



Royal Commission
into Family Violence

WITNESS STATEMENT OF LUCINDA ADAMS AND ANTOINETTE RUSSO

I, Lucinda (Lucy) Adams, Principal Lawyer and I, Antoinette Russo, social worker, of Justice Connect Homeless Law (**Homeless Law**), Melbourne, in the State of Victoria, say as follows:

1. We are authorised by Homeless Law to make this statement on its behalf.
2. We make this statement on the basis of our own knowledge, save where otherwise stated. Where we make statements based on information provided by others, we believe such information to be true.

Current roles

3. Lucy is the Manager and Principal Lawyer of Homeless Law, a role she has been in since January 2014. In this role, Lucy oversees the work of approximately 400 pro bono lawyers at eight member law firms, who provide legal representation in specified areas of civil law to clients who are homeless or at risk of homelessness. She manages the Homeless Law team of three staff lawyers, two social workers and an administrative co-ordinator. The role also involves the management of Homeless Law's strategic law reform and policy work, training and education activities, relationships with law firms, partner agencies and funders, and the strategic direction of Homeless Law.
4. Antoinette is employed by Homeless Law as a social worker. Antoinette works in Homeless Law's specialist women's program, the Women's Homelessness Prevention Project (**WHPP**), which is discussed further below.

Background and qualifications

5. Lucy has a Bachelor of Arts / Bachelor of Laws (Hons) from The University of Melbourne. Lucy worked as a solicitor at Clayton Utz for a period of three years, before joining Homeless Law in April 2010. She is admitted to practice law in Australia and is the holder of a current Victorian practicing certificate. Prior to commencing in her role as Manager and Principal Lawyer, Lucy was the Senior Lawyer at Homeless Law.

6. Antoinette has a social science major in anthropology and sociology from La Trobe University, with the culture of homelessness being a particular area of interest. Prior to working at Homeless Law, Antoinette worked for ten years at VincentCare's Ozanam House, Ozanam Community Centre, adult outreach and youth services programs. Antoinette was appointed team leader at VincentCare's homelessness access point (**IAP**) in Glenroy, and then team leader at Quin House, a homelessness alcohol and other drug residential facility in Fitzroy. Antoinette has been employed by Homeless Law since March 2014.

Homeless Law

7. Homeless Law is a specialist legal service for people experiencing or at risk of homelessness. We focus on civil legal issues and we are an outreach-based program.
8. We have been in operation since 2001. In the last five years, we have developed a specific focus on homelessness prevention and the provision of legal representation with built in social work support. Homeless Law has the benefit of having two social workers on our staff, allowing us to respond to clients' legal and non-legal needs. We focus on early intervention and preventing people from entering homelessness, as well as reducing the negative impact of the law on people experiencing homelessness.
9. Over 50% of Homeless Law's work is legal representation in tenancy matters. In 2013–14, Homeless Law prevented the eviction of 129 clients and their families through legal representation and social work support.
10. The other primary areas we provide assistance with are:
 - 10.1. infringements related to homelessness;
 - 10.2. credit and debt; and
 - 10.3. guardianship and administration.
11. We see firsthand the quite unrelenting impact of infringement law on our clients once they become homeless, particularly fines for public space offences. These fines are sometimes referred to as the criminalisation of homelessness because they punish people for having nowhere to go and for sleeping or remaining in public places.

12. In our outreach model, we go to locations where our clients are already attending and engaged. Traditionally that has been at specialist homelessness service providers. We operate at the Melbourne City Mission, HomeGround Services, the Victorian Association for the Care and Resettlement of Offenders (**VACRO**), the Salvation Army in Geelong, Central City Community Health Service and at a city-based library, which is discussed further below.
13. The legal services we provide are on a pro bono basis and we have the enormous assistance of eight member law firms who take responsibility for those legal clinics, overseen and supported by a small team of core Homeless Law staff.
14. Homeless Law receives a diverse breakdown of funding. The largest portion of Homeless Law's funding is from the State government, through the Department of Justice, and we also receive Federal Government funding. The WHPP is funded by the Lord Mayor's Charitable Foundation, for a period of two years, ending 30 September 2015.

