# unworkable rape clause deepens trauma and denies support to survivors



## The Unworkable Reality of the Rape Clause

Recent research has exposed the shocking failures of the UK's so-called rape clause, which serves as a flimsy exception to the already controversial two-child benefit cap. Conducted by Dr Rebecca Hewer at the University of Edinburgh, the study highlights the many obstacles that survivors of sexual violence face in a system designed for bureaucracy rather than compassion.

The findings show that professionals tasked with certifying cases of “non-consensual conception” are often ill-prepared for their roles. Many lack the essential training and understanding needed, forcing survivors to navigate an inconsistent and unfathomable process that only deepens their trauma. This unworkability of the rape clause raises serious questions about the effectiveness of Labour's impending child poverty strategy amid rising living costs.

The two-child benefit cap, introduced by former Conservative Chancellor George Osborne in 2015, further constrains families by limiting tax credits to only two children born after April 6, 2017. While the exemption for women who conceive through rape was positioned as a humane measure, the reality is that obtaining necessary support has turned into a bureaucratic nightmare.

Interviews conducted in Dr Hewer's study reveal alarming inconsistencies in how “non-consensual conception” is understood. Despite the legal definitions, some practitioners fail to recognise scenarios like stealthing as rape, which can lead to potential errors that jeopardize vulnerable survivors’ access to aid. This lack of clarity further complicates a process that should offer solace and restoration.

Moreover, the report highlights the added distress women endure when revealing their traumatic experiences to a system that often raises unnecessary safeguarding concerns. This kind of additional scrutiny not only subjects them to invasive questioning but may also result in unwanted investigations, discouraging many from claiming their rightful benefits. With only around 200 households in Scotland currently benefiting from this exemption and expectations for that number to rise, the urgency for reform is indisputable.

The movement to repeal the rape clause is gaining traction, supported not only by survivors’ advocacy groups but also resonating through the broader Parliamentary discourse. Critics are rightly condemning the two-child cap as “unspeakably cruel,” highlighting its failure to deliver support where it is most needed. The call for a re-evaluation of such policies is more critical than ever, especially as vulnerable populations face systemic failures.

Recommendations from Dr Hewer’s report advocate for a shift towards a self-certification model for survivors, combined with increased training and awareness for those involved in the claims process. The overwhelming conclusion is clear: the two-child cap is a drastic intrusion into the lives of already vulnerable women and children, lacking any humane or effective method for implementing the rape clause in practice.

A system that demands survivors relive their trauma merely to access vital benefits starkly contradicts the values of a society that claims to care for its most vulnerable. Until significant, accountable reforms are prioritized, the emotional and financial toll will continue to devastate families affected by this deeply flawed policy. The failures of this government to protect its citizens deserve a critical re-evaluation as the nation looks towards more compassionate solutions.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

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2. <https://www.theguardian.com/commentisfree/2018/apr/18/the-guardian-view-on-the-tax-credit-rape-clause-a-disturbing-part-of-a-greater-wrong> - An editorial in The Guardian criticizes the UK's 'rape clause' exemption to the two-child benefit cap, arguing it forces women to disclose traumatic experiences to access benefits, potentially retraumatizing them. The piece highlights the policy's insensitivity and its broader implications on child poverty, calling for its repeal as part of a greater wrong in the welfare system.
3. <https://www.theguardian.com/society/2020/jul/17/data-shows-900-women-in-uk-affected-by-tax-credit-clause> - The Guardian reports that official figures reveal 900 women were compelled to disclose their child was conceived as a result of rape to claim social security help under the UK's two-child cap on benefits. The article discusses the policy's impact on families, the controversy surrounding the 'rape clause,' and the broader implications for child poverty in the UK.
4. <https://www.theguardian.com/society/2022/dec/25/sunak-urged-to-drop-unspeakably-cruel-two-child-limit-and-benefit-cap> - The Guardian reports on calls for UK Prime Minister Rishi Sunak to abandon the 'unspeakably cruel' two-child limit and benefit cap. The article discusses the policy's impact on child poverty, the controversy over the 'rape clause,' and the political pressures facing the government to address these issues.
5. <https://www.endviolenceagainstwomen.org.uk/call-to-scrap-the-two-child-limit-and-rape-clause/> - The End Violence Against Women Coalition, along with other organizations, calls for the UK Government to scrap the two-child tax credit limit and the 'rape clause.' The statement highlights the policy's detrimental impact on survivors of domestic and sexual violence, forcing them to disclose traumatic experiences to access benefits, and urges for its immediate repeal.
6. <https://www.engender.org.uk/news/blog/-5-things-you-need-to-know-about-the-family-cap-and-rape-clause1/> - Engender's blog outlines five key points about the UK's two-child benefit cap and the 'rape clause.' It discusses the policy's problematic nature, including the forced disclosure of rape and abuse, the dangers posed to women, and the unworkability of the 'rape clause' in practice, calling for its repeal.
7. <https://publications.parliament.uk/pa/cm201719/cmselect/cmworpen/1540/154003.htm> - The UK Parliament's Work and Pensions Committee report examines the two-child limit policy, highlighting its disproportionate impact on women and certain communities. It discusses concerns about the 'rape clause,' including the requirement for women to disclose non-consensual conception, the risk of revealing such information to children, and the policy's limited applicability, calling for a review and potential repeal.