



**Royal Commission**  
into Family Violence

**WITNESS STATEMENT OF ANGELA SPINNEY**

I, Dr Angela Spinney, Research Fellow / Lecturer, Swinburne University of Technology, Hawthorn, in the State of Victoria, say as follows:

1. I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.

**Current role**

2. I am the convener of the Graduate Certificate and Graduate Diploma in Social Science (Housing Management and Policy) and a Research Fellow in the Institute for Social Research at Swinburne University.

**Background and qualifications**

3. I am an experienced policy orientated and action academic researcher specialising in the marginally housed, social and affordable housing, and the housing consequences of domestic and family violence.
4. I have led several international and Australian research projects on the concepts, policy and practice implications of homelessness prevention for women and children who have experienced domestic and family violence.
5. I have been a member of the Chartered Institute of Housing in the United Kingdom since 1996, and the Australasian Housing Institute since 2009.
6. I was the Chief Investigator on the Salvation Army Tasmania's action research project "Safe from the Start" which won the Australian National Crime and Prevention Reduction Award in 2011, and which has received national and international acclaim.

## Publications

7. I have authored or co-authored the following major publications, amongst others, relevant to the Royal Commission's consideration of family violence and homelessness:
- 7.1. Spinney, Angela; Wiley-Blackwell Publishing; 2012, "Safe from the start? An action research project on early intervention materials for children affected by domestic and family violence" (**Safe from the Start?**). Attached to this statement and marked "**AS-1**" is a copy of Safe from the Start?, accepted for publication on 27 February 2012.
  - 7.2. Spinney, Angela; Australian Housing and Urban Research Institute; 2012, "Home and safe? Policy and practice innovations to prevent women and children who have experienced domestic and family violence from becoming homeless" (**Home and Safe?**). Attached to this statement and marked "**AS-2**" is a copy of Home and Safe?, dated November 2012.
  - 7.3. Spinney, Angela; Australian Homelessness Clearinghouse, Department of Families, Housing, Community Services and Indigenous Affairs and Swinburne University of Technology; 2012, "Reducing the need for women and children to make repeated use of refuge and other crisis accommodation" (**Homelessness Clearinghouse Report**). Attached to this statement and marked "**AS-3**" is a copy of the Homelessness Clearinghouse Report, dated June 2012.
  - 7.4. Spinney, Angela; Blandy, Sarah; Australian Housing and Urban Research Institute; 2011, "Homelessness prevention for women and children who have experienced domestic and family violence: innovations in policy and practice" (**Homelessness Prevention Report**). Attached to this statement and marked "**AS-4**" is a copy of the Homelessness Prevention Report, dated June 2011.
  - 7.5. Hulse, Kath; Jacobs, Keith; Arthurson, Kathy; Spinney, Angela; Australian Housing and Urban Research Institute; 2011, "At home and in place? The role of housing in social inclusion" (**At Home and in Place?**). Attached to this statement and marked "**AS-5**" is a copy of At Home and in Place?, dated October 2011.

### **Homelessness and family violence**

8. Family violence is one of the major causes of homelessness in Australia generally, and for women and children in particular it is the main driver of homelessness.
9. Many women who experience family violence will be joint tenants, owner / occupiers, or even single tenants in a property that they are no longer able to access as a result of the violence. It is quite extraordinary to think that a woman may be a victim of a crime and become homeless as a consequence of that crime, while the perpetrator remains living in the property. Yet this is currently the norm.
10. The refuge movement has done a terrific job of keeping women safe, however it means that, to some extent, we view the problem of domestic violence as being solved by simply removing women and children from their homes. Society appears to think 'job done, they are safe now'. However this solution does not acknowledge that for many women and especially children, the refuge response is most unsatisfactory, and that substandard housing conditions compound the trauma of the violence.
11. We know that women and children do not generally just move once, but are forced to make a series of moves between temporary accommodation. The loss of home, and that ontological security can have devastating consequences for women and children.

### **Homelessness response**

12. In Australia, only 65% of people who ask for help from a homelessness service receive that help; the remaining 35% are turned away, because the services do not have the capacity to accommodate them.
13. Victoria's homelessness system is a kind of postcode lottery: first as to whether you will be able to access any kind of homelessness service at all, and second, as to what kind of service will be provided, if so.

### ***Refuge accommodation***

14. Refuge or crisis accommodation in Victoria ranges from communal living arrangements with high security, to more regular housing, which may or may not have other women living in similar circumstances in the surrounding houses.

