

To: The Right  
Honourable Thérèse  
Coffey MP

Secretary of State for  
Work and Pensions

Via email only

21 May 2021

Dear Secretary of State,

As the statutory Children's Commissioners for Scotland, Northern Ireland and Wales, we are charged with protecting the rights and needs of children in our respective nations. We are writing today to express our concerns about the ongoing negative impact of the two-child limit on child tax credit and universal credit and to urge you to reverse this policy.

The Covid pandemic has highlighted the realities of the lives of children living in poverty, and across the devolved nations there is a renewed determination to implement measures that eradicate child poverty. National elections in Scotland and Wales in May 2021 have reinvigorated public discussion of various political parties' priorities and manifesto pledges. A key topic of interest for all of us during the 2021 elections has been tackling the persistent issue of child poverty.

In Scotland, Wales and Northern Ireland our respective governments took action to relieve the impact of the pandemic on children living in poverty. This included action to provide payments or goods to replace free school meals while children were unable to attend school and the extension of these to cover school holiday periods. Distribution of devices and data went some way towards reducing the digital divide. In Scotland, the planned implementation of the Scottish Child Payment went ahead during the pandemic.

While we welcome these positive steps, we continue to expect our respective governments to do more to reduce child poverty, utilising their devolved powers. These are, however, constrained by the impact of the UK-wide tax and benefits system.

Various party manifestos in both the Scottish and Welsh Parliament elections indicate steps that will be taken in the devolved nations towards tackling child poverty, and work has commenced on developing a population-wide Anti-Poverty strategy in Northern Ireland as part of the New Decade New Approach deal. However, we cannot ignore the fact that any such steps are ultimately undermined by the continuation of the harmful two-child limit on child tax credit and universal credit payments at a UK Government level.



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This policy is a clear breach of children's human rights including the right to an adequate standard of living. Children should not be penalised for actions beyond their control and shifting the focus of the UK Government's welfare benefits policy to giving all children, no matter their family circumstances, the same entitlements to state support would be a significant step in reducing the current and projected impact on child poverty.

A report of the UK Children's Commissioners in December 2020 to the UN Committee on the Rights of the Child<sup>1</sup> highlighted once again concerns about the negative impact of the benefits cap and two child limit, referring also to the UN Special Rapporteur on Extreme Poverty and Human Rights' damning assessment of this UK policy.

The UK will be examined by the Committee in 2022 on their progress in meeting and advancing children's rights, and they are due to submit a written report to the Committee in response to the List of Issues Prior to Reporting<sup>2</sup> in February 2022. In particular they will need to set out the measures taken to address the increasing child poverty rate; and assess the impact of recent social security and tax credit reforms on children, including children with disabilities and children belonging to ethnic minority groups, and to revise these reforms in order to fully respect the right of children to have their best interests taken as a primary consideration.

But children and families cannot wait until 2022 or later for action to be taken on this policy.

A recent paper published by the Child Poverty Action Group estimates that at least 350,000 families and 1.25 million children have been affected by the two child limit policy, on the fourth anniversary of its introduction<sup>3</sup>. This number will increase year-on-year due to the policy applying to children born after April 6<sup>th</sup> 2017. There is also evidence of disproportionate impact on women as single parent households, those from certain religious or ethnic minority backgrounds and on children in Northern Ireland, where families are larger than the UK average<sup>4</sup>. The CPAG have estimated that if the policy were ended today, '200,000 children would immediately be lifted out of poverty, and 600,000 children would be living in less deep poverty, at a cost of only £1 billion'.

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<sup>1</sup> <https://www.childcomwales.org.uk/wp-content/uploads/2020/12/UN-report-2020-examination-.pdf>

<sup>2</sup>

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fQPR%2f6-7&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGBR%2fQPR%2f6-7&Lang=en)