Women's Homelessness Prevention Project

15. The WHPP is a specialist women's program set up by Homeless Law to keep women and children in housing, through a combination of legal representation and social work support. It is a holistic, integrated model of providing legal services that focuses on preventing homelessness through addressing both legal and non-legal issues.
16. The WHPP arose out of our existing clinics and our understanding that nearly 50% of the people experiencing homelessness in Victoria are women. We were seeing at our clinics that those women access services in a slightly different way, particularly women who haven't experienced homelessness before and might not necessarily be engaged with specialist homelessness services. Walking through the door of a homelessness service can be really confronting, particularly for the first time. The WHPP is based in a library, to ensure that women are comfortable accessing it.
17. Women with a tenancy legal issue and who are at risk of homelessness are eligible for the service.
18. Although not targeted specifically at women who have experienced family violence, 95% of the women assisted by the WHPP have experienced family violence.
19. Homeless Law has made a submission to the Royal Commission that sets out, amongst other things, the kind of legal issues that put women at risk of homelessness.

Attached to this statement and marked “**HL-1**” is a copy of Homeless Law’s submission to the Royal Commission, dated May 2015 (**Homeless Law Submission**).

20. We get referrals for the WHPP from a number of different services that Homeless Law has a relationship with, as well as self-referrals. Homeless Law staff regularly attend team meetings to provide training and information, including at various frontline homelessness and specialist family violence services. This stakeholder engagement encourages referrals at the earliest point for women at risk of homelessness.
21. Our service is appointment based. Our location is not widely advertised and women are informed of the address at the time of making their appointment.
22. The aim of the WHPP is to recognise that the legal issues putting women at risk of homelessness are often underpinned by, or enmeshed with, a range of non-legal issues. If you work at both the legal issue and those other issues, your legal solution is going to be more sustainable and the hardship that has come along with that experience will be alleviated.

The WHPP’s clients

23. The evidence from the WHPP is consistent with broader State-wide evidence pointing to clear links between an experience of family violence, the lack of affordable housing and a risk of homelessness. Of the women that the WHPP assisted in its first 12 months:
 - 23.1. 95% reported a history of family violence;
 - 23.2. 84% were reliant on Centrelink as their sole source of income;
 - 23.3. 68% were at risk of eviction due to rental arrears; and
 - 23.4. 50% were living in private rental accommodation and 74% of these women were at risk of eviction due to rental arrears.
24. These factors, often interrelated, are addressed further in our statement below.
25. The women that we see at the WHPP vary in relation to the immediacy of their risk of family violence. Sometimes the women have an intervention order (**IVO**) in place and that order is working (of the women assisted in the first 12 months, 35% had

obtained an interim or final family violence intervention order in the last two years). However there have been quite a few clients where their partner is still breaching IVO conditions and a number of women who have gone into a refuge.

26. Through the WHPP, we also see the longer term impacts of family violence on women and the way these impacts can contribute to a risk of homelessness. For example, 90% of WHPP clients in the first 12 months reported a mental illness, with 81% experiencing depression and/or anxiety and seven having Post Traumatic Stress Disorder (all of whom had a history of family violence).

The benefits of targeted, holistic legal assistance

27. Of the matters finalised in the first 12 months, 81% of WHPP clients have been able to sustain their tenancies or resolve housing issues that were a barrier to accessing safe housing (for example, housing debts or compensation claims). Eviction for rental arrears has been the primary legal issue for 68% of WHPP clients. Encouragingly, of the 33 confirmed outcomes for clients at risk of eviction for rent arrears, the WHPP assisted 25 women to maintain their existing tenancy, and a further two women were assisted at the Victorian Civil and Administrative Tribunal (**VCAT**) to obtain additional time which enabled them to transfer into new housing without an intervening period of homelessness.
28. In relation to the six clients who were unable to sustain their tenancy, in some instances this was because the rent had become completely unaffordable. We see this where people have been living in a private rental with two incomes and the woman cannot afford the rent once the perpetrator has moved out. In other instances, the tenancy had become unsafe or isolating. In those cases, the women needed to let the tenancy end and then attempt to be rehoused in safe and more appropriate, affordable housing.
29. The success of the WHPP tells us that evictions are preventable for the most part, with the right intervention of legal representation and intensive social work.
30. The cost to run the WHPP is \$220,000 annually, for one lawyer and one social worker (0.6 full time equivalent) as well as the management, administration and other infrastructure (for example, IT and communications) required to run the program effectively. Homeless Law also has the pro bono support and services of our law firm partner, who provides approximately 40 pro bono lawyers to the WHPP. In its first 12 months, the service was able to assist 62 women, with 102 children in their care.

