



Sexual violence and housing

A guide for survivors of sexual
abuse who are experiencing
difficulties with housing



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We're Solace

For more than 40 years we've supported women and children in London to build safe and strong lives. Futures free from violence and abuse.

Whatever form violence comes in, from rape and trafficking to relationships based on psychological or financial control, we know escaping its effects can be the hardest thing to do. That's why it's so important we're here.

We find creative and innovative ways to support thousands of women and children each year. Stand with us to end violence and abuse now.

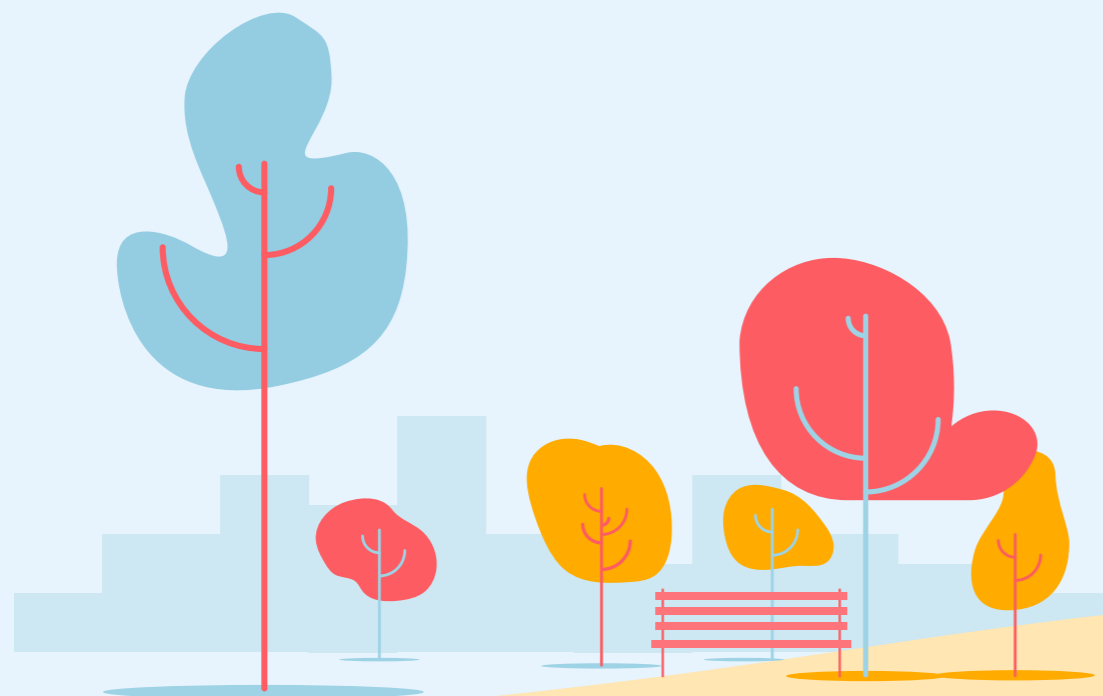
“ I feel relieved because now I can be myself, now I have a place I can call home. Thank you for your help and support during this process, I couldn't have achieved this freedom without Solace. ”

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Contents

This self-help guide is for survivors of sexual abuse who are experiencing difficulties with housing, or who would like to know more about the options available to them.

Look through the contents to see which of the headings best describes your situation, then follow the link to find information about your rights, the options available to you, and where you can access further support and advice.

