



Domestic Abuse Act 2021

2021 CHAPTER 17

PART 7

MISCELLANEOUS AND GENERAL

Homelessness

78 Homelessness: victims of domestic abuse

- (1) Part 7 of the Housing Act 1996 (homelessness: England) is amended as follows.
- (2) In section 177 (whether it is reasonable to continue to occupy accommodation)—
 - (a) in subsection (1), for “domestic violence or other violence” substitute “violence or domestic abuse”;
 - (b) for subsection (1A) substitute—

“(1A) For this purpose—

 - (a) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021;
 - (b) “violence” means—
 - (i) violence from another person; or
 - (ii) threats of violence from another person which are likely to be carried out.”
- (3) Omit section 178 (meaning of associated person).
- (4) In section 179 (duty of local housing authority in England to provide advisory services), in subsection (5)—
 - (a) for the definition of “domestic abuse” substitute—

““domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021.”;
 - (b) omit the definition of “financial abuse”.
- (5) In section 189 (priority need for accommodation)—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (1), after paragraph (d) insert—
 - “(e) a person who is homeless as a result of that person being a victim of domestic abuse.”;
- (b) after subsection (4) insert—
 - “(5) In this section “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021.”
- (6) In section 198 (referral of case to another local housing authority)—
 - (a) in subsection (2), in paragraph (c), for “domestic violence” substitute “domestic abuse”;
 - (b) in subsection (2ZA), in paragraph (b), for “domestic violence” substitute “domestic abuse”;
 - (c) in subsection (2A), in paragraph (a), for “domestic violence” substitute “violence that is domestic abuse”;
 - (d) for subsection (3) substitute—
 - “(3) For the purposes of subsections (2), (2ZA) and (2A)—
 - (a) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021;
 - (b) “violence” means—
 - (i) violence from another person; or
 - (ii) threats of violence from another person which are likely to be carried out.”
- (7) In section 218 (index of defined expressions: Part 7), in the table, omit the entry relating to section 178.
- (8) In article 6 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 ([S.I. 2002/2051](#)) (vulnerability: fleeing violence or threats of violence)—
 - (a) the existing text becomes paragraph (1);
 - (b) after that paragraph insert—
 - “(2) For the purposes of this article—
 - (a) “violence” does not include violence that is domestic abuse;
 - (b) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021.”
- (9) In consequence of the repeal made by subsection (3), omit the following provisions—
 - (a) in Schedule 8 to the Civil Partnership Act 2004, paragraph 61;
 - (b) in Schedule 3 to the Adoption and Children Act 2002, paragraphs 89 to 92.