Rt Hon Frank Field MP
Chair of the Work and Pensions Select Committee
House of Commons
London
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Thank you for your letter dated 21 February, and I am glad you found my previous response helpful.

Domestic abuse is still a huge problem in our society, with far-reaching and devastating impacts; this Government takes the issue very seriously and has wide ranging provisions to support victims and survivors. We are committed to providing a compassionate welfare system, and the best possible support for all Universal Credit claimants, including the most vulnerable in society. This includes those who are, or have been, victims of domestic abuse.

This is, of course, a wider government issue and with regard the treatment of EEA nationals accessing Universal Credit, the Home Office Domestic Abuse Bill Consultation response made a number of commitments. This included a pledge to build long-term capacity and expertise about immigration rights for those working to combat domestic abuse.

I am of course committed to ensuring we do everything we can to identify, support, refer and ultimately empower victims and survivors. We are proud of the positive cultural change we have been able to achieve in our Jobcentre sites, and are committed to working with our staff, stakeholders and claimants to continually strive for improvements.

The Department’s Advice for Decision Makers sets out that in situations where the claimant has been the victim of domestic violence and so cannot provide anything other than oral evidence to demonstrate their residency status, the Decision Maker should adopt a pragmatic approach - on a case by case basis. Decision Makers may
consult and rely on relevant information held for persons other than the claimant in circumstances where this is the only means of obtaining necessary information.


Gathering of information in relation to proof of right to reside is a co-operative process of investigation in which both the claimant and the Department play their part. The Department has set requirements regarding information needed to determine whether the conditions of entitlement have been met. The claimant is required to supply that information. Where the information is available to the Department rather than the claimant, then the Department must take the necessary steps to obtain it.

In circumstances where the customer is unable to provide the information required, case law (Kerr v Department for Social Development) establishes the general legal principle that the Department should use information that is available to it where the claimant is unable to supply that requested information.

We will ensure guidance for operational colleagues within DWP reflects the support available for customers facing these difficult circumstances.

As per the Work and Pension Select Committee recommendation, we are implementing domestic abuse specialists in every Jobcentre. We have been closely engaging with stakeholders to design the training events, and will be delivering these in the spring and summer. The National Employer and Partnership Team are also providing a dedicated, national level resource that is accountable for building relationships with organisations that support victims of abuse. The team are currently engaging with stakeholders, including Women’s Aid and Refuge, to seek their views on how we can work collaboratively to deliver the most effective means of support.

I hope this assures you that we are doing all we can to support victims of domestic abuse.

The Rt Hon Amber Rudd MP
Secretary of State for Work and Pensions