We costed a rollout of this service, not necessarily to be provided by Homeless Law, but potentially by other community legal centres (**CLCs**) or legal services, and an expansion to provide assistance to 500 women per year would cost \$1.8 million. A number of CLCs are starting to move towards this integrated model. Homeless Law were one of the first to employ a social worker in 2010, and others are now employing non-legal staff, including social workers and financial counsellors.

31. Some CLCs, as well as Homeless Law, are also beginning to co-locate with other services. One day a week a Homeless Law lawyer is based at HomeGround, and one day a week a social worker is based at Central City Community Health Service. That kind of embedding of your legal service in another, non-legal service, is a good way of attracting referrals, spotting issues early and building relationships with services who see clients first.
32. There is increasing recognition of the benefits of integrated models of service provision that involve both legal and non-legal experts.

Referrals to and from the family violence sector

33. As a result of the WHPP, Homeless Law is increasingly building its relationships within the specialist family violence sector.
34. We are trying to encourage referrals from specialist providers into our service. We recently had a lawyer attend Safe Steps and speak at their team meeting about when women should be referred and when legal representation in relation to housing and tenancy might be beneficial. This is particularly in relation to the creation application provisions in the *Residential Tenancies Act 1997 (Vic)* (***Residential Tenancies Act***) aimed to support victims of family violence to avoid homelessness, which are very underutilised. It is important to have that flag in the mind of non-legal workers to spot a legal issue and know when to refer a matter. We are working to build an understanding within the family violence services of when women may require tenancy legal advice.
35. Tenancy law is a very specific area of law and unless other service providers are given particular tools or knowledge to spot those issues amongst a whole range of things, they may not be able to do so. One way of building this knowledge is through training and education and another is through more embedded or stronger relationships such as co-location. We have also developed a legal health check tool which is quite a simple document, given to front line workers. Attached to this

statement and marked “**HL-2**” is a copy of Homeless Law’s legal health check tool. We note that this is for Homeless Law generally and not specifically targeted to the WHPP.

36. For women who have experienced family violence, sometimes their first contact will be at VCAT, health services or with Police. If those services are seeing women before the tenancy issue has escalated then you can get those early referrals. We have a great relationship with a family violence worker at VCAT and we get a lot of referrals from her.
37. Specialist family violence workers and services play a crucial role in assessing risk, working with clients who have experienced trauma, understanding the dynamics and impacts of family violence, and providing targeted and appropriate services to victims and families who have experienced – or are experiencing – violence. In addition to providing direct services, family violence specialists have a significant role to play in building the understanding and skills of generalist or mainstream services.
38. Through our work, we have seen that women who have more extreme experiences of family violence will often have already accessed specialist family violence services. These services may refer women to the WHPP, in addition to providing safe accommodation in a refuge and intensive case management. By way of example, a recent client of the WHPP was already staying in a refuge when she met with the lawyers and the WHPP social worker. She relied on the WHPP social worker’s support to help her tell her story to the lawyers and this assisted the lawyers to understand the client’s circumstances and the context for her legal issues. Beyond this initial appointment, this client’s non-legal needs were well met by the case management attached to the refuge, which operated alongside the legal representation provided by the Homeless Law lawyers.
39. For clients who are not engaged with specialist family violence services, there are alternative ways to manage a woman’s non-legal needs as well. Where the immediate risk is settled and the legal team have managed to sort out the tenancy, very often it is a case of working through the woman’s feelings and what they have experienced. Often a suggestion in terms of accessing something quickly will be to talk to a general practitioner (**GP**), get onto a mental health care plan and take up the referral to a psychologist. Quite often women are happy to do that: if they have a good relationship with their GP that is their preferred pathway. The Homeless Law Submission contains details about the range of referrals made out of the WHPP.

