



Support for a child conceived without your consent

Including rape or while you were in a coercive or controlling relationship

Please note there is separate guidance for claimants living in England, Scotland and Wales. This is for claimants living in Northern Ireland who are claiming Universal Credit or Income Support only.

If you are claiming Child Tax Credits and live in Northern Ireland go to www.gov.uk/government/publications/support-for-a-child-conceived-without-your-consent.

Since 6 April 2017 families are usually able to claim support through Child Tax Credit, Universal Credit or Income Support for up to two children. You will not be paid an additional amount for more than two children, unless the children were born before 6 April 2017 (on or before 6 April for Income Support) or an exception applies.

For the purposes of this form, by child we mean anyone aged under 16, or a young person aged under 20 who enrolled on, accepted or started full-time non-advanced education, such as A-levels, or approved training before they turned 19.

There are exceptions for further children and these are detailed at www.nidirect.gov.uk/articles/universal-credit-two-child-limit

There may also be support for other children in the household if they were born before 6 April 2017 or if another exception applies. One of those exceptions applies to third or later children where either:

- you did not, or could not, consent to the act that led to the conception of the child, or
- you were in a coercive or controlling relationship with the other biological parent of the child at or around the time of conception.

In order to get this extra support, you must not be living with the other biological parent of the child. You will be asked to confirm this in this form.

Getting extra support

We can pay for any child conceived under these circumstances where they are the third or later child you are responsible for. If you think this applies to you, you can apply for this exception:

- through providing any available evidence about a conviction for rape or controlling or coercive behaviour in an intimate or family relationship, where this relates to the conception of your child, or
- through providing any available evidence of an award made under the Northern Ireland Criminal Injuries Compensation Scheme or the Criminal Injuries Compensation Scheme in respect of a relevant sexual offence, physical abuse or mental injury which you suffered, where this relates to the conception of your child, or
- by completing this form below and asking someone else to fill in part of it. This should be someone you have previously spoken to or are now speaking with in their professional capacity about the non-consensual act or coercive or controlling behaviour you experienced which relates to the conception of your child.
They should be a healthcare professional (for example, your GP), specialist support worker from an approved organisation as listed on nidirect.gov.uk, or a registered social worker.

This is to give us the information we need to support you further. You do not need to tell the third party the name of the other biological parent. We will not ask you for other evidence.

Please be aware that in Northern Ireland, if the third party forms a belief that a person has committed a relevant offence (such as rape), they have a duty under the Criminal Law Act (NI) 1967 to give to the police information likely to be of material assistance in securing the apprehension, prosecution or conviction of that person. However, they need not give that information if they have a reasonable excuse for not doing so. Discharge of their professional duty in relation to confidentiality may amount to such a reasonable excuse.

The Department for Communities will handle the information you provide discreetly and confidentially, in line with its strict data protection rules. If you are eligible to receive this extra support, any future benefit notifications will not include the reason for the additional support for the child.

If you do not fill in and return the form

You may not receive additional benefit for a third or subsequent child unless the child was born before 6 April 2017 or one of the other exceptions applies. These are detailed at www.nidirect.gov.uk/articles/universal-credit-two-child-limit

If you are having difficulties with this form, see **More information** below.

More information

For more information on how to make a claim for this exception

- If you are claiming Child Tax Credit go to **www.gov.uk/hmrc/ctc-exceptions** for further information and guidance or call the Tax Credit Helpline on 0345 300 3900
- If you are claiming Universal Credit go to **www.nidirect.gov.uk/articles/universal-credit-two-child-limit** or if you are claiming Income Support go to **www.nidirect.gov.uk/articles/income-support-dependants-allowance-two-child-limit**

Definitions of terms used

What is non-consensual conception?

For this form, it means conception that results from an act to which the claimant did not agree by choice, or did not have the freedom or capacity to agree by choice.

This can be where the claimant was raped whether by a partner, someone they knew, or a stranger. It can also include circumstances in which at or around the time of conception the claimant was subject to repeated or continuous controlling or coercive behaviour in an intimate or family relationship.

What is a controlling or coercive behaviour?

Controlling or coercive behaviour is a type of domestic abuse or violence.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Controlling or coercive behaviours might include :

- isolating a person from their friends and family
- depriving them of their basic needs
- monitoring their time
- monitoring a person via online communication tools or using spyware
- taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep
- depriving them of access to support services, such as specialist support or medical services
- repeatedly putting them down such as telling them they are worthless
- enforcing rules and activity which humiliate, degrade or dehumanise the victim
- forcing the victim to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities
- financial abuse including control of finances, such as only allowing a person a punitive allowance

- threats to hurt or kill
- threats to a child
- threats to reveal or publish private information. For example, threatening to out someone
- assault
- criminal damage (such as destruction of household goods)
- rape
- preventing a person from having access to transport or from working.

This is not an exhaustive list.

For this exception, the controlling or coercive behaviour must have had a serious effect on the claimant.

This means that it caused someone

- to fear that violence will be used against them on at least two occasions; or
- serious alarm or distress which had a substantial adverse effect on their usual day-to-day activities.

What is covered by “intimate or family relationship”?

