**Written Submission to the UN Rapporteur on Poverty, 2018**

This submission focuses on the issue of poverty, domestic abuse and its impact on women and children. My background is that of a qualified early years practitioner, registered social worker, and lecturer. I have written this submission using briefing papers supplied to me by Women’s Aid along with my professional experience that includes acting as a trustee to a Women’s Refuge. I would welcome the inclusion of this submission on the website of the Special Rapporteur.

Background information:

Women’s Aid defines domestic abuse as “an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behaviour, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases it is experienced by women and is perpetrated by men.”

“An estimated 1.2 million women experienced domestic abuse in the year ending March 2017 (ONS, 2017), and an estimated 4.3 million women aged 16-59 have experienced domestic abuse since the age of 16 (ONS, 2018)”

*https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/how-common-is-domestic-abuse/*

* One in seven (14.2%) children and young people under the age of 18 will have lived with domestic violence at some point in their childhood (Radford et al, 2011)
* 61.7% of women in refuges on the Day to Count 2017 had children (aged under 18) with them (Women’s Aid, 2018 – data from Women’s Aid Annual Survey 2017)
* Between January 2005 and August 2015, 19 children and two women were killed by perpetrators of domestic abuse in circumstances relating to child contact (Women’s Aid, 2016)

*https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/impact-on-children-and-young-people/*

Office for National Statistics (ONS). (2017): *Domestic abuse in England and Wales: year ending March 2017*. [Published online](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwales/yearendingmarch2017): ONS

Office for National Statistics (ONS). (2018) *Domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2017*. [Published online](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabusefindingsfromthecrimesurveyforenglandandwales/yearendingmarch2017): ONS

Radford, L., Aitken, R., Miller, P., Ellis, J., Roberts, J., and Firkic, A. (2011) Meeting the needs of children living with domestic violence in London[*Research report*](https://www.refuge.org.uk/wp-content/uploads/2016/10/Meeting-the-needs-exec-summary.pdf). London: NSPCC and Refuge

Women’s Aid. (2016) [Nineteen Child Homicides](https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2016/01/Child-First-Nineteen-Child-Homicides-Report.pdf). Bristol: Women’s Aid

Women’s Aid (2018) [*Survival and Beyond*](https://www.womensaid.org.uk/survival-beyond-report/): The Domestic Abuse Report 2017. Bristol: Women’s Aid.

(NB. The very nature of domestic abuse means that the full extent and scope of domestic abuse will not be truly reflected within statistics)

 ***Concerns in relation to Those Living with Domestic Abuse***

**Welfare reform: Universal Credit**

[B11] Universal Credit is not sufficiently refined or nuanced to take account of the particular dynamics of power, control and coercion within domestic abuse. The method of implementation of Universal Credit can lead to women and their children experiencing financial abuse as claims are usually made in one name, online and payments come through monthly, allowing the possibility of financial control by a perpetrator over household income. This may allow a perpetrator to decide when and on what money will be spent, leaving women and children in a situation of not being able to meet their own needs: for example, inadequate money is allowed for food, for school trips, school uniform, or extracurricular activities.

[C17 + D24] There is an option for split payments within Universal Credit to deal with the possibility of financial abuse. However, in order to do this, a separate claim has to bemade. For some, access to the internet may not be possible if every aspect of life is controlled. In addition, a woman planning to leave an abusive relationship may be wary of doing anything that may alert the perpetrator to their plans, with the concomitant risk that abuse may escalate, placing themselves and any children at greater risk.

If a woman experiencing domestic abuse does make a new claim for UC, then it is imperative that claims are processed quickly so that women and children are not placed in a situation that could exacerbate their situation and lead to greater poverty and debt.

