
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 211

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

Amendments to the Housing Benefit Regulations

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

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

(a) after the definition of “close relative” 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”⁽²⁾ 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.R. 2006 No. 405

(2) This definition was substituted by regulation 34(2)(a) of S.R. 2016 No. 236

““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(3);”;

(e) after the definition of “pension fund holder”(4) 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”(5) 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 A14 where it has the meaning given by Article 2(2) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998(6);”;

(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”(7), after paragraph (f) insert—

“(g) 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 that demonstrates that—
 - (aa) the victim’s circumstances are consistent with their having had domestic violence inflicted upon or threatened against them; and
 - (bb) the victim has contacted a person acting in an official capacity in relation to such an incident;

(3) 2002 c. 17. Section 25(3) was amended by paragraph 10(2) of Part 1 of Schedule 4 to [S.I. 2010/231](#), paragraphs 17(1) to (3) of Schedule 10 to [S.I. 2008/3244](#), section 220(6) and paragraph 56(b) of Part 2 of Schedule 15 to [S.I. 2012/1319](#), paragraph 2 of Schedule 4 to [2017 c.16](#)

(4) This definition was amended by [S.R. 2007 No. 306](#)

(5) This definition was inserted by [S.R. 2008 No. 101](#)

(6) [1998 No. 1071 \(N.I. 6\)](#)

(7) This definition was amended by [S.R. 2011 No. 51](#), [S.R. 2011 No. 293](#), [S.R. 2016 No. 326](#), and [S.R. 2021 No. 118](#)

(h) who has been the subject of a positive conclusive grounds determination relating to modern slavery;”.

(3) Omit regulation 13D (transitional protection-reduction in LHA)(8).

(4) In regulation A14(5) (when a maximum rent (social sector) is to be determined)(9), omit the definitions of “domestic violence”, “health care professional”, “registered social worker” and “relative”.

(5) In regulation 73H(6) (specified accommodation), omit the definitions of “coercive behaviour”, “controlling behaviour” and “domestic violence”.

Commencement Information

II Reg. 2 in operation at 1.10.2022, see [reg. 1\(1\)](#)

(8) Regulation 13D inserted by regulation 2(4) of [S.R. 2011 No. 51](#)

(9) Regulation A14 inserted by regulation 5(7) of [S.R. 2016 No. 326](#) and amended by regulation 2(a) and (b) of [S.R. 2021 No. 248](#)

Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations (Northern Ireland) 2022, Section 2.