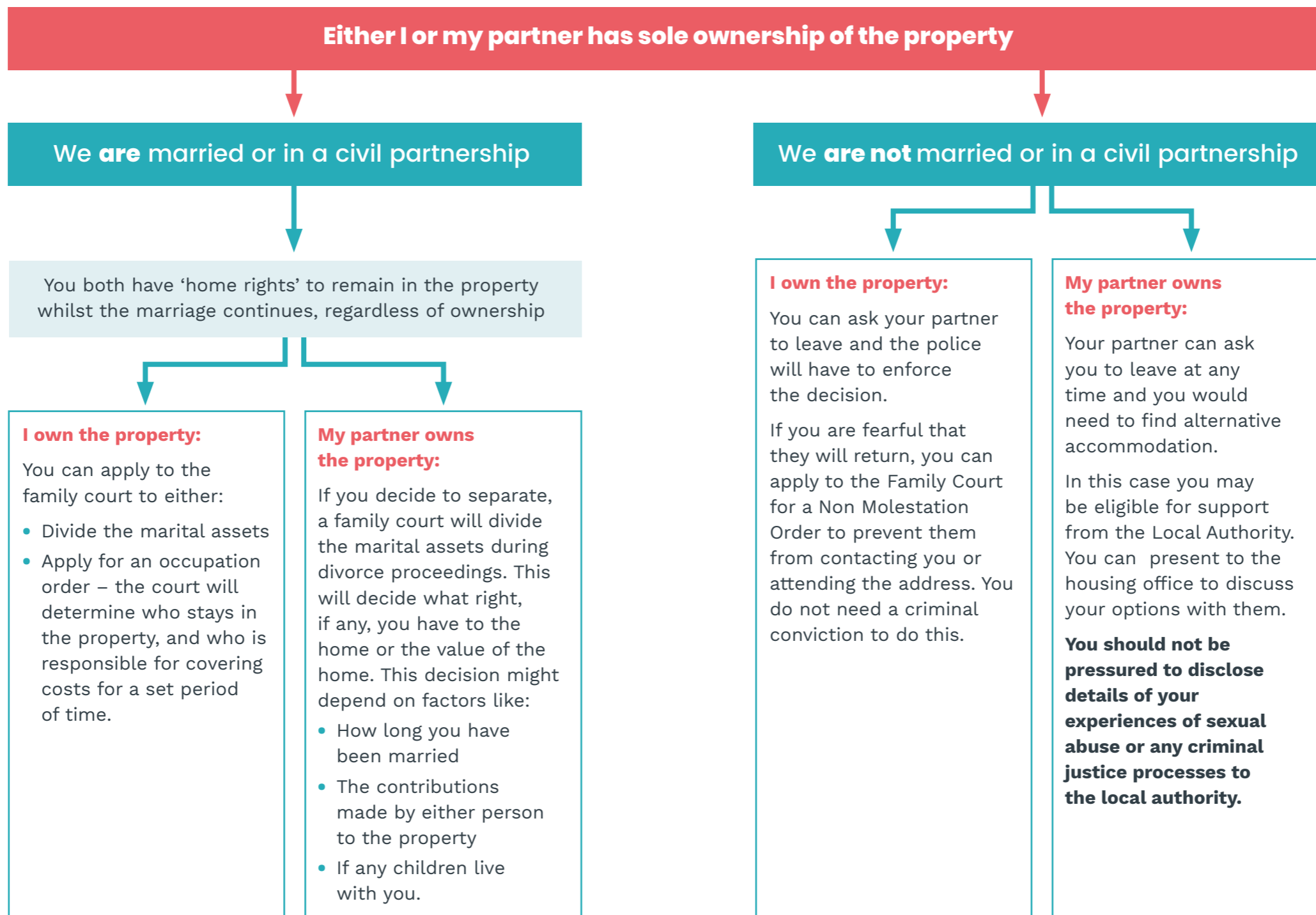


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I am a survivor of sexual abuse, I live in a privately owned home and my partner is the perpetrator

If you jointly own a property together, and feel at risk from the perpetrator, then you can apply to the Family Court for an Occupation Order. A Family Court judge will determine who can live at the property, and who is responsible for covering the costs, for a set period of time.

If either you or your partner has sole ownership of the property, see below:



Find out more:

For information on family law, access to legal aid and options for those unable to afford legal aid:

