

Date: 6th July 2017

# The **Potteries Gold** Post

## **“REAL MISERY... TO NO GOOD PURPOSE.”**

### **HIGH COURT RULES AGAINST BENEFIT CAP FOR SOME LONE PARENTS, BUT DWP TO APPEAL.**

On **22nd June**, the High Court ruled that the revised Benefit Cap was **unlawful** as applied to **lone parents** with **children under the age of two**. In *DA & Ors (R) v Secretary of State for the DWP*, Mr Justice Collins said:

*“...the evidence shows that the cap is **capable of real damage** to individuals such as the claimants. **They are not workshy** but find it, because of the **care difficulties**, impossible to comply with the work requirement. Most lone parents with children under two are not the sort of households the cap was intended to cover and, since they will depend on DHP [Discretionary Housing Payments], they will remain benefit households. **Real misery is being caused to no good purpose.**”*

This case concerned four lone parents. They claimed the new lowered cap discriminated against them as they struggle to pay for child care or have zero-hours contracts, so cannot control whether they reach the number of weekly hours to be exempt from the cap.

The DWP has said that they intend to appeal this decision, so no changes have yet been made to the Benefit Cap rules.

The cap of £20,000 per year (£23,000 in London) counts almost all benefits, including Child Benefit and Housing Benefit. It applies to **lone parents** not working at least **16 hours a week** (**24 hours** if part of a **couple**). People working more hours than this, or receiving certain disability benefits or Carer's Allowance, are usually not affected.



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## WHO'S AFFECTED BY THE BENEFIT CAP?

Research by housing charity **Shelter** shows that for **two parent families** with **two young children** sharing a room (i.e. a two bedroom flat), their benefits would be capped in **over half of areas in England** (89 out of 152), including most of London and major cities like Leeds, Bristol, Manchester and Birmingham. **Two-parent families** with **two older children** needing separate bedrooms have their benefits capped in over **three quarters of the country** (120 out of 152).

**Lone-parent families** with **three children** are hit by the cap in **all parts of England**. Even if these families tried to avoid the cap by overcrowding into a two-bedroom home (all three children sharing one bedroom), they would still be hit by the cap in 92% of the country.

In **Stoke-on-Trent**, about **350 families** are affected by the Benefit Cap, most with **three children**.

## ADVICE FROM POTTERIES GOLD

You can get more information about this and other benefit issues from Potteries Gold. Next month (August) we will be at three **Information Roadshows** organised by the **City Council**. They are at:

- Port Vale Football Club – **Friday 4<sup>th</sup> August**, 1pm to 4pm
- 1 Smithfield, Hanley – **Wednesday 9<sup>th</sup> August**, 1pm to 4pm
- Weston Coyney Village Hall – **Tuesday 15<sup>th</sup> August**, 1pm to 4pm

We will have all our **information leaflets** with us, including the one about the **Benefit Cap**, and our guides to the various **disability benefits** and **Carer's Allowance** which can exempt your family from the cap.

Potteries Gold is a **Citizens Advice Staffordshire North & Stoke-on-Trent** project to help people in Stoke-on-Trent cope with changes to the benefit system

★ **Benefit Talks for your community group** ★ **Pop-Up Benefit Advice** ★  
★ **PIP/ESA Workshops** ★ **Benefit Leaflets** ★ **The Potteries Gold Post** ★ **Volunteering** ★

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