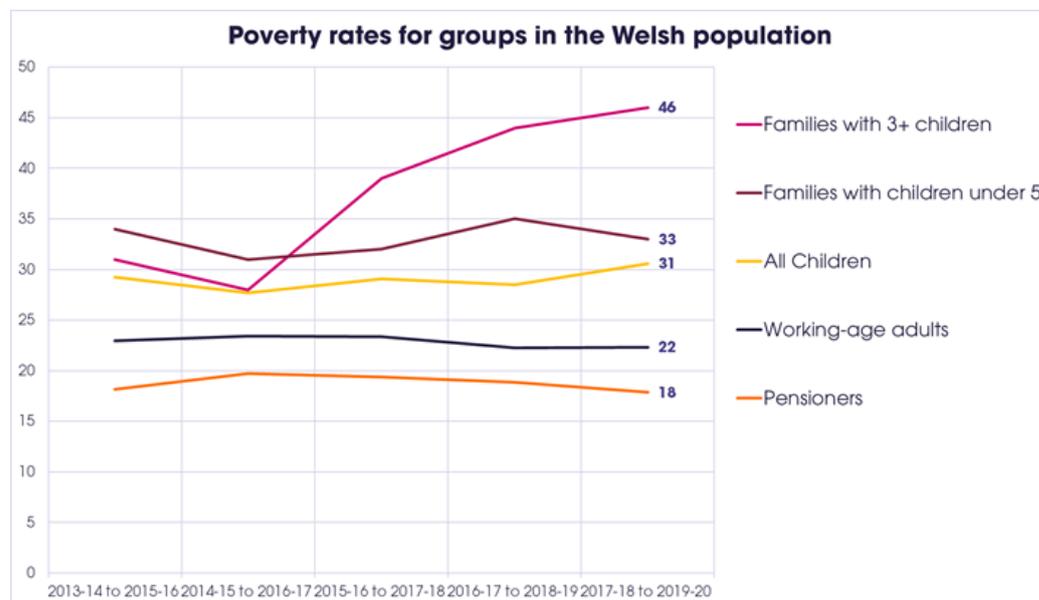
<sup>3</sup>

[https://cpag.org.uk/sites/default/files/files/policypost/It\\_feels\\_as\\_though\\_my\\_third\\_child\\_doesnt\\_matter.pdf](https://cpag.org.uk/sites/default/files/files/policypost/It_feels_as_though_my_third_child_doesnt_matter.pdf)

<sup>4</sup> <https://publications.parliament.uk/pa/cm201919/cmselect/cmworpen/51/51.pdf>



As an illustration from just one of our nations<sup>5</sup>, the latest child poverty data for Wales, based on DWP's new Households Below Average Income Dataset, makes it painfully clear that child poverty rates are rising fastest in households with 3+ children and the poverty gap between larger and smaller households is growing:



We will continue to hold our devolved governments to account in relation to their obligations to respect, protect and fulfil children's rights, but these governments can only go so far in their efforts to ensure children and their families get the support they are entitled to, while this discriminatory policy also remains in force at a UK level.

The £20 uplift in universal credit amounts during the Covid pandemic has been a welcome introduction, and one that in our view must be maintained, but a more fundamental consideration of the policy framework that impacts these families is urgently required. The cap on welfare benefits and the two child limit currently in force serve to have an unequal impact on families living in poverty and is inconsistent with the commitments made by the UK through the ratification of the United Nations Convention on the Rights of the Child.

This is not the first time that our offices have jointly raised concerns about these policies<sup>6</sup> but no lasting change has been introduced. With the focus in the Queen's speech in May 2021 on 'levelling up', there can be no excuse for continuing to breach children's rights through this discriminatory policy that

<sup>5</sup> Unpublished graph developed by CPAG, utilising data from <https://statswales.gov.wales/Catalogue/Community-Safety-and-Social-Inclusion/Poverty/childreninrelativeincomepoverty-by-numberofchildreninthehousehold>  
<sup>6</sup> <https://www.childcomwales.org.uk/2017/11/uk-childrens-commissioners-joint-letter-chancellor/>

will continue to harm children and families and prevent them from moving beyond the impact of the global pandemic.

We look forward to your reply and would welcome a meeting with you to discuss these matters.

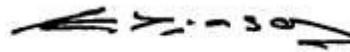
Yours sincerely,



Sally Holland  
Comisiynydd Plant Cymru  
Children's Commissioner for Wales



Bruce Adamson  
Children & Young People's  
Commissioner Scotland



Koulla Yiasouma

NI Commissioner for Children and Young People



Rydym yn croesawu gohebiaeth a galwadau yn Gymraeg. Byddwn yn ateb gohebiaeth a gwladau a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd cysylltu yn Gymraeg yn arwain at oedi | We welcome receiving correspondence and calls in Welsh. We will respond to correspondence and calls in Welsh, and contacting us in Welsh will not lead to delay.