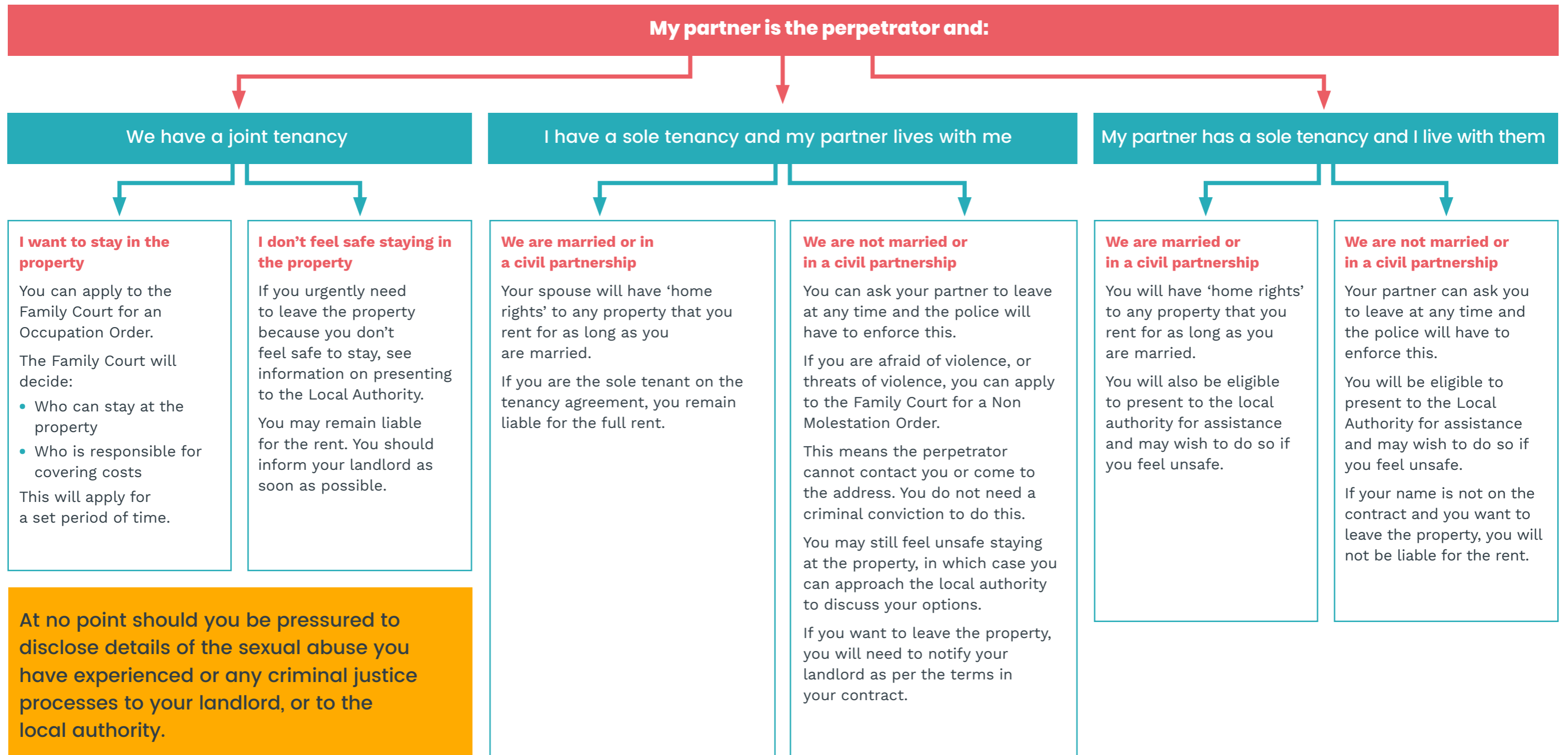
- [Check if you are eligible for legal aid](#)
- [Resolution](#): Family law advice and information and support for accessing legal aid
- [Shelter](#): Advice related to housing, including legal options
- [Citizens Advice](#): Offers advice on a range of issues, including legal support through local surgeries
- [LawWorks](#): Charity connecting individuals who are not eligible for legal aid with volunteer lawyers

