



LOTUS JUSTICE & SUPPORT CENTRE CIC

Supporting survivors of domestic abuse in the Romanian-speaking community across the UK
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London, November 2026

Proposal initiated by: Lotus Justice & Support Centre CIC and Otilia Mutu, IDVA

LEGISLATIVE PROPOSAL

Access to Universal Credit and housing for domestic abuse survivors with pre-settled status

Subject: amending the Universal Credit Regulations 2013 and the housing eligibility rules so that survivors of domestic abuse with pre-settled status under the EU Settlement Scheme, in particular mothers of children under 5, are not left without any means of support.

1. Summary

EU women with pre-settled status who flee domestic abuse can be refused Universal Credit and housing help because pre-settled status alone does not count as a right to reside. Existing protections cover only part of this group, and court rulings in their favour have not been written into the regulations. We propose a targeted change to secondary legislation that closes the gap.

2. Current law

Since the Supreme Court's decision in *Fratila* (2021), pre-settled status alone is not a qualifying right to reside for benefits. The exclusion sits in regulation 9(3)(c)(i) of the Universal Credit Regulations 2013, and the same right to reside rules apply in housing law.

The existing protections only reach part of this group:

- The Migrant Victims of Domestic Abuse Concession was extended in April 2024, but only to spouses and partners whose pre-settled status came through the relationship, and their children. A woman who holds pre-settled status in her own right is not covered.
- In *GA v SSWP* [2024] UKUT 380 (AAC), the Upper Tribunal found the refusal of Universal Credit to a survivor with pre-settled status unlawfully discriminatory, but the regulation itself has not been changed.
- Since *AT*, a decision maker who finds no qualifying right to reside must assess destitution before refusing. In practice this means a case-by-case fight, often through mandatory reconsideration and appeal, while the woman has no money.

3. Who falls through: mothers of children under 5

The women hit hardest are mothers caring for children under 5. To pass the right to reside test they would usually need to be working, but with a baby or toddler, no childcare and often no family nearby, that is not possible straight after leaving an abusive home.

The cases Lotus sees follow the same pattern:

- 1 The woman holds pre-settled status in her own right, or her partner controlled the money and she never worked in the UK.
- 2 She leaves because of domestic abuse, with one or more children under 5.



- 3 Universal Credit is refused for lack of a qualifying right to reside, and the council treats her as not eligible for housing on the same basis.
- 4 Her only options become a refuge space if one is available, short-term section 17 support for the children, charity food parcels, or returning to the abuser.

These families have every right to live in the UK. The children are often British-born, and the mothers are only a few years away from settled status.

4. Proposed amendments

Draft: The Universal Credit and Housing Eligibility (Survivors of Domestic Abuse with Pre-Settled Status) (Amendment) Regulations

1. **Universal Credit.** In regulation 9 of the Universal Credit Regulations 2013, after paragraph (3) insert:

“(3A) Paragraph (3)(c)(i) does not apply to a person who has been subjected to domestic abuse, within the meaning of section 1 of the Domestic Abuse Act 2021, by a person who is personally connected to them, where that abuse is evidenced in accordance with guidance issued by the Secretary of State.”

2. **Housing.** Make the equivalent amendment to the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, so that the same survivors are treated as eligible for homelessness assistance and social housing allocation.

3. **First step, if a full change cannot be made now.** Apply paragraphs 1 and 2 at least to survivors who are the main carer of a child under 5, who cannot reasonably be expected to work.

The evidence accepted should match what is already used for domestic abuse cases elsewhere, such as a letter from an IDVA or a specialist domestic abuse service, a police report, a protective order, or a MARAC referral.

Effect of the proposal

The change writes into the regulations the outcome the Upper Tribunal already reached in *GA v SSWP*, so survivors no longer have to win it through appeals. It does not change immigration status, and it affects only people who already have lawful residence under the EU Settlement Scheme.

5. Who is behind this proposal

This proposal comes from the casework of Lotus Justice & Support Centre CIC, which supports survivors of domestic abuse in the Romanian-speaking community across the UK.

About Lotus. Lotus was founded in April 2026 and is the first UK service dedicated to Romanian-speaking survivors of domestic abuse. In just three months, June to August 2026, Lotus handled 123 cases from 25 localities, 40 of them involving children and 20 assessed as high or critical risk. The team is made up of 22 volunteer professionals, including solicitors, social workers, psychologists and qualified translators, and all support is free, in eight languages.

Lotus is listed in the Women's Aid Directory and is a Women's Aid Ally member, a member of AdviceUK, the ERAW Coalition and Respect, and is recommended by the Romanian Embassy in London. As a by-and-for service, it sees a part of the community that mainstream services often do not reach.



This proposal was initiated by Lotus Justice & Support Centre CIC and Otilia Mutu. We ask that any use of it, in Parliament, in the media or by other organisations, credits the source.

Otilia Mutu will advocate for these rights, including before select committees, the Domestic Abuse Commissioner and in public consultations, in two professional capacities:

- **Qualified IDVA (OCNLR Level 3).** An Independent Domestic Violence Advisor is the accredited specialist who works directly with high-risk survivors of domestic abuse. The IDVA assesses risk, builds a safety plan with the survivor, represents her interests with the police, courts, children's services and the council, and presents her case at MARAC, the multi-agency risk assessment conference. IDVAs are recognised in national guidance as the survivor's main point of support.
- **Paralegal.** She has passed all units of the NALP Level 7 Diploma in Paralegal Practice, with a Distinction in Civil Litigation, is a NALP Affiliate member, and gains weekly practice experience at a London law firm.

Otilia Mutu is also the Initiator and CEO of Lotus, a Lambeth VAWG Champion and the author of "Beyond Fear".

6. How you can support this proposal

We have shared this proposal with the Domestic Abuse Commissioner's office and with our constituency MP. Organisations, lawyers and services who see the same gap and want to support the proposal, or add their evidence, can contact us at contact@lotusjusticesupport.uk.

If you are experiencing domestic abuse and need help, Lotus offers free support in Romanian and seven other languages: lotusjusticeapp.co.uk or 0800 098 2730. In an emergency, call 999.

Otilia Mutu

Initiator and CEO, Lotus Justice & Support Centre CIC
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