15. My impression of refuge living, from the interviews that I have conducted with women who have experienced it, is that being in a refuge can be scary: they are noisy and you are thrown into this a communal atmosphere, which is a marked difference from your home. Although refuges may have started off with a great feminist, collectivist ambition, it feels alien to many women to be suddenly cooking together, not to be deciding what to cook for their children and sharing all facilities. There will often be other residents who have quite chaotic lifestyles; who may be drinking or taking drugs, and so if you do not come from a chaotic household, they are actually very frightening environments. Women have told me that they will do virtually anything to avoid going into a refuge.
16. A particular problem of communal living arrangements in high security refuges is that boys over the age of 12 are usually not allowed to reside with their mothers. This is an incredible disincentive for those families to use refuge accommodation.
17. Notwithstanding this restriction on young boys, one of the horrible things we know about refuges is that there are actually more children living in that accommodation than women. Family violence tends to happen to women during their fertile years: between the ages of 18 and 44 is the peak time for abuse. There are differing theories on why this is; it may be there is a sense of resentment from some perpetrators at being replaced by children at the centre of the woman's attention. Refuges are not environments where children are able to prosper. It is important for very young children to have friends and family, however when they enter a refuge, they are forced to change their kindergarten and no longer know their neighbours. If they are older and in school, we know that it is much better for children for that schooling to remain constant. There are often further changes when families move on from the refuge to transitional or private rented accommodation.
18. Refuges shield women from violence by hiding them and their children away from the perpetrator. However they cannot remain hidden forever, and it is important to return to the pattern of normal life. In my experience, women are normally desperate to return to normality, however this is not necessarily possible whilst in refuge accommodation or when they have moved on to living in other forms of insecure accommodation.
19. What refuges can be really good at offering is peer support. I visited the Hobart Women's Centre in Tasmania, which is a cluster model of accommodation that recreates peer support through a regular lunch. The women at the Centre, and those that have approached the service but not wished or been able to access the

refuge accommodation, bring along food and the lunch affords them the opportunity to come together and talk. By providing that group dynamic, the women are able to network and make friends that are empathetic to their situation. The Centre has also set up group literacy and financial capability programs, and other sessions designed to empower women. This provides a really positive outcome for users of these services, whether they are living in the refuge or have remained in their home with the perpetrator removed.

20. I am in favour of refuges set up in this core and cluster model, because it facilitates peer support without the same intrusion that we see at high security refuges. However I do not think that Victoria needs to commit to a large capital investment to purpose build these facilities. Women actually want to live in a normal house in a normal street. Crisis accommodation providers can simply take on leases of properties, so they are in effect privately rented. This is effective because the agencies are only paying for what they need: if the need decreases when a lease is up, they can simply give the property up, and vice versa. We certainly need more housing in Victoria, but I do not think we need more purpose built refuge accommodation. What is required is normal housing for the women who are not able to remain in their family home with the perpetrator removed; outreach support workers to work with the women; and a location for facilitated group meetings.

### ***Transitional accommodation***

21. Victoria has a transitional housing system, which is not common to all Australian states. The system is designed so that women will progress from refuges or other crisis accommodation into transitional accommodation, and then in turn to long-term housing, either in the form of private rental or to public housing, although this is in very short supply. In practice, bottlenecks in the system form at the point of entry into refuge, transitional and long-term housing, preventing the system from flowing as is intended.
22. I would prefer to see women make as few moves as possible. In particular, it would be preferable for women to remain living in their home with the perpetrator removed, or move from refuges back into their own home, or straight into alternative permanent housing. Floating support could be provided to these women, as workers are able to go and see them wherever they are.
23. For the cohort of women who do not have major concerns in their lives beyond the fact that they are in a violent relationship, it is terrible for them to have to be

continually moving. If you go into refuge and then transitional accommodation, that is two moves already, and the exit point from there is likely private rental, which is in itself insecure. This can lead to jump after jump after jump in accommodation. I would rather see them be enabled to remain in their own home, go straight into private rental properties, or to release some funds from equity in their home, to be able to buy again. This would allow them to resume the trajectory of their lives.