To receive the exception due to controlling or coercive behaviour, the claimant must, at or around the time the child was conceived, have been personally connected with the person who is likely to be the child’s other biological parent. “Personally connected” covers situations where:

- they were in an intimate personal relationship with each other, whether or not they were living together
- they were living together in the same household and were members of the same family or had previously been in an intimate personal relationship with each other. Family members include a former partner or a relative such as a parent, step parent, sibling, step sibling. It can also include a relative of the claimant’s spouse or partner.

Support for a child conceived without your consent form

Please fill in this form and return it to us. This is to give us the information we need to support you further.

You should fill in **Part 1** and ask someone else to fill in **Parts 2 and 3**.

Parts 2 and 3 should be completed by someone you have previously spoken to, or are now speaking with in their professional capacity about the non-consensual act or coercive or controlling behaviour you experienced from the other parent of the child, which occurred at or around the time your child was conceived.

They should be:

- a healthcare professional in a Sexual Assault Referral Centre,
- other healthcare professionals, such as a doctor, midwife, nurse or health visitor,
- a registered social worker, or
- a representative of Belfast and Lisburn Women's Aid or Foyle Women's Aid

Please complete in **black ink** and use CAPITAL LETTERS.

Part 1: Your details

Your name

**National Insurance (NI)
number**

Address

Postcode

Phone Number (optional)

Your declarations

I believe the non-consensual conception exception applies to my child

Child's name

Your signature

I confirm that I am not living with the other biological parent of this child.

Your signature

Please now speak to the professional third party so they can complete Parts 2 and 3.

There is third party guidance at **www.communities-ni.gov.uk/publications/guidance-approved-third-parties-support-children-income-support-jobseekers-allowance-and-universal**

Part 2: Third party professional contact details

Name

Job title

Organisation

Address

Postcode

I am a healthcare professional
 specialist support worker from an approved
organisation
 registered social worker

Part 3: Third party professional declaration

I confirm that

The claimant

- contacted me
- contacted my colleague
(name)
who is a (role)

on

regarding the circumstances
surrounding the conception
of their child (name)

who was born on

Part 3: Third party professional declaration continued

Based on the meeting(s) in the course of professional duties you or your colleague named above have had with the claimant, and any other relevant information available to you, please tick all of the following boxes which apply.

Please note that ticking a box below only confirms that the claimant's circumstances, as described by them, are consistent with the statement next to the box. There is no requirement on the approved agencies or workers to seek any further documentation or evidence to confirm the circumstances

Non-consensual conception

- 1 The claimant's circumstances are consistent with it being likely that the claimant conceived through an act by another person to which the claimant did not agree by choice.
- 2 The claimant's circumstances are consistent with it being likely that the claimant conceived through an act by another person to which the claimant lacked the freedom or capacity to agree by choice.

If you have ticked box **1** or **2**, there is no need to fill in the Control or coercion section. Go straight to the signature section on the next page.

Control or coercion

- 3 At or around the time the child was conceived, another person was repeatedly or continuously engaging in behaviour towards the claimant that was controlling or coercive.
- 4 At or around the time the child was conceived
 - a the claimant and the other person were in an intimate personal relationship with each other.
 - b the claimant and the other person were living together and were members of the same family.
 - c the claimant and the other person were living together and had previously been in an intimate personal relationship with each other.
- 5 The behaviour mentioned in point 3 above
 - a caused the claimant to fear, on at least two occasions, that violence would be used against them.
 - b caused the claimant serious alarm or distress, which had a substantial adverse effect on the claimant's day to day activities.
- 6 The claimant's circumstances are consistent with that other person being the biological parent of the above child.

Now please sign on the next page.

Part 3: Third party professional declaration continued

Third party signature:

Signature

Date

Authentication

For example, professional registration number, agency reference number or administration stamp.

The Department for Communities may contact you to confirm authentication.

What to do now

This is a special form which we can only accept electronically.

You must email this form to **universalcredit.exceptions@dfcni.gov.uk**

We will not be able to accept the form over the counter at any Jobs & Benefits office or by post.

Department for Communities (DfC)

How DfC collects and uses information

The information the Department for Communities (DfC) collects from and about you depends mainly on the reason for your business with us.

We will use information about you for all of the Department's purposes, which include:

- The payment of social security benefits, grant loans and pensions;
- Child Maintenance;
- Employment and Training;
- Investigation of offences relating to social security;
- Social Security Research and Statistics.

DfC uses information to deal with enquiries and complaints, to provide DfC services, to protect public funds, and to conduct research and produce statistics to monitor and improve our services. We will obtain information about you as the law allows from other organisations to check the information you give to us, protect public funds, and to improve our services.

DfC also shares information with other organisations as the law allows, for example to protect against crime, and with HM Revenue and Customs.

DfC uses external suppliers to help deliver some services. We also use technology to make decisions and improve our services. We will only ask you for information about your health when this is needed for a benefit or service you are using. We will keep your information secure, and make sure nobody has access to it who shouldn't.

Please look at the DfC Privacy Notice on <https://www.communities-ni.gov.uk/articles/dfc-privacy-notice> to find out more about:

- your information rights;
- how to request a copy of your information;
- DfC's data controller details and other data protection information;
- how long DfC will keep your data for; and
- more detail about how DfC uses personal information.