Family violence, affordable housing and homelessness

40. The links between family violence, affordable housing and homelessness are increasingly well understood:
- 40.1. Family violence is the most common cause of homelessness in Victoria. 99,892 people sought assistance from specialist homelessness services in Victoria in 2013–14 and 28% of these people cited domestic or family violence as the main reason they needed assistance: 25,104 people in total; 2,892 male; 22,213 female.¹
- 40.2. Almost half of the women seeking assistance from specialist homelessness services in Victoria in 2013–14 cited family violence as one of the reasons they needed assistance.²
- 40.3. Of the approximately 22,789 Victorians experiencing homelessness, almost half are women and one-sixth are children under the age of 12.³
- 40.4. In Victoria there are currently 33,933 people on the State-wide public housing wait list, including 9,556 who are eligible for 'early housing' due to urgent needs including unsafe housing as a result of family violence.⁴
- 40.5. A recent snapshot of private rental properties showed that less than 0.1% of rental properties in Metropolitan Melbourne are affordable for single parents relying on the single parenting pension,⁵ and only 0.8% of rental properties are affordable for these families in coastal or regional Victoria.⁶
- 40.6. Specialist homelessness services in Victoria currently turn away 92 people each day because of overwhelming demand.⁷

¹ See Australian Institute of Health and Welfare, Specialist Homelessness Services: 2013–2014 (2014) - 'Table VIC2.14: Clients, by main reasons for seeking assistance, 2013–14, adjusted for non-response'.

² Ibid, 'Table VIC2.13: Clients, by reasons for seeking assistance, 2013–14, adjusted for non-response': 60,454 women sought assistance from specialist homelessness services in Victoria in 2013–14 and 27,655 cited family violence as a reason for needing assistance. See also Justice Connect Homeless Law, Five ways family violence puts women at risk of homelessness (WHPP Newsletter) (March 2015).

³ Australian Bureau of Statistics, Census of Population and Housing: Estimating Homelessness 2011 (12 November 2012) 12 (available at: [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/EB59F237159F7102CA257AB100170B61/\\$File/20490_2011.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/EB59F237159F7102CA257AB100170B61/$File/20490_2011.pdf)) (Census 2011).

⁴ Department of Health and Human Services, Public Housing Waiting and Transfer List March 2015.

⁵ Anglicare Australia, Anglicare Rental Affordability Snapshot (2015) 88.

⁶ Ibid 89.

⁷ Australian Institute of Health and Welfare, Specialist Homelessness Services: 2013–2014 (2014) - 'Table VIC 5.5: Daily average unmet requests for assistance, by type of service requested and sex, 2013–14, adjusted for non-response'.

41. It is in this context that the WHPP was designed to keep women and children in housing through a combination of legal representation and social work support.

Family violence and homelessness

42. Women and children affected by family violence are at an increased risk of homelessness, including because:
- 42.1. they are forced to leave their home due to violence;
 - 42.2. they stay in their housing, but with significantly reduced household incomes after the violent family member leaves or is excluded; and/or
 - 42.3. long-term impacts of family violence, such as mental illness, financial hardship or isolation from family and friends, make their lives precarious.
43. We know from our work that family violence continues to impact on the lives of women and children long after the violence has ceased. Family violence can derail their lives entirely.

Childhood experience of family violence

44. There is an increasingly well understood link between an experience of family violence in childhood and an experience of homelessness in later life.⁸ By way of example, of 14 people Homeless Law assisted who had been arrested for begging in Melbourne in 2014, 36% had experienced domestic or family violence, 36% reported being abused as children and 36% reported suffering family or relationship breakdown. A number of participants reported experiencing two or more of these traumas.
45. This highlights the reason why early intervention is so incredibly important. The early intervention model tries to assist women who have recently experienced violence and their children with the aim of preventing their entry into homelessness and avoiding the hardship that follows. We focus on making the links that they need immediately and stopping that traumatising process.

⁸ See, eg, City of Melbourne, *Living Rough in Melbourne: Street Count 2013* (January 2014); Child Family Community Australia, *Effects of Child Abuse and Neglect for Adult Survivors* (January 2014).