### ***Private rental***

24. The private rental market is particularly difficult for women who have experienced family violence and who have complex needs or financial limitations. Demand for rental properties greatly exceeds supply. Whereas once you had young professional couples going into owner occupied properties, this is no longer so common. Professional couples are now privately renting and landlords much prefer them to single women. There is a perceived risk that a single mother's children may damage the property, or that she is less likely to be able to afford the rent, because she is not working full-time.
25. The poverty of single mothers makes them deeply unattractive to landlords. Where single mothers are reliant on benefits, this could be addressed by a greater welfare entitlement. There is a concern that a greater welfare entitlement will lead to a concurrent rise in rental prices, however even were this to follow, the increase in State expenditure would be justified if it allowed vulnerable women to enter the rental market. While subsidising rent or even mortgage interest payments may seem shocking to some, it is a much more economical solution than processing women and children through the homelessness system.
26. The pressure for private housing is most concentrated within metropolitan Melbourne. We are seeing that slowly, through a process of gentrification and displacement, people are being pushed outwards. Rent in the core of Melbourne is very expensive, so people who can afford less rent get pushed towards the outer rings. This is significant because it may not be where they want to live. It may not be where their friends and family are, and also because the cost of living is much more expensive. In the outer suburbs there is less public transport and less access to shops. People very much require a car to drive to school and often travel great distances to work. This makes life much more expensive and therefore a tenancy much less secure.

27. I have interviewed women in one year tenancies in the private rental market who have said to me "I don't even bother to unpack all of my boxes because I know I will be required to leave after the year, and that will happen again and again". Women say to me "how far do I have to go from Melbourne, or will I always have to keep going?" At the end of every tenancy, when they are looking for another rental, it is inevitably further away.
28. In regional and rural communities, a shortage of affordable housing can lead to people being displaced from their community. In the course of my research I have interviewed Indigenous Australian women living in the Shepparton area, and they underscored how important it was to be able to remain in close contact with their family. I recall interviewing one woman who had resorted to living in the garage of her father's house, and had also done some time sleeping rough in the woods around Shepparton, to remain in her community. This is not only an important issue for indigenous people but it is perhaps especially important for Indigenous people.

### ***Public housing***

29. A supply of public housing is important to accommodate vulnerable people, including victims of the crime of domestic violence.
30. We need a lot more public, community and social housing in Victoria. It currently makes up only 3% of housing in the State. A greater supply of public housing throughout Victoria would alleviate the pressure of the private rental market and prevent people being displaced from their community.

### **Safe at Home programs**

31. Being able to remain in your community is a central part of the Safe at Home ethos, which are schemes designed to enable women and children to remain safely in their home with the perpetrator removed.
32. Safe at Home programs help women to develop the confidence skills that will enable her to remain at home. This allows women to avoid many of the difficulties with the housing response referred to above.
33. There are a handful of these programs dotted around Victoria: although it is increasingly recognised that they are a good idea, the availability of this support in Victoria is very piecemeal. This is partly because Safe at Home programs have only been started relatively recently in Victoria. More overall leadership by the

Victorian government is needed to ensure that safe at home schemes become available to all women living in Victoria.

34. In New South Wales, by way of comparison, there has been a clear government direction to try and cover as much of the State with Safe at Home programs as they can. Rather than individual agencies seeking funding for programs that they wish to provide, the New South Wales government is leading, saying "this is what we want the Stay at Home scheme to look like, who would like to contract for that service?" There are real advantages to this kind of government led approach, which is also adopted in the United Kingdom; it is much more unified and assists in terms of mainstreaming and normalising the services provided. In Victoria, the bottom up approach has tended to result in an ad hoc or patchwork array of services.
35. I want all women in Australia, if they experience family violence, to have this choice of remaining in their home. Two key recommendations of my 2012 research for the Australian Housing and Urban Research Institute, Home and Safe? at "AS-2" were that:
  - 35.1. Safe at home type schemes have an important role to play in preventing homelessness for women and children who have experienced domestic and family violence, and that this is true for women living in very different situations in very different areas of Australia, including those previously thought not to be suitable.
  - 35.2. Australia should move to the provision of homelessness prevention schemes that are as extensive as the current provision of refuge and crisis accommodation.
36. The existence of choice is important. For some women, it may be that they no longer feel that it is safe for them to remain at home, or their home makes them so unhappy that they wish to leave and start afresh. There will also be circumstances where police advise women that they are unable to ensure their safety. However that is very much the exception. Many women will want to stay.
37. The experience of the United Kingdom has been that women absolutely prefer Safe at Home schemes to refuges. There is a natural justice aspect to this approach: 'if I am a victim of a crime, I don't want to be the one that loses their home', and I think we can all empathise with that.



