

# Domestic Abuse Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Clause 55**

BARONESS FINLAY OF LLANDAFF  
LORD BROOKE OF ALVERTHORPE  
BARONESS BURT OF SOLIHULL  
LORD RIBEIRO

Page 35, line 30, at end insert “including, where necessary, alcohol and mental health support,”

**After Clause 72**

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

**“Evidence of domestic abuse for the purposes of legal aid: restriction of fees**

- (1) Where an appropriate health professional has examined a person in the course of providing services under a general medical services contract, the appropriate health professional may not impose a fee upon that person for providing a letter or report for the purposes of paragraph 11 or 12 of Schedule 1 to the Civil Legal Aid (Procedure) Regulations 2012 (S.I. 2012/3098) (supporting documents: domestic violence).
- (2) In this section, “general medical services contract” has the meaning given by section 84 of the National Health Service Act 2006.”

***Member’s explanatory statement***

*This amendment aims to prevent GPs who have a contract with the NHS from charging victims of domestic abuse for letters confirming their injuries so that they can seek access to legal aid and other services.*

LORD BEST  
THE LORD BISHOP OF MANCHESTER  
BARONESS LISTER OF BURTERSETT

Insert the following new Clause—

**“Benefit cap: domestic abuse**

- (1) Section 96 of the Welfare Reform Act 2012 (benefit cap) is amended in accordance with subsection (2).
- (2) After subsection (9) insert—
  - “(9A) Regulations made under subsection (4)(c) must provide for an exception where—
    - (a) the behaviour of a person (“A”) towards another person (“B”) constitutes domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021,
    - (b) A and B are personally connected within the meaning of section 2 of that Act,
    - (c) B claims a welfare benefit as a single person, and
    - (d) B’s claim for benefit as a single person was necessitated by A’s behaviour towards them, regardless of whether B had been part of a joint claim with A or not.
  - (9B) Regulations under subsection (9A) must provide for exceptions as follows—
    - (a) where B would fall within the grace period at regulation 82(1)(b) and (2) of the Universal Credit Regulations 2013 (S.I. 2013/376), for a period of at least 3 months from the end of that grace period; or
    - (b) where B would not fall within the grace period at regulation 82(1)(b) and (2) of the Universal Credit Regulations 2013 (S.I. 2013/376), for a period of at least 12 months beginning with the day on which B first received a welfare benefit which included a housing costs element within the award of universal credit, or housing benefit not falling within regulations 75F and 75H of the Housing Benefit Regulations 2006 (S.I. 2006/213).
  - (9C) Regulations made under subsections (9A) and (9B) must provide that, where B falls within paragraphs 3(h) and 3A(4) of Schedule 1 to the Universal Credit Regulations 2013 (S.I. 2013/376), the grace period at regulation 82(1)(b) and (2) or the exception at subsection (9B) above commences on the day on which B ceases to fall within those paragraphs.””

***Member’s explanatory statement***

*This amendment provides for the benefit cap to be disapplied for 12 months for a person (B) making a new universal credit claim in her own name where she has separated from a partner (A) who has subjected her to domestic abuse.*

**Clause 78**

LORD BEST  
THE LORD BISHOP OF MANCHESTER  
BARONESS LISTER OF BURTERSETT

Page 61, line 4, after “sections” insert “(Benefit cap: domestic abuse) and”

***Member's explanatory statement***

*This amendment is consequential to the new Clause in the name of Lord Best with the title "Benefit cap: domestic abuse".*

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*26 February 2021*

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