Economic disadvantage & rental arrears

46. 84% of the clients assisted through the WHPP in its first 12 months were reliant on Centrelink as their primary source of income.
47. For many of our clients, housing consumes a significant portion of their income: often over 50%. This leaves our clients very exposed financially. If something goes wrong, such as an unexpected childcare bill or your car breaks down, this can be a cause of great financial stress.
48. Family violence can exacerbate financial stress, either through the exclusion of a male partner, and the resulting diminishment of the household income, or as a consequence of the long-term destabilising impact of family violence and the precarious financial and personal position that this causes.
49. We worked with one particular woman who was unable to complete her PhD because when her partner left, the household was reduced to one income and she was required to stay home and look after their children. During that time, her physical and mental health really eroded. When we first met with her she had massive dental problems. People can manage for a few months without seeing a doctor or having their car serviced, however when housing stress is ongoing, it is not just one appointment you miss, it is five or six. Housing stress and hyper vigilance can cause health problems later in life. These are the more insidious ways that family violence has affected people. Very often people end up using drugs or alcohol just to hold it together, and rental arrears can quickly accrue.
50. Rental arrears is the most common threat to a tenancy that we see. Of the 62 clients assisted in the first 12 months of the WHPP, 42 women with a combined total of 60 children in their care were facing eviction into homelessness due to rent arrears. The average amount of arrears owed was \$2,177.

Appropriate, transparent family violence policies

51. We consider that a less rigid approach should be taken towards evicting victims of family violence for relatively minor amounts of rental arrears, and towards debts associated with public housing.
52. Office of Housing policies should be amended to clearly and appropriately exempt victims of family violence from liability for damage or arrears caused by family violence.

53. The Office of Housing does have policies indicating that if damage to a property arises as a result of family violence, then the victim shouldn't be held liable, however the policies are not consistently applied and are in need of clarification. An amendment could rectify the confusion about whether criminal charges are required for the family violence exemption from liability to apply.
54. By reducing the risk of compensation claims and associated debts in the context of family violence, this will also reduce the likelihood of victims of family violence experiencing delays in urgent transfers or allocation of housing, which jeopardise safety and exacerbate hardship.
55. We would also support the provision of crisis payments to victims of family violence by Centrelink in circumstances where a specialist service indicates that the family has been disrupted by the family violence. We also note that when children turn eight, women are transferred onto Newstart rather than receiving family benefits. It would be appropriate in some instances for the parenting payments to continue, as some women really will not be work ready. The continuation of parenting payments would allow some women to move into private rental properties or sustain their tenancies in these circumstances.

Reform of Victoria's tenancy laws and practices

56. Homeless Law supports an amendment of the *Residential Tenancies Act* to allow clear apportionment of liability in compensation claims against tenants who are victims of family violence. At the moment, joint and several liability under tenancies means that women often come away burdened with debts that then preclude them from accessing safe housing down the track.
57. If VCAT was better equipped under the *Residential Tenancies Act* to consider who specifically was responsible for damage caused or rental arrears accrued in circumstances of family violence, that might be one way of reducing or avoiding those debts and the impact it has on someone's ability to access safe housing. This would reduce one barrier victims of family violence face when leaving violent relationships: the fear that they will be held legally responsible for damage they didn't cause or rental arrears accrued after they have fled.
58. We would also support an amendment of the *Residential Tenancies Act* to allow victims to prevent their personal details being listed on residential tenancy databases,

or 'black lists', and to remove existing listings where the breach or damage occurred in the context of family violence.

59. In addition to measures to prevent or reduce the barriers to victims accessing future housing, we support changes to the *Residential Tenancies Act* and to related processes that would help prevent unnecessary evictions into homelessness. This would include amending the factors VCAT can consider in eviction proceedings, introducing a checklist of pre-eviction requirements, as well as a 'reasonableness' requirement for all evictions under the *Residential Tenancies Act*, to give VCAT members discretion to avoid eviction where they are not satisfied it is reasonable in the circumstances.

Family violence training across jurisdictions, agencies and sectors

60. Women are required to address many issues when confronted with family violence. In addition to sustaining a tenancy, and any associated appearances in VCAT, women need to think about intervention order procedures, family court, utility companies, or banks in relation to joint debt.
61. Homeless Law would welcome greater awareness between VCAT and the Magistrates' Court around what mechanisms are available to victims of family violence. Cross-jurisdictional education and training is needed for members and Magistrates, as well as staff in both jurisdictions, regarding the overlapping provisions in the *Residential Tenancies Act* and *Family Violence Protection Act 2008 (Vic)*. This will assist decision-makers in both VCAT and the Magistrates' Court to better understand each other's powers and responsibilities and encourage victims of family violence to exercise relevant rights in both jurisdictions.
62. Similarly, Homeless Law supports training for staff in the public, community and private housing sectors regarding family violence and its impacts in a housing and homelessness context. This will mean that housing decision-makers are better equipped, and better supported, to understand family violence and to respond effectively, including with appropriate referrals that minimise the risk of eviction into homelessness.
63. Over 50% of our clients at the WHPP are in private rental. We believe there is certainly a role for private real estate agents and private landlords being able to spot family violence, have a basic knowledge of local referral pathways, and how to

intervene early. We suggest that a voluntary code of conduct be created that would come with training from the Real Estate Institute of Victoria.