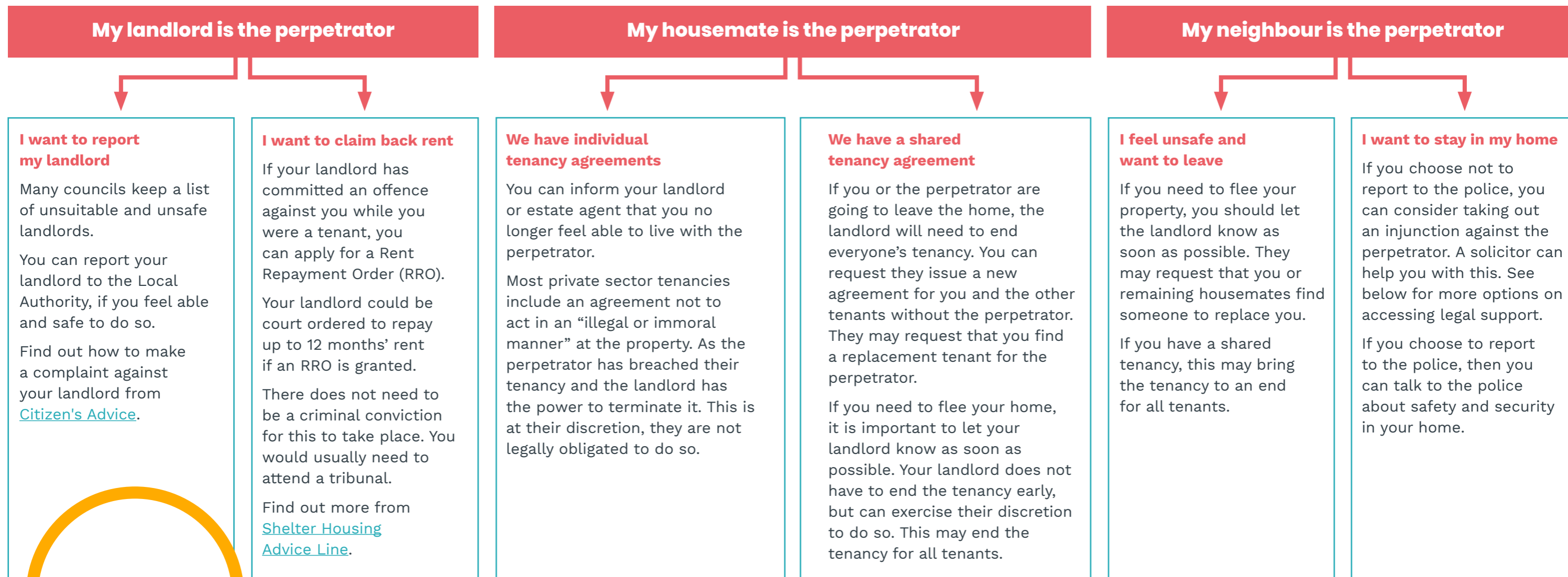
Specialist services

- [Rights of Women](#): Legal advice and support for women in London and across the UK
- [Solace Housing Surgery](#): Pro-bono legal advice for women related to housing. Accessed through the advice line - 0808 802 5565; advice@solacewomensaid.org
- [Stonewall Housing](#): Advice and support related to housing for people who identify as LGBTQ+ - 020 7359 5767; info@stonewallhousing.org



I am a survivor of sexual abuse and I live in a privately rented property





In all cases, if you wish to move, you are eligible for assistance from the local authority.

I am a student who has experienced sexual abuse and I live in student accommodation

- Every university is required to offer welfare provision to students, both those residing in university accommodation, and those in their own accommodation. Each university will have its own procedure around sexual violence and how to safeguard people who have experienced, or are at risk of experiencing, sexual violence.
- Your Students' Union will likely have designated welfare officers, sexual violence liaison officers (SVLO) or an advice team who you may be able to speak to.
- In addition, university accommodation services have a duty to safeguard residents within their premises. If you do not feel able to reside in your accommodation anymore, contact accommodation services to explore being reallocated alternative accommodation.

The emotional and psychological consequences of the incident mean that I am unable to recover if I continue to live here

- If you are unable to live at your home because it is causing you harm, whether that harm is physical or psychological, you may be considered homeless by your Local Authority.
- The council determine who is and isn't homeless by using a piece of legislation called Part VII of The Housing Act 1996. In this document, it states "a person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy."
- If you are likely to come to harm in your property, then it is not reasonable for you to occupy it any longer. This applies no matter who the perpetrator is.

I want to stay in my home, but I want additional security measures

- Additional security measures for your home are available through Victim Support or a local Sanctuary Scheme.
- The level of security offered will vary from borough to borough; you can usually expect support with door and window alarms, dummy CCTV equipment, and some teams may be able to assist with changing locks.
- National standards indicate that you do not have to report to the police to access this service.
- You can call Victim Support's London Hub on 0808 168 9291, and a member of the team will direct you to your local service, or check your local authority website for information on Sanctuary Schemes in individual boroughs.
- You should seek permission from your landlord prior to making any changes to the property.

Find out more:

For information on family law, access to legal aid and options for those unable to afford legal aid:

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I am a survivor of sexual abuse and I am a council or housing association tenant

The perpetrator also has a council or housing association tenancy

Behaving in a way that causes harm or distress to other tenants, is known as Anti-Social Behaviour (ASB).
 Housing providers often have a dedicated Anti-Social Behaviour Team. Threats, harassment, and intimidation are all types of anti-social behaviour. There does not need to be a physical incident for ASB teams to intervene.
 Most housing providers will also have an ASB policy. It will likely be available online or you can request it.
 Housing providers are allowed to set their own ASB and Safeguarding policies, and it is not governed by housing law.
 However, they must adhere to the policies that they set out, and many ASB policies state that enforcement action will be taken against perpetrators of ASB.

The perpetrator works for the council or housing association

If the perpetrator is a member of staff, you should be protected under confidentiality and safeguarding policies, although these will vary between organisations and from borough to borough.
 You can report this to a member of staff who you feel safe with, and discuss what measures they can take to help you feel safe, including options for moving or staying safe in your own home.

The perpetrator is a stranger, or someone not connected to the council or housing association, but I feel unsafe in the area where I live

If you no longer feel able to reside in your social tenancy, your Housing Association or Council may have a duty to support you to move elsewhere.
 Social Housing tenancy transfers are not governed by national housing law, and each Housing Association and council will have its own policy, which it must follow.
 The support available to tenants that have experienced sexual violence will usually be within the organisation's Safeguarding Policy. You may be able to find this online, or request it from a staff member.

