system itself being utilised to facilitate economic abuse, and to ensure that survivors are not impoverished at the traumatic and expensive point of fleeing. In order to support the changes Refuge wants to see to the Bill, we urge MPs to call on the Government during second reading to do the following:

- Pay Universal Credit separately by default, in line with the plans of the Scottish Government
- Exempt survivors from having to pay back Universal Credit advance payments