64. Those kinds of developments could support early intervention, but it does rely on a range of services being able to spot and refer. For example, the first person that a woman might confide in may be the kindergarten teacher, when she is dropping the kids off, or it could be the childcare worker when she arrives with the kids still in their pyjamas and says "I'm so sorry, we've had a shocking morning. It is all happening". The focus needs to be on education for mainstream and frontline services. The services landscape and pathways of referral are very complex for non-specialist or mainstream services. A general understanding of family violence and potential referral options could better equip these services to respond to family violence.

Generalist homelessness response and crisis accommodation

65. Where people have experienced family violence, they are generally encouraged to approach specialist family violence services for support and/or accommodation. When these specialist services are not able to assist, they refer women to their nearest homelessness access point.
66. Initially, getting an appointment at a homelessness access point can be very difficult. If you arrive after you've dropped your children off at school, all the appointments are gone by 9.30am. The inability to get an appointment can be very dispiriting and practically, really hard.
67. We also know that within the general homelessness system there are not enough places for people to sleep on any given day, particularly not appropriate places to sleep. They often end up in a motel or in a rooming house. It is very difficult for women to get into a refuge or crisis accommodation, including because of eligibility criteria and overwhelming demand, so they remain in the homeless service system.
68. For women who do not get into a refuge, they may end up in cheap motels or rooming houses where they're confronted by a lot of other people who are in crisis and are perhaps difficult house mates. This environment is very difficult for mothers and unsuitable for children.
69. There is similarly a lack of safe and stable housing for men who are vulnerable. This increases their sense of isolation and sometimes their volatility. Living in a rooming house with deteriorating mental health and increasing substance use can lead to

someone becoming more dangerous. It also leads to less engagement with the justice system, because there may not be anywhere to serve an IVO. Recent research by the Centre for Innovative Justice identifies that availability of housing for men excluded through the intervention order process is a key aspect of engaging with these men to address their issues and prevent further violence from occurring.⁹ The Homeless Law Submission contains a case study that highlights the importance of this. A recent Homeless Law client had called the police on six occasions in relation to her former partner's violent behaviour, but the police were unable to breach the former partner because his homelessness and transience meant the police hadn't been able to serve him with the interim intervention order. The ongoing violence and the inability to address it through the justice system contributed to our client having to leave her home.

Case management support & transitional accommodation

70. In the first 12 months of the WHPP, the WHPP social worker has referred 23 of the most complex clients to their local homelessness access point for assistance with accessing crisis accommodation, transitional housing and financial assistance to help sustain existing tenancies or transition into new housing. These referrals have been made because the WHPP social worker formed the view that these women would benefit from longer term, intensive support and access to transitional housing. Of these 23 referrals, approximately nine women were allocated a worker either through IR2 (interim response 2, which is six one-hour sessions) or longer term case management support, often referred to as transitional support, as this qualifies them for transitional housing. We know of two women who have been successful in obtaining transitional housing.
71. Where workers have not been allocated to these clients, this is because there just are not enough case management vacancies available. A major reason for this is that there are insufficient housing options available. If there were housing options, you could sort something out in that three months and possibly close the file, but workers have to hold on to a client for six or nine or 12 months because they are unable to move them into safe and stable housing. Transitional housing is no longer transitional in that people are in there for extended periods of time. To be in transitional housing

⁹ See Centre for Innovative Justice, *Opportunities for Early Intervention: Bringing perpetrators of family violence into view* (2015), 50.

you have to have a case manager, so that case manager may be working with that client for years instead of months.

