

Your rights in the AIDS era. 6, Homelessness / Immunity.

Contributors

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Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
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immunity

Society for HIV Research and Education

YOUR RIGHTS IN THE AIDS ERA

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6. Homelessness

This leaflet deals with what help you may expect from your local council if you find yourself with nowhere to live.

To see what the council's duties are it is necessary to answer a number of questions.

The council has the duty to provide accommodation if you are homeless *and* in priority need *and* not homeless intentionally.

Am I classified as homeless?

You are homeless if you have no legal right to live anywhere.

That includes not being able to live at home because someone there has been – or is likely to be – violent to you or where it is physically impossible to gain access.

Difficulties arise most often because councils do not accept that you have been thrown out or forced to leave home – or when the violence comes from someone who is not living in the home.

In case of difficulty it is best to get advice straight away rather than to try to argue with the council.

Have I got a priority need?

The council will only house you if you have a priority need. This includes the following:

- You have children living with you – or they would be living with you if you had room – or you are pregnant.
- You lost your accommodation because of an emergency, such as a fire or flood.
- You are “vulnerable” because of age, mental illness, handicap, physical illness or other special reason.

Many councils have a general policy regarding people who have HIV infection and people who have AIDS or one of the complexes associated with AIDS. But the law says they have to consider each case on its merits.

Find out what your council's general

policy on HIV infection and AIDS is. If it looks as though they may not be sympathetic, get advice before you apply.

Have I become homeless intentionally?

That may seem a funny question since most people do not intentionally deprive themselves of somewhere to live. But that's the commonest reason for councils denying their responsibility to house you.

You become "intentionally" homeless if you do – or fail to do – something and, as a result of that, you stop occupying accommodation which would otherwise be available.

Accommodation is only "available" if it is reasonable for you – and anyone expected to live with you – to live there.

But, be careful of moving out of unfit property because the council can take account of the general condition of property in the area when deciding whether it is reasonable for you to stay there.

Examples of intentional homelessness used by councils are: not paying the rent or mortgage, leaving accommodation before a court order is made against you, losing accommodation because of noise or nuisance to the neighbours.

Some of those reasons are of doubtful validity. If you are found to have made yourself homeless intentionally you should get expert advice at once.

It may be possible to get the council to change its mind. That is better than trying to take the council to court because judges do not like interfering, quite apart from the expense and delay this causes.

Which council should I apply to?

Apply to the council in whose area you are at

the time. Normally this will be where you have been living.

But you may have left your home town and arrived somewhere without anywhere to live.

The council which has the duty to help you – assuming you are accepted as a priority need – is the one with which you have a “local connection”.

To qualify you usually need either to have lived there, or to be working there, or to have family associations there – or to be able to satisfy the council that there are some other special circumstances.

What if the council refuses to accept my local connection?

The council you applied to has a duty to refer your case to some other council with which it has decided you have a “local connection”.

While the two councils are sorting out your problem the first council – the one you applied to – must find you temporary accommodation if you are in priority need.

How much should I tell the council?

You should give the council enough information to make up their minds.

It is better to convince the people in the council offices at the beginning than to have to get someone to argue on your behalf or challenge them in the courts.

So, get advice first on how to present your case. The advice agency may give you a supporting letter setting out the details the council is likely to want to know.

The council must advise you in writing of its decision once it has made it.

LONDON AND NATIONAL GROUPS AND SERVICES

Afro Caribbean Helpline Service: Black advisers offering specialised advice and support. Fridays 6pm - 10pm, on the National AIDS Helpline (0800-567 123). Calls free

AIDS and Housing Project: Write: 16-18 Strutton Ground, London SW1P 2HP

AIDS Helpline: Information from the College of Health. Daily, 2pm - 10pm

Asian AIDS Helpline: Advice given in Bengali, Gujarati, Hindi and English. Wednesdays 6pm - 10pm, on 0800-282 445. Calls free

Cantonese AIDS Helpline: Advice given in Cantonese. Tuesdays 6pm - 10pm, on 0800-282 445. Calls free

Body Positive: write PO Box 483 London W14 0TF. Mutual help and support group. Drop-in centre (from December 1988) at 51b Philbeach Gardens, London SW5. Helpline: (7pm - 10pm) 01-373 9124

Body Positive Support Group: For newly diagnosed people with HIV infection and others with the infection who are anxious, plus the lovers, close friends and relatives of both groups. Meets Sundays at 12.15pm (for 12.30pm) on the second floor at the London Lesbian and Gay Centre, 69 Cowcross Street, London EC1

Care and Resources for People Affected by AIDS/HIV (CARA): write 40 Racton Road, London SW6. Phone 01-381 9566. Christian group offering support to Christians and non-Christians affected by HIV infection and by AIDS

Dentists who treat people with HIV infection: NHS Special Needs Dental Clinic, Alderney Street, London SW1. (Mondays, 9pm - 5pm, Tuesdays, Wednesdays 9am - 12pm) Phone: 01-630 8436 Or: advice on who to see from Mrs Satchell at City and Hackney Health Authority. Phone: 01-253 3020

Drug Users and Ex-Users with HIV infection/AIDS/ARC: run by Terrence Higgins Trust. Meets Fridays 7pm - 9pm at Trust's offices (52-54 Grays Inn Road, WC1) Info: David Bickerton on 01-831 0330

Ealing AIDS Response: Local group. Write: PO Box 16, Isleworth, Middlesex, TW7 6AG. Phone: 01-993 8872

East London HIV Social Group: Meets Mondays 8.30pm upstairs at the London Apprentice, 33 Old Street, London EC1. Info: Nigel Harvey on 01-377 7458