**Welfare reform: Benefit Cap**

[B9] There is a limit on the total level of benefit that a household can receive: £23,000 in London (£15,410 for single people), and £20,000 (£13,400 for single people) in the rest of the country. This has an impact on single women with children and, in particular, with children under 2, as there is no free childcare for this age group. Women fleeing domestic abuse may have to leave behind family and friends that may have provided childcare and move to an area where they will have access to limited support. The cost of childcare may be prohibitive and a lack of adequate independent funds may make it difficult for women to leave an abusive situation. In that regard, Women’s Aid has noted the following:

“On 22 June 2017, the High Court ruled that applying the benefit cap to lone parents with

children under two was unlawful. The Government is set to appeal the ruling …. We have been publicly calling on the Government not to appeal this ruling, and to exempt

survivors and all lone parents with children under two from the policy. In the interim,

Discretionary Housing Payments (DHPs) must be available for survivors to access in the cases”. *Woman’s Aid Briefing Paper 2018. Welfare Reform & Domestic Abuse*

**Welfare reform: Two child tax credit limi**t

[B9 + B11+ E 27] Introduced in 2017, tax credit cannot be claimed for the third or any subsequent child if born after 6th April 2017. However, as noted in *Women’s Aid Briefing paper, Welfare Reform & Domestic Abuse 2018*:

* 17.7% of women in refuges had more than two children in 2016.\* This policy risks increasing financial barriers for women escaping abusive relationships - creating stark choices between poverty and safety - and restricting a survivor’s ability to rebuild independence.
* The Government have introduced a number of exemptions to the limit - including for children ‘conceived from non-consensual conception’ - defined as either rape or a context of coercive control. Domestic abuse services are listed as third-party organisations who can verify that a survivor is eligible for the exemption.
* Women’s Aid urges the Government to reverse this policy, which will disproportionately impact women and their children. It is estimated that the two child tax credit limit will result in a 10% increase in child poverty by 2020.\*\*
* Women’s Aid is clear that a policy which relies on survivors disclosing and evidencing domestic and sexual abuse in order to access a welfare benefit is fundamentally unworkable. Many women will never disclose rape to anyone, for reasons including trauma, self-protection, shame, and fear for others - including their child.
* Concern that a woman is required not to be living with the alleged perpetrator in order to access the exemption. This requirement demonstrates a lack of understanding of the nature of coercive control, and the risks facing women and children in an abusive relationship. Data from the Femicide Census revealed that 77.4% of women killed by their ex-partner or ex-spouse in 2016 were killed within the first year that followed that separation.\*\*\*
* As the Equality and Human Rights Commission have made clear, the exception “raises serious issues in relation to a child and mother’s right to private life under Article 8 of the European Convention on Human Rights”.

\* Women’s Aid Annual Survey 2016 - from a sample of 131 domestic abuse refuge services.

\*\* Child Poverty Action Group, 2018

\*\*\* Women’s Aid, The Femicide Census: 2016 Findings, 2017.

[E26] In addition to the above, it needs to be recognised that such a two child policy denies **all** children the right to be seen as active independent citizens with rights based on non-discrimination, contrary to the Preamble and Article 2 of the UN Convention on the Rights of the Child. Children have no control over their birth order and should not be denied their right to provision of services based on it.

[E26] There have been some developments in responses to domestic abuse, for instance with the government’s *Violence Against Women and Girls Strategy* and with the Domestic Abuse Bill currently under consideration. The present government may also appear to give attention to addressing social disadvantage and poverty within its policies, such as the implementation of Universal Credit (UC). However, UC and the two child tax credit limit can in fact add to and exacerbate social inequality and poverty. This, in turn, widens social inequality and works against a society that should have a social justice and rights based agenda at the heart of its policies, given that it has ratified the UNCRC and implemented the ECHR through the Human Rights Act 1998. In relation to domestic abuse, children have the right to be protected, to have provision of services and to have their voice heard. Children who are living with domestic abuse can easily be a hidden group. Unlike looked after children (children in care) towards whom the State has a corporate parenting duty and to whom it must offer priority and additional assistance, children living at home or in a refuge with their mother can easily fall through the gap of government policies that do not understand the complexities of their circumstances and fail to acknowledge children as rights holders.

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