38. Safe at Home programs are much more cost effective than refuges, but they do require support. The programs require skilled workers to help women undertake an effective risk assessment, and who will go out to a house to provide ongoing support and link people in with social inclusion building activities. Agencies should have some ability to provide peer support programs, so women who are living independent lives, if they wish to, can meet other people in similar circumstances. Women may require support for up to two years. Women may also require some financial assistance to improve the safety of their homes. However we have seen from Safe at Home type programs to date that women do not want major panic rooms to hide themselves away; they want motion sensor lights, secure letter boxes, often shrubs removed from near their house where people can hide and sometimes a stronger door. Actually the things that women want are really inexpensive. Safe at home schemes are less costly to run per client than providing refuge accommodation.
39. There are two potential barriers to the success of a Safe at Home program:
- 39.1. First, a relationship breakdown for any reason causes less money to be available to pay for housing. Again, private rental accommodation is very expensive and for an owner / occupier with a mortgage to pay, this decrease in funds can be particularly problematic, and potentially prohibitive of a woman's ability to stay. State subsidy payments to women owner occupiers or tenants would enable women to stay in their own home would in most cases be less expensive than providing them with homelessness accommodation and services however.
- 39.2. Second, it relies upon ensuring that a perpetrator is removed and kept away. This relies in turn upon an appropriate justice response to family violence. It would also be assisted by a greater awareness among women of the rights available to them. Victorian tenancy legislation (*Residential Tenancies Act 1997 (Vic)*), allows a tenant who has experienced domestic or family violence to apply to a tribunal to have their tenancy agreement changed to remove the name of the perpetrator from the tenancy. This has the effect of stopping the perpetrator from being a tenant or having any rights over the tenancy. Residents who are not tenants can apply to have their name added so that they can continue to live there with the perpetrator removed. However this legislation is not used as often as it could be and social landlords should be encouraged to empower their tenants to request these changes. This would start a normalisation process which could then flow into private

sector tenancies. Likewise the *Family Violence Protection Act 2008* (Vic) allows anyone who occupies a rental property as their primary residence to change the locks without the prior approval of the landlord and regardless of whether they are named on the tenancy agreement, as long as they have a 'reasonable excuse' for doing so. This protection should also be publicized so that women are aware of their rights.

### ***Financial empowerment & education***

40. When women are empowered to support themselves and to make up the shortfall previously provided by the perpetrator, we know that they are far less likely to return, or allow the perpetrator to return to the home.
41. Relationships can often endure five or six instances of breaking down, before getting back together again, and one of the main reasons for that is that it is so difficult to manage financially on your own. This is particularly so if you are low on confidence, because of mistreatment, or your children are missing their father.
42. Building a woman's financial confidence is very important, because this empowers them to make decisions for the right reasons. Then if they decide that they want to give the relationship another go, it is not because they do not think that they can manage financially without their partner.
43. I would certainly urge for education programs to be made available to women, like that provided by 1800 RESPECT, as well as access to counselling. Seeing a counsellor is important because often women do not recognise that what they're experiencing is family violence, and they need to learn about it before they are able to make an informed decision to leave him or have him excluded.
44. Women also need to learn about the consequences of family violence for their children. I researched the Safe from the Start project and designed training programs for the Salvation Army. I have come across women that have genuinely stayed at risk to themselves of family violence, because they think it is the best thing for their children. Research shows that it is not. It would be horrible for women to learn three years later that, not only have they been suffering, but so have the children and it would have been better to have taken them out of that situation.
45. There are different ways of getting this information to women. Web based services are great, because they can be accessed privately at home. Drop in services for

women are also important, without any accompanying pressure to fill in a form or take any particular action: the information is simply provided.

***Keeping a perpetrator away: exclusion orders***

46. The first Australian Safe at Home scheme was developed in Tasmania, and it is very much a justice led, as opposed to a housing led, scheme. It was initiated by people working within the State Justice Department, and it focuses, principally, on keeping perpetrators away from the home.
47. Tasmania enacted very powerful legislation aimed at the perpetrators of family violence. Police have the power, when they attend an incident, to issue the perpetrator with an order to leave the property for 12 months. That order then has to be ratified by the court, but it is the police who issue the order initially and they are able to do so on the spot. Often the police drive the perpetrator away from the scene with them, leaving the woman and children safely behind at the home. The onus is then on the perpetrator to challenge the order in the court, however I understand that they are rarely successfully overturned.
48. In Victoria, the police have considerably less power. While they can order a perpetrator to leave, Victorian Police have to go to Court to get that order ratified within 72 hours. This can pose a real problem in remote or regional areas.
49. If you imagined yourself in the situation where you have been attacked by a man in your own home, and the police arrive and say "he has to go for at least 12 months", as opposed to "he has to go for at least 72 hours", you would be a lot more confident that you could make a long term future for yourself in Tasmania than in Victoria. For Victoria to implement this kind of justice-led scheme, it would require legislative change.
50. I understand that initially the Safe at Home scheme in Tasmania had contemplated providing some money for perpetrator accommodation, for once they had been excluded from the home. However, when I conducted my research in 2012, I was told that this funding had not happened because there was not a driving need for it. Normally, perpetrators find somewhere else to stay, whether that is with a friend or family.
51. Family violence is not solved by hiding women away, but rather by a perpetrator being assured that there will be serious consequences for his actions. If perpetrators are dealt with strongly enough through the criminal justice system, either so that they are in prison, and therefore cannot hurt anyone, or the