At no point should you be pressured to disclose details of the sexual abuse you have experienced or any criminal justice processes to your landlord, housing association, or the local authority.

The Pan-London Housing Reciprocal

This arrangement is an alternative route to housing based on a voluntary agreement between local authority housing providers and housing associations. It is available for anyone who is a housing association or council tenant, who feels unsafe in their home, and who wishes to move to a new borough. It means you can keep your social tenancy and move to a new area where you feel safe.

You must be referred by a professional, for example a social worker, someone from a voluntary agency or a housing officer. They will submit a referral on your behalf and your name and details will remain confidential. You can list boroughs you are happy to move to, and will be notified when a suitable property is identified.

Find out more from [Safer London](#).

Your rights

What if the council or housing association are not taking the steps their policy outlines?

If you feel that your Housing Association or Council are not taking the steps that their policy outlines, then you can contact your local Law Centre for housing advice, as well as the free [Shelter Housing Advice Line](#) 0808 800 4444. If your Housing Association or Council agree to move you, but advise that there may be a waiting period, you can request emergency temporary accommodation from your council while you wait.

The council or housing association told me that I will have to give up my secure tenancy

If you are made/advised by the Council to give up your security of tenure as a result of the abuse you have experienced, then this could be indirect discrimination and you should seek legal advice about that. You should not be worse off as a result of fleeing, and this would include losing the rights that come with secure tenancies. Local authorities should take steps to facilitate a management transfer. They usually have provision for this in their housing allocations policy. Your housing officer can also make a referral to the Pan London Reciprocal Housing arrangement.

My housing officer said I need police evidence and I don't have it

When your housing officer assesses your case, they will use a piece of legislation called Part VII of The Housing Act 1996 to understand what support they may owe you. Under this legislation, Section 184 states that the Local Authority has a duty to investigate the circumstances around your homelessness. This means it is their responsibility to make enquiries, rather than your duty to provide evidence.

In addition, the Homeless Code of Guidance advises against blanket policies demanding police evidence to progress any cases where the applicant is at risk of violence or harassment. The Local Authority should consider alternative means of understanding the situation, such as supporting letters from Sexual Violence professionals, healthcare professionals and any other professionals who you have disclosed to, or received support from.

