

2021 No.

HOUSING, ENGLAND

**The Domestic Abuse Support (Relevant Accommodation)
Regulations 2021**

Made - - - - - ***

Laid before Parliament ***

Coming into force in accordance with regulation 1(1)

The Secretary of State makes these Regulations in exercise of the power in section 57(2) of the Domestic Abuse Act 2021(a).

In accordance with section 57(10) of that Act, the Secretary of State has consulted the Domestic Abuse Commissioner, relevant local authorities, and such other persons as the Secretary of State considers appropriate.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Domestic Abuse Support (Relevant Accommodation) Regulations 2021 and come into force on the 21st day after the day on which they are made.

(2) These Regulations apply in England only.

Specification of relevant accommodation

2.—(1) Accommodation is specified as relevant accommodation for the purposes of section 57(2) of the Domestic Abuse Act 2021 if it is of the description in paragraph (2) or (3).

(2) Accommodation which—

- (a) is provided by a local housing authority, a private registered provider of social housing(b) or a registered charity whose objects include the provision of support to victims of domestic abuse;
- (b) is of a description specified in paragraph (4); and
- (c) is not bed and breakfast accommodation.

(3) Accommodation which is provided by a person other than a local housing authority or a private registered provider of social housing, which is part of a local authority sanctuary scheme.

(4) Accommodation is specified for the purposes of paragraph (2)(b) if it —

- (a) refuge accommodation;
- (b) specialist safe accommodation;

(a) 2021 c. xx

(b) See section 80(2)(a) of the Housing and Regeneration Act 2008 (c. 17).

- (c) dispersed accommodation;
- (d) second stage accommodation; or
- (e) other accommodation designated by the local housing authority, registered social landlord or registered charity as domestic abuse emergency accommodation.

(5) In this regulation—

“bed and breakfast accommodation” means temporary accommodation (whether or not breakfast is included)—

- (a) which is not separate and self-contained accommodation, and
- (b) in which any one or more of the following amenities is shared by more than one household—
 - (i) a toilet,
 - (ii) personal washing facilities,
 - (iii) cooking facilities,

but does not include accommodation which is owned or managed by a local housing authority, a non-profit registered provider of social housing or a voluntary organisation (as such an organisation is defined in section 180(3) of the Housing Act 1996(a));

“dispersed accommodation” means self-contained accommodation with the same level of domestic abuse support provided to a victim of domestic abuse as that provided in refuge accommodation;

“local housing authority” has the same meaning as in section 1 of the Housing Act 1985(b);

“refuge accommodation” means accommodation used wholly or mainly for providing accommodation to victims of domestic abuse where domestic abuse support tied to that accommodation is provided for the victims;

“registered charity” means a charity registered under section 30(1) of the Charities Act 2011(c);

“sanctuary scheme” means a scheme enabling victims of domestic abuse to remain in their own homes through the installation of additional security to the property or the perimeter of the property at which the victim resides;

“second stage accommodation” means accommodation provided to a person who is moving on from one of the other forms of accommodation specified in paragraph (4) that provides domestic abuse support for a fixed period to enable the person to move to accommodation that is not of the description in paragraph (3) or (4);

“specialist safe accommodation” means accommodation which provides dedicated specialist domestic abuse support to victims of domestic abuse with protected characteristics under the Equality Act 2010 or who share a vulnerability requiring additional support.

Signed

Date

Name
Parliamentary Under Secretary of State
Ministry of Housing, Communities and Local Government

(a) 1996 c. 52.
(b) 1985 c. 68.
(c) 2011 c. 25.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 57 of the Domestic Abuse Act 2021 requires local authorities to ensure that the need for domestic abuse support in their area is assessed. Domestic abuse support is defined in that section as support, in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation. These Regulations specify what types of accommodation are relevant accommodation.

An impact assessment has not been produced for this instrument as no impact is foreseen on the private or voluntary sectors.

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