Frontliners: Mutual help and support group for people who have AIDS. Write: c/o Terrence Higgins Trust, BM AIDS, London WC1N 3XX. Phone 01-831 0330

Haringey Health Authority Helpline: Counselling and advice on the phone on 01-801 1490/1808-1061, extension 212 (10am - 6pm)

Haemophilia Society: Information, advice and support for everyone who has haemophilia - and special representation of and support for people with haemophilia infected with HIV by using Factor 8. Write: 125 Westminster Bridge Road, London SE1. Phone: 01-928 2020

Immunity: HIV research and health education charity. With full-time specialist legal centre for anyone with a legal problem connected with HIV infection, AIDS or an AIDS-related complex. Advice and court representation on offer. Also welfare rights advice. Open: 10am - 5.30pm. Phone to fix an appointment. Charity and legal centre at 29A Kilburn Lane, London W10 4HA. Phone: 01-1928 8604

Italian Drug Users and Ex-Users Group: run by Terrence Higgins Trust. Meets Wednesdays 6pm - 7.30pm at Basement, 3301A,

1-4 Hatton Place, London EC1 8TD. Info: David Bickerton on 01-831 0330 or Dr Massimo Riccio on 01-352 8161

The Landmark: Open July 1989. Day centre for people who have HIV infection and people who have AIDS. Will offer advice, recreational facilities, meals. Plus info for other people. 47 Tulse Hill, London SW2. Phone 01-671 7611/2

Lesbian Employment Rights: Non-AIDS specialist. Good on rights at work. Address: as LAGER Phone: 01-587 1636 (Mon-Thurs 7pm - 10pm)

Lesbian & Gay Employment Rights (LAGER): Specialist in rights at work. Mainly men. Write: Room 303 Southbank House, Black Prince Road, London SE1 7SJ. Phone: 01-587 1643. (Mon-Fri, noon - 5pm)

London Lesbian and Gay Switchboard: The original helpline. Not an AIDS specialist - but helpful. Write BM Switchboard, London WC1N 3XX. Phone: 01-837 7324 (24hrs)

London Lesbian Line: Information, support and advice for women. Phone 01-251 6911. Mondays and Fridays 2pm - 10pm, Tuesdays-Thursdays 7pm - 10pm

London Lighthouse: Hospice and drop-in centre. Offers counselling, health advice, support at home, breaks for carers and terminal care. 111 Lancaster Road, London W11 1QU. Phone 01-792 1200

Mainliners: Group for ex-drug users - and drug users who get their supplies on prescription - who have HIV infection or have AIDS or any other AIDS-related complex. Meets Wednesdays 7.30pm - 9.00pm at 359 Old Kent Road, London SE1

National AIDS Helpline: Phone - free of charge for free leaflets (0800-555 777) or confidential advice (0800-567 123). 24 hours a day

North London Social and Support Group: Info: Joe on 01-482 4107

Nurses Support Group: Runs helpline for healthcare workers who need advice and help on HIV problems. Mondays and Wednesdays 7pm - 10pm, on 01-708 5605

Positively Women: Group of women who have HIV infection or have AIDS. Meets in central London. Info: 01-837 9705 (Mondays-Fridays, 10am - 5pm)

Project for Advice, Counselling and Education (PACE): One-to-one counselling and training in counselling. Meetings and write c/o London Lesbian and Gay Centre, 69 Cowcross Street, London EC1. Phone: 01-251-2689

South London Support and Social Group: Info: Rick. 01-675 3919

Standing Conference on Drug Abuse (SCODA): Information officer keeps up-to-date list of needle exchange schemes. 1-4 Hatton Place, London EC1. Phone: 01-430 2341/3

Terrence Higgins Trust: Information and counselling about HIV infection and AIDS. Plus support groups and trained volunteers to help people with HIV infection and people with AIDS. Write: BM AIDS, London WC1N 3XX. Phone: 01-831 0330 (admin only) 01-242 1010 helpline, daily, 5pm - 10pm

Women's Reproductive Rights Information Centre: Not an AIDS specialist - helpful. Advice on all health issues affecting women, including HIV infection and AIDS. 52-54 Featherstone Street, London EC1. Phone: 01-351 6532

Women's Support Group: Run by Terrence Higgins Trust. Info: 01-831 0330

What's AIDS?

AIDS is short for the Acquired Immune Deficiency Syndrome. If you have AIDS your body's defence system against all sort of infections is weakened so much you catch diseases which people whose immune systems aren't affected can just shrug off. And, when you catch them, the diseases turn out to be much more serious than they are in people with healthy immune systems. Nobody knows for certain, but it look as if everyone who has AIDS dies of one of the diseases they catch, such as a fairly rare form of pneumonia. You can't catch AIDS. It develops in you for some reason. HIV probably causes that to happen.

What's HIV?

HIV is short for the Human Immunodeficiency Virus. It was first discovered in 1983. Since then it has been called LAV and HTLVIII. But since 1986 the proper name for it has been HIV. It may cause AIDS to develop in you. You can catch HIV infection by allowing your body fluids — blood, semen or vaginal fluids — to become mixed with the body fluids of some who's already infected. HIV isn't like most viruses because, when you're infected it lives inside blood cells which are part of your body's defence system.

What's Immunity?

Immunity is a charity started in 1985 to research into HIV. Its aim is to find some way of helping people who have HIV infection stay well longer. It also runs fitness classes and produces education leaflets and relaxation tapes. With funds from the London Boroughs Grants Scheme, Immunity runs a legal centre in London to give advice and assistance to people who have HIV infection and people who have AIDS. Phone first before visiting to fix a time to call. The address and phone number are at the bottom of this page.

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260A KILBURN LANE, LONDON W10 4BA TELEPHONE 01-968 8909

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