
STATUTORY INSTRUMENTS

2022 No. 942

**The Housing Benefit and Universal Credit
(Victims of Domestic Abuse and Victims of
Modern Slavery) (Amendment) Regulations 2022**

Amendments to the Housing Benefit Regulations 2006

2.—(1) The Housing Benefit Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “close relative”⁽²⁾ insert—

““coercive behaviour” means an act of assault, humiliation or intimidation or other abuse that is used to harm, punish or frighten the victim;

“competent authority” means a person who is a competent authority within the meaning of the Trafficking Convention;

“compulsory labour”, “forced labour”, “servitude” and “slavery” have the same meaning as in Article 4 of the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation to the United Kingdom;”;

(b) after the definition of “contributory employment and support allowance”⁽³⁾ insert—

““controlling behaviour” means an act designed to make a person subordinate 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 or escape or regulating their everyday behaviour;”;

(c) after the definition of “disability living allowance” insert—

““domestic violence” means any incident, or pattern of incidents, of controlling behaviour, coercive behaviour, violence or abuse, including but not limited to—

(a) psychological abuse;

(b) physical abuse;

(c) sexual abuse;

(d) emotional abuse;

(e) financial abuse,

regardless of the gender or sexuality of the victim;”;

(d) after “a guaranteed income payment” insert—

⁽¹⁾ [S.I. 2006/213](#).

⁽²⁾ The definition was amended by [S.I. 2008/2767](#).

⁽³⁾ The definition was substituted by [S.I. 2013/630](#).

““health care professional” means a person who is a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(4);”;

(e) after the definition of “pension fund holder”(5) insert—

““person acting in an official capacity”, where it appears in the definition of “young individual”, means a health care professional, a police officer, a registered social worker, the victim’s employer or any public, voluntary or charitable body which has had direct contact with the victim in connection with domestic violence;”;

(f) after the definition of “polygamous marriage” insert—

““positive conclusive grounds determination relating to modern slavery” means a determination made by a competent authority that an individual is a victim of trafficking in human beings, slavery, servitude or forced or compulsory labour;”;

(g) after the definition of “registered housing association”(6) insert—

““registered social worker” means a person registered as a social worker in a register maintained by—

- (a) Social Work England;
- (b) Social Care Wales;
- (c) The Scottish Social Services Council; or
- (d) the Northern Ireland Social Care Council;”;

(h) in the definition of “relative” at the end insert—

“except where it appears within the definition of “young individual” and within Regulation A13 where it has the meaning given by section 63(1) of the Family Law Act 1996(7);”;

(i) after the definition of “tax year” insert—

““the Trafficking Convention” means the Council of Europe Convention on Action against Trafficking in Human Beings (done at Warsaw on 16th May 2005);”;

“trafficking in human beings” has the same meaning as in the Trafficking Convention;”;

(j) in the definition of “young individual”(8), after paragraph (j) insert—

“(k) who—

(i) after attaining the age of 16 had domestic violence inflicted upon or threatened against them (“the victim”) by their partner or former partner, or by a relative; and

(ii) provides evidence to the relevant authority from a person acting in an official capacity which demonstrates that—

(aa) the victim’s circumstances are consistent with their having had domestic violence inflicted upon or threatened against them; and

(4) 2002 c. 17. Section 25(3) was amended by S.I. 2010/231, paragraph 17(1) to (3) of Schedule 10 to the Health and Social Care Act 2008 (c. 14), paragraph 56(b) of Part 2 of Schedule 15 to the Health and Social Care Act 2012 (c. 7) and paragraphs 1, 2(1) and (2) of Schedule 4 to the Children and Social Work Act 2017 (c. 16).

(5) The definition was amended by S.I. 2007/1749.

(6) The definition was substituted by S.I. 2010/671 and amended by S.I. 2012/700 and 3040.

(7) 1996 c. 27. Section 63(1) was amended by section 58 of, and paragraph 41(3) of Schedule 10 to, the Domestic Violence, Crime and Victims Act 2004 (c. 28) and section 82 of, and paragraph 14(4) of Schedule 9 to, the Civil Partnership Act 2004 (c. 33). Other amendments have been made but are not relevant to this instrument.

(8) The definition was amended by S.I. 2007/2868, 2010/2835, 2011/1736 and 1740, 2013/1465 and 2828, 2014/213, 2017/901 and 2021/546.

- (bb) the victim has contacted a person acting in an official capacity in relation to such an incident;
- (l) who has been the subject of a positive conclusive grounds determination relating to modern slavery;”.
- (3) Omit regulation 12M (transitional protection – reduction in LHA)(9).
- (4) In regulation A13 (when a maximum rent (social sector) is to be determined)(10), paragraph (5), omit the definitions of “domestic violence”, “health care professional”, “registered social worker” and “relative”.
- (5) In regulation 75H (specified accommodation)(11), paragraph (6), omit the definitions of “coercive behaviour”, “controlling behaviour” and “domestic violence”.

(9) Regulation 12M was inserted by [S.I. 2010/2835](#) and amended by [S.I. 2011/1736](#).

(10) Regulation A13 was inserted by [S.I. 2012/3040](#) and amended by [S.I. 2021/991](#). Other amendments have been made but are not relevant to this instrument.

(11) Regulation 75H was inserted by [S.I. 2014/771](#).