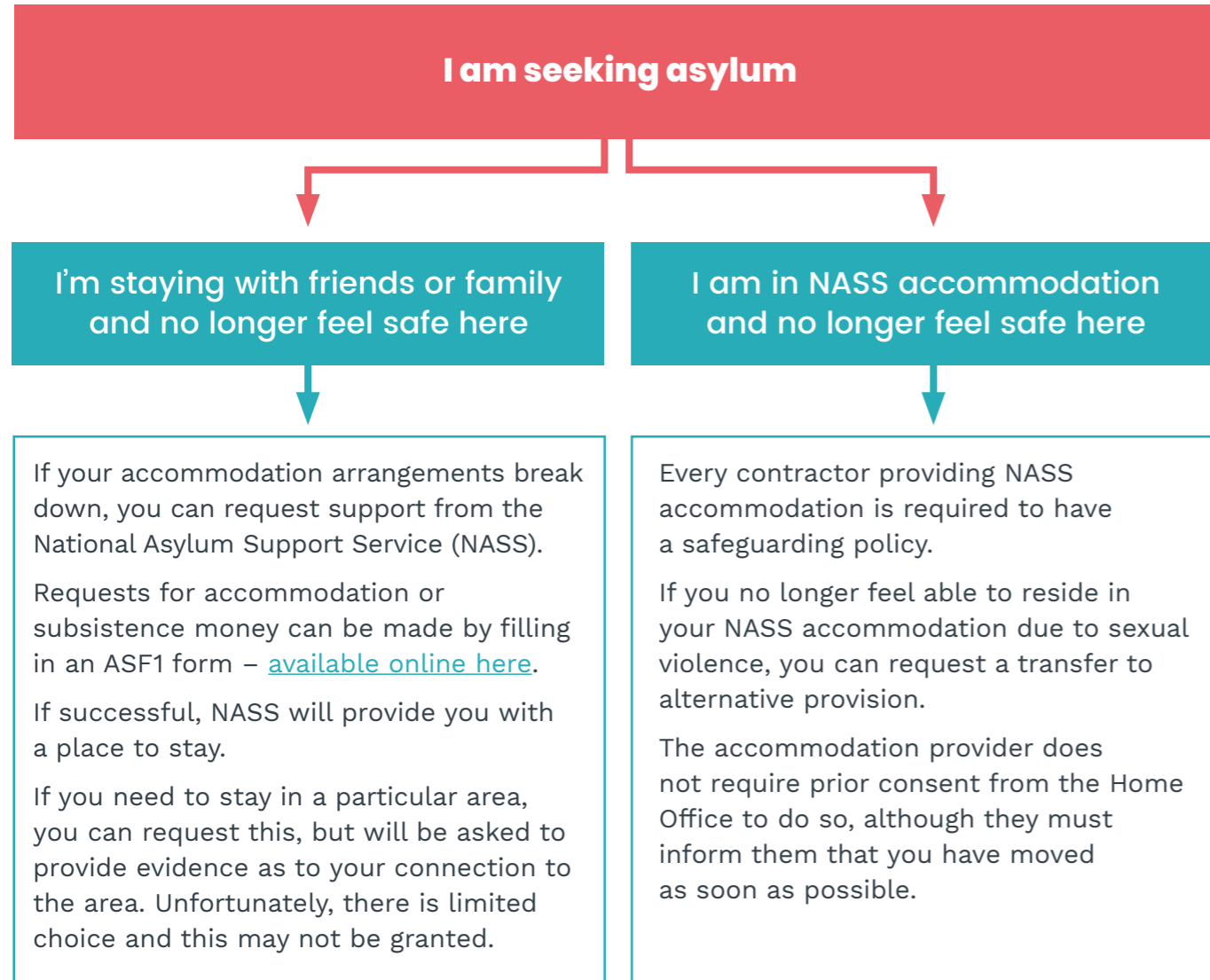
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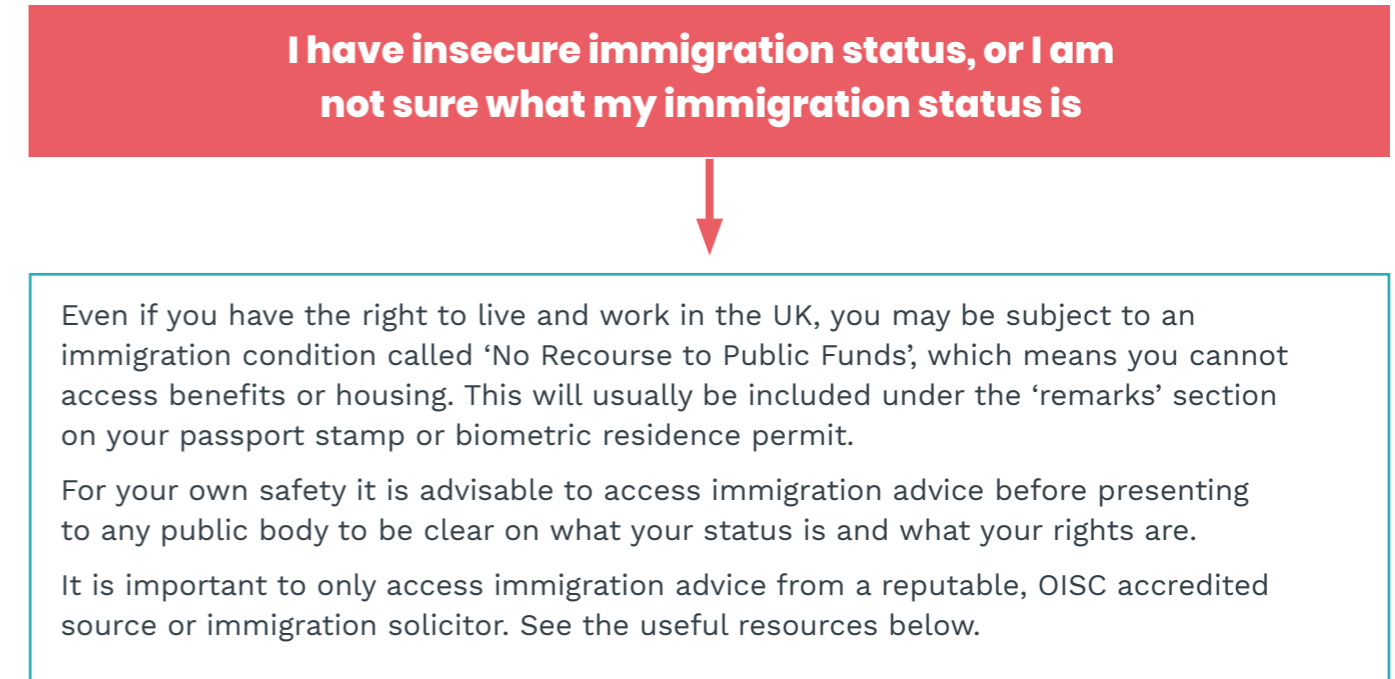
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I am a survivor of sexual abuse and I am not a UK national



Remember...
 it is important to communicate any change of address with the Home Office whilst they are processing your asylum claim.