penalties for breach are strong enough to act as a deterrent, then women can remain safely in their home.

### ***Social marketing***

52. Also at the forefront of the Safe at Home initiatives in Australia was a small town in New South Wales called Bega.
53. When you drive into Bega, there are literally banners across the street saying "If you experience family violence, you do not have to leave your home", or words to that effect. Inside the Pub, there are beer mats on the counter that list numbers for people to ring; both for perpetrators, if they want help, or for people are experiencing family violence. Attached to this statement and marked "AS-6" are images of the family violence social marketing campaign in Bega.
54. I would be very supportive of a similar social marketing campaign being introduced in Victoria. It cannot be underestimated how important that kind of social marketing is:
- 54.1. for victims of family violence, who start to think that perhaps it is possible for them to remain in the home;
  - 54.2. for perpetrators and potential perpetrators, who begin to realise that there will be consequences for their behaviour, and that they may lose their home; and
  - 54.3. for society generally, as the more open and normal family violence becomes as an issue, the more willing neighbours and friends will be to provide support to women.
55. Instead of neighbours saying "Oh no, we don't want any trouble around here, your husband might come back" or family saying "No, no, we think you will be safer if you go", social marketing is an educative process for all of society. It serves as a reminder that this is something that impacts all of us. Even if we do not personally experience violence ourselves, we will be working with or speaking with or helping a member of the community who does.
56. I am strongly in favour of funding being allocated to family violence social marketing. Through my research, I have really been taken by how important it is in changing the discourse of what is seen as normal.

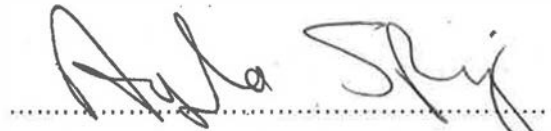
### ***Electronic technology***

57. I would also really urge that money is spent on electronic technology to make women safer. I interviewed nine women who had received pendants and alarms, and also their support workers, and what was clear to me was how empowering that technology was for women.
58. If women are going to stay in their home, they need to know that if they need help, they can get it quickly. A major advantage of the electronic technology that I have seen is that when women press it, it will go straight through to an emergency centre, and be prioritised for a police call out. I met with one particular woman's support worker who told me that the alarm call centre had intervened when a client was being attacked: the device enabled the operator to say to the perpetrator "I am recording this, it will be admissible in court, get away". She was convinced that it saved the woman's life.
59. One of the things that women in Safe at Home programs worry about is the ability of the children to come and go from school. A perpetrator may drive up to their children as they are walking along the footpath. Some of the women I spoke to actually gave their B Safe electronic technology to their children, so that they could feel much safer about living a normal life.
60. The great benefit of the Safe at Home scheme is that you do not have to be at home; you want to be able to go out and live your life, and this electronic technology, which is relatively inexpensive, can be a major contributor to that.
61. This technology really matters to women, and even if it just makes them *feel* more safe, that should be reason enough to support it. So much of dealing with family violence is about women feeling confident and feeling empowered. Electronic technology should be invested in, as a part of the Safe at Home program.

### **One service**

62. Ultimately, my vision for homelessness services in Victoria would be the provision of refuge and Safe at Home programs as a one stop shop, normally by the same service provider. There would be one service that women could approach, and together they would jointly make a decision about leaving or staying. There would be no competition between two kinds of service regarding who got the client, which exists at the moment with different services running in tandem with each other.
63. If there was a State-wide strategy endorsing Safe at Home programs, it could be a requirement that refuge services be providers of Safe at Home programs as well.

That service could provide peer group support, assistance with justice response, social marketing and electronic technology as well. That to me would be the ideal scenario. Rather than being pawns in this game, it would be dictated by whatever was best for her.

A handwritten signature in black ink, appearing to read 'Angela Spinney', written over a horizontal dotted line.

**Dr Angela Spinney**

Dated: 20 July 2015