

PRESS RELEASE

Immediate release

17th July 2007

Domestic abuser escapes eviction

A former Tameside MBC Councillor has avoided becoming the first assured tenant in England to lose his home because of domestic violence.

Peter Wright was found guilty of assaulting his partner following an incident on New Years Eve 2005. Following his conviction on November 1st 2006 at Salford Magistrates Court, Wright was given a 23 week prison sentence. He then returned to the former family home at Elizabeth Avenue, Audenshaw.

We began action to evict Wright following the termination by the other joint tenant, and sought to use Ground 14a of Schedule 2, Housing Act 1988 (as amended) (assured tenancies, domestic violence).

At the hearing on Monday 16th July at Tameside County Court, District Judge Gaunt was satisfied we were right to bring the action, and found we had proved the ground we used.

But DJ Gaunt said Parliament had given him discretion to decide whether it was appropriate in the all the circumstances to evict a person under ground 14a. The judge took into account the support of Wright's children - two daughters appeared in court to support their father - and the ill health of Wright. He concluded he would not grant us possession.

It was suggested we should take this issue back to Parliament to get clarification. It seems that the exercise of discretion was contrary to both the purpose of Ground 14a and the public policy focus of dealing appropriately with incidents of domestic violence.

Danny McLoughlin, New Charter's Director of Legal Services said: "We are disappointed as the circumstances of this case appeared to fit the ground for possession perfectly. We are active in protecting victims of domestic violence through our Sanctuary scheme, but want to face the perpetrators with the consequences of their crimes. We will now seek the support of the national Social Landlords Crime and Nuisance Group to draw the potential contradiction in law to Parliament's attention."

New Charter has a right of appeal but has yet to decide whether to exercise it.

NOTES FOR EDITORS

1. New Charter formed in 1999 as the new landlords to own and manage homes transferred from Tameside Metropolitan Borough Council in Greater Manchester. With a turnover of £48million a year and a workforce of 800, New Charter is one of the country's largest Registered Social Landlords, and is regulated by The Housing Corporation, a Government watchdog. By incorporating Aksa Housing Association recently, the Group owns over 15,000 homes.
2. Peter Wright of 33 Elizabeth Avenue, Audenshaw, date of birth 22.6.1950.
3. **iN business for neighbourhoods** is a long-term project highlighting housing associations' performance. As social businesses, housing associations do not make profit. They offer homes for rent and sale at prices local people can afford. Housing associations provide more than homes - they help create places where people want to live. Wherever you see the **iN business for Neighbourhoods** sign, something great is happening in the area. Housing Associations who display this logo are committed to their customers, the neighbourhoods they work in and strive for excellence in everything they do.

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