

R (on the application of SC, CB and 8 children) (Appellants) v Secretary of State for Work and Pensions and others (Respondents)

Case ID: UKSC 2019/0135

Case summary

Issue

The Supreme Court is asked to decide whether the 'two child limit', a provision of primary legislation which restricts payment of amounts of subsistence benefit for children to the first two children in a family, is incompatible with the Appellants' rights under the European Convention on Human Rights.

Facts

The Welfare Reform and Work Act 2016 imposed a limit of two on the number of children in respect of whom child tax credit (and its replacement, universal credit) is payable.

The limit applies, with a few exceptions, to all children born after 6 April 2017, when the new law came into force. The Appellants are members of families affected by this two child limit.

SC lives with her three youngest children, for whom she is solely responsible. Her youngest child was born on 11 July 2017 (and therefore after the two child limit took effect).

CB has five children, the youngest of whom was born on 19 April 2017 (just after the new legislation came into force).

The High Court dismissed the Appellants' claims, and the Court of Appeal dismissed their appeal.

The Appellants now appeal to the Supreme Court.

Judgment appealed

[\[2019\] EWCA Civ 615](#)

Parties

Appellant(s)

SC, CB and 8 children (Appellants)

Respondent(s)

Secretary of State for Work and Pensions and others

Appeal

Justices

Lord Reed, Lord Hodge, Lady Black, Lord Lloyd-Jones, Lord Kitchin, Lord Sales, Lord Stephens.

Hearing start date

20 Oct 2020

Hearing finish date

22 Oct 2020

Watch hearing

20 Oct 2020 [Morning session](#) [Afternoon session](#)

21 Oct 2020 [Morning session](#) [Afternoon session](#)

22 Oct 2020 [Morning session](#)

Judgment details

Judgment date

9 July 2021

Neutral citation

[2021] UKSC 26

- | [Judgment \(PDF\)](#)
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Reporting restrictions

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THE COURT ORDERED that no one shall publish or reveal the names or addresses of the Appellants who are the subject of these proceedings or publish or reveal any information which would be likely to lead to the identification of the Appellants or of any members of their family in connection with these proceedings.