Useful resources

Migrants Resource Centre:
 020 7354 9631

Migrant Help:
 Contact for advice on 0808 8000 630 or for support filling in claims forms, call 0808 8000 631

Asylum Aid:
advice@migrants.org.uk

Praxis:
 020 7749 7608
advice@praxis.org.uk

The Aire Centre:
 020 7831 4276
info@airecentre.org

Women only services:
Solace Immigration Service:
 Accessed via the Solace Advice Line on 0808 802 5565

Rights of Women:
 020 7490 7689

Asylum Aid Women's Project:
 020 7354 9264

I am not eligible for housing assistance and I have dependent children

I am not eligible for housing assistance and I do not have dependent children

I have leave to remain but no access to public funds

If you do not have a safe place to stay, and you have dependent children, you can approach your local Children's Services for support. They must carry out an assessment of your children's needs. This is called a Section 17 Assessment, because it is part of Section 17 of the Children Act, 1989.

Sometimes people feel afraid of approaching Children's Services, because they are worried that their children will be taken away. However, Section 17 of the Children Act states that, where safe and appropriate, the Local Authority has a duty to promote the upbringing of children within their families.

If you would like further advice and support around requesting Section 17 support from your Local Authority, you can call the **Project 17 Helpline on 07963 509 044.**

If you are homeless and do not have children, but have care and support needs yourself, then the Local Authority Adult Safeguarding Team may have a duty to provide you with accommodation and support. They will need to carry out an assessment under the Care Act 2014 and decide if they have a duty to accommodate you.

For further advice and support around requesting support under the care act, contact the **No Recourse to Public Funds Network helpline: 020 7527 7121.**

If you do not have care and support needs, and are unable to access any other accommodation, then you may be able to access support from Southall Black Sisters, who provide specialist support to BAMER women, including women with NRPF. **Southall Black Sisters (women only) 0208 571 0800.**

If you have a spousal visa and have experienced sexual abuse from your partner you can apply for a Destitute Domestic Violence Concession, depending on your financial circumstances. If successful, this will change the status of your visa, giving you 3 months leave to remain with recourse to public funds, whilst you prepare your case for indefinite leave to remain on the basis of domestic violence.

If you are not on a spousal visa, you may be able to apply for a change in your circumstances, which would grant you access to public funds.

It is important you consult a solicitor or OISC accredited person before you make any application. **See Useful Resources on the previous page to find out where to access legal advice.**

At no point should you be pressured or forced to disclose details of the sexual abuse you have experienced or any criminal justice processes. You can discuss this with your legal representative to determine what bearing this might have on your case.

Remember...
it is always a good idea to access immigration advice before presenting to the Local Authority if you are unsure of your status.



I want to present to the local authority to access housing support

When you approach your Local Authority for housing assistance, they will use a piece of legislation called Part VII of The Housing Act 1996 to determine what duty to assist you they may have.

In order to access assistance with your housing, the Local Authority will need to investigate whether you meet certain criteria:

Eligibility

The council needs to establish if you have Recourse to Public Funds.

This usually applies to:

- British Nationals
- Individuals with Indefinite Leave to Remain
- Individuals with Refugee status
- EEA Nationals that are exercising their Treaty Rights

If you are not eligible, the council will not assist you. Please see our guidance for people who are not UK Nationals.

Homelessness

The council determine who is homeless using a piece of legislation called Part VII of the Housing Act 1996. This document states “a person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy”

- If you are likely to come to harm in your property, then it is not reasonable for you to continue to live there.
- If you are unable to live in your home because it is causing you physical or psychological harm, you may be considered homeless or threatened with homelessness by your local authority.

The Local Authority has a duty to investigate this and make their own enquiries. Whilst it is important for you to assist in their enquiries, it is not your responsibility to prove your homelessness.

Remember...

it is always a good idea to access immigration advice before presenting to the Local Authority if you are unsure of your status.

If you are homeless and eligible for assistance

The council has a duty to formulate a Personalised Housing Plan with you. This will outline:

- What steps they will take to support you with your homelessness
- Which steps you are expected to take
- Which steps are mandatory and which steps are advisory

If there is something in the plan that you feel unable to agree to, it is important you tell the Housing Officer. You **do not have to sign anything you do not agree to**. This is important, because if there are steps that are not met, the Local Authority can discharge their homeless prevention or relief duty.

