



Public  
Law  
Project

# Universal Credit and Domestic Abuse

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## Universal Credit and Domestic Abuse

If you have experienced domestic abuse, you may be exempt from preparing for and looking for work for up to 6 months.

For the purpose of this leaflet, domestic abuse means any incident of controlling behaviour, coercive behaviour, violence or abuse, including psychological abuse, physical abuse, sexual abuse, emotional abuse, financial abuse, controlling or coercive behaviour perpetrated by a family member.

### **I'm claiming Universal Credit and have experienced domestic abuse. What should I do?**

If you feel able to, you should tell your work coach. Your work coach may be able to make changes to your claim, so that you have a period of time where you do not have to look for or prepare for work.

If you don't feel comfortable talking to your work coach, you should seek advice from a domestic violence support worker or welfare rights adviser, who can help you to talk to your work coach. The Jobcentre should provide a private room if that would make it easier for you to speak to your work coach.<sup>1</sup>

### **What help can I get from my work coach?**

Your work coach may be able to temporarily switch off the requirement that you prepare for and look for work while claiming Universal Credit. This temporary exemption is known as the 'Domestic Violence Easement'.<sup>2</sup>

The Easement should be recorded in your claimant commitment, to show that you do not have to carry out any work-related activity while it lasts.

### **How do I qualify for the Domestic Violence Easement?**

You must meet four conditions: 1) the abuse must have taken place within the last six months; 2) you must not be living with the person who carried out or threatened you with abuse; 3) you must not have already used the Domestic Violence Easement in the last year; and 4) you must provide your work coach with evidence of the abuse within one month of telling them about it.<sup>3</sup> The Easement will start as soon as you notify your work coach of the domestic abuse.

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<sup>1</sup> <https://www.understandinguniversalcredit.gov.uk/already-claimed/domestic-abuse/>

<sup>2</sup> Reg. 98, Universal Credit Regulations 2013/376

<sup>3</sup> Reg. 98, Universal Credit Regulations 2013/376

## What if I have experienced domestic abuse, but I don't qualify for the Easement because the abuse was more than six months ago, because I still live with the perpetrator, or because I have already accessed it once this year?

DWP guidance says that you may be able to have work-related requirements switched off under the 'domestic emergency' easement, even if you don't meet the criteria for the Domestic Violence easement. A domestic emergency could include circumstances where you are still living with the person who inflicted or threatened domestic abuse, or where you are living in temporary accommodation such as a refuge or hostel.

## What evidence do I have to provide?

A letter from a health care professional, police officer, social worker, your employer, your trade union, or a charity. The letter must explain that you have experienced or been threatened with domestic abuse within the last six months.

If you don't provide evidence within one month, then the Easement will end after that month. If you don't have the right evidence, the DWP should consider whether to keep your work-related requirements switched off under the 'domestic emergency' or 'child distress' provisions.<sup>4</sup>

## How long does the Easement last?

If you provide the evidence, the Easement will apply to your Universal Credit claim for 13 weeks, including the initial month. During this time, you do not have to comply with any of work related activities on your claim, and you cannot be asked to do any new work related activities. You cannot be sanctioned for not looking for work, or for not attending interviews or appointments during the 13 weeks of the Easement.

## What happens at the end of the Easement?

If you are the parent or carer of a child under 16, the Easement can be extended for a further 13 weeks. During this period you cannot be asked to look for work, but you may be asked to attend an interview or other work related activity.

If you are not the parent or carer of a child under 16, but there are other reasons why you do not feel able to search and prepare for work, you can ask your work coach to make changes to your claim on the basis of a "domestic emergency", because you have "complex needs" as the result of a difficult life event.<sup>5</sup>

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<sup>4</sup> Reg. 99, Universal Credit Regulations 2013/376.

<sup>5</sup> <https://www.gov.uk/government/publications/domestic-violence-and-abuse-help-from-dwp/help-available-from-the-department-for-work-and-pensions-for-people-who-are-victims-of-domestic-violence-and-abuse#universal-credit>

DWP guidance states that if someone is dealing with a domestic emergency, all requirements should be switched off.<sup>6</sup> The DWP may review your situation, but it should consider extending the period of time that your requirements are switched off for if your temporary situation continues.

DWP guidance also states that if you are experiencing a difficult life event, such as domestic abuse, temporary homelessness, mental health issues or other personal circumstances<sup>7</sup> it might be unreasonable to expect you to meet all the requirements of your claim. Your work coach should assess what it would be reasonable to expect you to do, and amend your claimant commitment to suit your individual circumstances. Changes made to your claimant commitment should last as long as you need them to, although you may be asked to provide evidence of your circumstances, for example, a further letter from a support worker.

## **What do I do if my work coach refuses to apply the Easement or make other changes to my claimant commitment?**

You should seek advice from a welfare rights adviser or solicitor. If you meet the criteria for the Easement, and have evidence of the domestic abuse, then your work coach cannot refuse to apply it to your claim.

If you don't meet the criteria for the Easement but have asked for other changes to be made, your work coach should take your circumstances into account. If you think that your claimant commitment doesn't reflect what you are realistically able to do, you should seek advice from a solicitor or welfare rights adviser. You can show your work coach this leaflet.

*This information leaflet has been produced by the Public Law Project as part of our Benefit Sanctioning Project in order to assist claimants to understand how to negotiate their claimant commitments. It should not be taken as legal advice. More information about our work on this project, including details of how to refer a case to our casework service, is available on our website at <https://publiclawproject.org.uk/what-we-do/current-projects-and-activities/benefit-sanctions/>. PLP's Benefit Sanctions project is supported by a grant from the Baring Foundation.*

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<sup>6</sup> DWP Advice for Decision Making, Chapter J3, paragraph J3226; Reg. 95(2)(b) Universal Credit Regulations 2013/376

<sup>7</sup> DWP Advice for Decision Making, Chapter J3, paragraph J3523



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