What is domestic violence?

The Government defines domestic violence as

"any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

* psychological
* physical
* sexual
* financial
* emotional

First steps:

If you think you are in an abusive relationship, there are 3 important steps you can take that will help you to break the chain:

1) Recognise that it is happening to you

2) Accept that you are not to blame

3) Get help and support

## Where can I go to talk about my situation?

There a numerous organisations that you can contact to talk about your situation. They can provide you with comprehensive advice so that you are better able to make an informed choice about what course of action is most appropriate to your circumstances. The decision to take action and what action to take, is yours and no-one else should make it for you.

A list of helpful contacts that can offer you advice and assistance is included on the insert within this leaflet.

Remember - in an emergency contact the police by dialling 999 for assistance.

## What legal remedies are available to me?

There are legal remedies available to assist you and provide protection. If you wish to discuss legal protection for yourself (and your children) you should contact a solicitor or your local

Citizen’s Advice Bureau. The Citizen’s Advice Bureau has access to the Law Society’s ‘Solicitors Regional Directory’, which lists solicitors who specialise in matrimonial / family work. You may also be able to access this Directory at your local library.

# Domestic Violence

## How can I remain in (or return to) my Housing Association home?

If you are a tenant of a Registered Social Landlord such as a Housing Association, various remedies may be available to enable you to remain or return to your home.

These remedies include:

* Injunctions
* Removal of the perpetrator where they are not the tenant of the property
* McGrady notices
* Security measures
* Alarms / Mobile phone

For further information regarding these remedies, please contact your landlord directly.

If you own your home, it may be worthwhile discussing appropriate options available to you with a solicitor.

## Will the Council help me if I leave my home due to domestic violence?

Section 177 (1) of the Housing Act 1996, Part VII (as amended), states that ‘it is not reasonable for a person to continue to occupy accommodation if it is probable that this will lead to domestic violence against him/her, or against a person who normally resides with him/her as a member of his/her family or, against any other person who might reasonably be expected to reside with him/her.’

If you, or a member of your family, are affected by domestic violence, the Council may have a duty to assist you under homelessness legislation (Housing Act 1996, Part VII as amended by the Homelessness Act 2002).

If the Council considers that you are eligible for assistance, homeless, and in priority need, it may have a duty to ensure that temporary accommodation is available to you, in a place where you are no longer at risk of violence. This accommodation could be out of the area to ensure your safety.

Dependent upon your circumstances, family make-up, and where possible your preference, the accommodation you are offered may be in a refuge.

If you are affected by domestic violence or are genuinely at risk in your home, please don’t hesitate to contact the Housing Needs Team at Gedling Borough Council. Your query will be handled sympathetically and confidentially. You will be asked questions about your circumstances to ensure you receive advice and assistance appropriate to your individual situation.

The Council will not contact the perpetrator as part of its enquiries and you are not under any obligation to pursue any assistance you may be offered.

You can approach any local authority in England and Wales for assistance if you are at risk in the area you are living. The local authority to which you present may have a duty to secure that alternative accommodation is available on a temporary basis, in a place where you and your household are not at risk.

## I am in receipt of Housing Benefit – If I leave my accommodation temporarily, how will I afford to pay rent elsewhere?

If you are in receipt of Housing Benefit, you may be able to claim Housing Benefit on the property you have left, in addition to the accommodation to which you have fled. For further advice regarding Housing Benefit entitlements, please contact Gedling Borough Council’s Housing Benefit Department on telephone number 0115 9013970

## What other options are available to assist me to pursue alternative accommodation where I will no longer be at risk?

If you are not already a secure, assured or introductory tenant of a registered social landlord, you may be entitled to join the Housing Register. If you are a secure, assured or introductory tenant of a registered social landlord you can also apply to the Housing Register for a Transfer. For more information concerning these housing options please contact the Housing Needs Section on telephone number 0115 9013681

You may also be eligible to apply to join waiting lists for accommodation in other areas, and we would recommend that you contact local housing authorities for the particular areas you may be interested in moving to directly, for further advice and assistance.

You may also wish to consider seeking alternative accommodation in the private sector. For further advice about accessing accommodation in the private sector, please contact the Housing Needs Officer at the Civic Offices on telephone number 0115 9013681

## How can I contact the Housing Needs Section at Gedling Borough Council?

You can contact us by either:

Telephoning our Housing Needs Section on 0115 9013681

Emailing [Housingneeds@gedling.gov.uk](mailto:Housingneeds@gedling.gov.uk)

In Writing – Housing Needs, ,Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, NG5 6LU