Priority Need

The council uses 5 main criteria to decide who is in priority need of housing. These are:

- [Pregnant women](#) or any person who lives with a pregnant woman.
- Households where [dependent children reside](#) or might reasonably be expected to reside.
- [All 16 and 17 year olds](#), provided they are not the responsibility of social services (a ‘relevant child’), or a child in need who the local authority owes a duty to under section 20 of the Children Act 1989.
- [Care leavers aged 18 – 20](#) This applies to who were, but are no longer, looked after, accommodated or fostered between the ages of 16 and 18.
- [Anyone who has lost accommodation](#) as a result of an emergency, such as flood, fire or other disaster.

Under the Housing Act 1996, a person who the local authority considers vulnerable will also be accepted as being in priority need. The following groups may be considered to be vulnerable:

- People with physical or mental health difficulties or disabilities, old age, people with drug or alcohol support needs, or any other additional complex vulnerabilities.
- Someone who has been looked after, accommodated or foster and is aged 21 or over (not including ‘relevant students’).
- Someone who has been a member of Her Majesty’s regular naval, military or air forces.
- Someone who has served a custodial sentence, been committed for contempt of court, or similar offence, or has been remanded in custody.
- Someone who has had to leave their accommodation because of violence or threats of violence from another person that are likely to be acted upon.

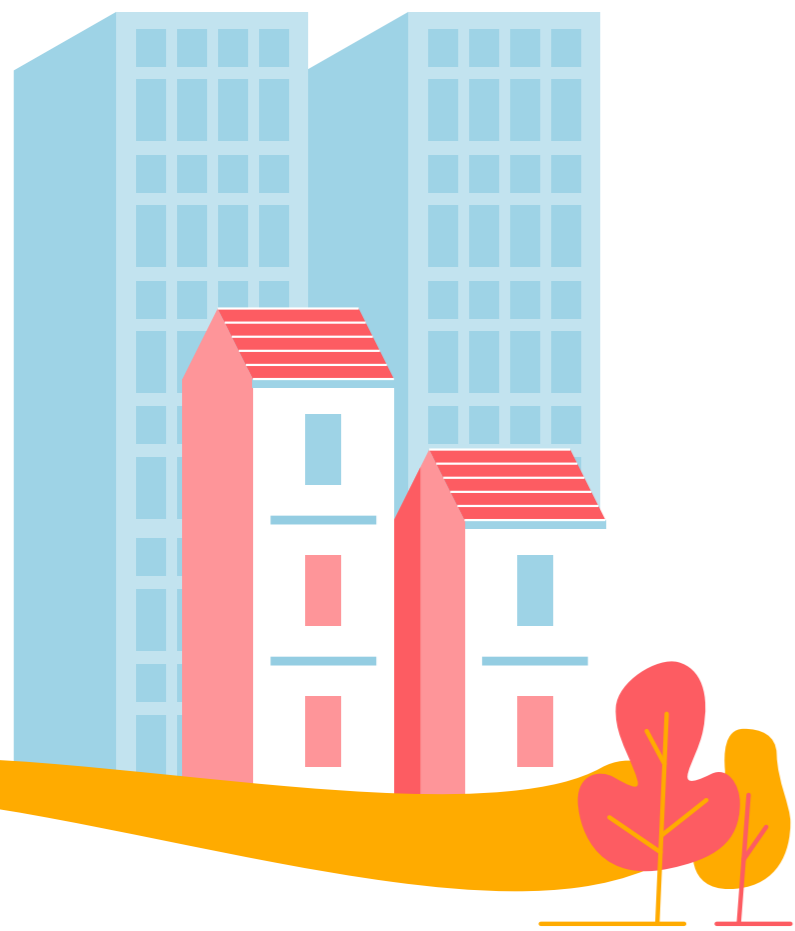
Adapted from [Shelter Housing](#)

I am eligible, homeless and in priority need



If the council has **reason to believe** that you are eligible, homeless and in priority need, then **they have a duty** to give you accommodation whilst it makes a decision on your application. You can push for this, but the responsibility lies with the local authority. This accommodation might be Bed and Breakfast or Hostel accommodation, while they are looking for something more suitable.

Any local authority you approach has a duty to look into your case. You may be asked questions about the urgency of your situation or alternative accommodation options, or you may be offered a list of private landlords. You should clearly state that you are homeless or threatened with homelessness and that you’d like your case to be opened and investigated.





The London Survivors Gateway offers victims and survivors of rape and sexual abuse help to access specialist services in London.

We provide information on what support is available after rape, sexual assault, sexual abuse or any form of sexual violence and can help survivors to access these services. We work with anyone aged 13 or above regardless of gender, sexuality, disability, language, ethnicity or immigration status.

The Gateway is a partnership between the four London Rape Crisis Centres, Galop, SurvivorsUK and the Havens and is run by the Women and Girls Network.

www.survivorsgateway.london
0808 801 0860