72. We know from our work that once you have someone housed, a huge amount of the stress of their situation is removed. While someone is homeless, the only thing that they can really address is their homelessness. Once clients are housed, they are more open to having a think about their mental health and physical health, getting a plan in place with workers if there are substance issues or tackling old debts. Those things can often only be looked at once the primary stressor, their lack of safe and secure housing, has been resolved, particularly if they have children. Only then can we ask, 'are you ready to now talk about what you have been through, is now a good time to address that and to get some counselling in place', or 'would you benefit from seeing a financial counsellor?' Quite often the women will have a range of health issues that they've not really dealt with, and it is not until a conversation with a case manager that they realise that they have been ignoring signs and symptoms, and that they are able to get assistance and have their own health and wellbeing needs met. If those links are successful and the person agrees, that's when the WHPP support begins to pull back, because there is now the safety net created by a number of ongoing supports. The case manager will stay in touch long enough to ensure the person has started on that journey.

Access to housing: brokerage funding

73. A large proportion of Homeless Law's brokerage funding for female clients comes via HomeGround and the REA Group, and that is a huge benefit to us. In terms of our ability to sustain tenancies or, if needed, to rapidly re-house women, and in terms of being really effective, really quickly, and mitigating the effects of long-term trauma, if we have enough brokerage money, we can usually get very good outcomes for our clients.
74. There are some women that are not eligible for that brokerage funding, for instance, if they are in public housing because that brokerage is for women in private rental. In some cases, a woman might just need something like \$100.00 or \$120.00 to put toward arrears or set her up in a new public housing tenancy that is safe. However the woman cannot afford to pay that and they are not eligible for Housing Establishment Fund (HEF). If that \$100.00 cannot be found, it can make getting or keeping housing less likely.

75. We would support greater flexibility around the use of the funds that are available to women. HEF and brokerage is usually tied to a set of criteria of eligibility and where women do not meet the criteria they are at greater risk of homelessness.
76. Brokerage or financial assistance can be an important part of sustaining a woman's housing while she is dealing with the many issues that arise from family violence.

Access to housing: rapid re-housing programs and affordability generally

77. We do not have a strong formal program in place in Victoria in relation to rapid re-housing of people when a tenancy can't be sustained. A further recommendation of Homeless Law's is that the State Government implement stronger, better resourced programs targeted at providing rapid re-housing. With the right supports, some of our clients could be quickly re-housed in the private market. There are unaffordability and structural issues, but programs could be put in place that provide an initial injection of money that would give people access to property. Those programs could be linked to support and to an ongoing subsidy to make that rent affordable. That subsidy would cost far less than the financial and personal costs of the woman remaining unsafe or experiencing prolonged homelessness. It has the potential to prevent the serious damage that we know happens to women and children who remain in housing crisis for a long period of time.
78. Homeless Law endorses the submission of the Council to Homeless Persons, which identifies that an investment of \$10 million per year could assist over 1,000 women and their children to be quickly re-housed.
79. The availability of affordable housing for people is an essential part of an effective family violence response. The shortage of affordable housing presently is a structural deficiency in the housing and homelessness system. It is a major structural issue that requires significant investment, not only in the form of public housing, but in a range of different things, including rapid re-housing, making private rental more accessible and better programs to keep people in the housing that they are already in. The programs that we know are working need to be better resourced. Subsidies to enter the private rental market are not cheap, however it is cheaper than the costs associated with cycling women through crisis accommodation and the increased interactions with the health and justice systems that often accompany homelessness.
80. As a service provider, you ultimately carry the client for longer when you have got no money to use as part of your response to their needs and no housing available to put

people in. You have to keep them in a safe holding pattern when there is very little you can actually do for them in any substantive way without housing options. If there were money available for brokerage, rapid re-housing or otherwise, service providers would be able to sort things out for the woman more quickly, and less damage would be done to her and her child from remaining in that insecure transitional phase.

81. People want to go back into the workforce. Even our most vulnerable clients, when we talk to them about what would make the biggest difference to their lives, say “a roof over my head and a job”. There is a willingness to work again, subject to health and parenting roles. People need to be better supported to get back into the workforce.
82. It is difficult, however, to get back into work if you don’t have safe and secure housing. We reiterate that measures are needed to increase the supply of affordable housing for low income people in Victoria. Informed by the figures referred to in paragraph 40 above, and what we see through the WHPP, Homeless Law worked with the Council to Homeless Persons to coordinate a two-page joint submission to the Royal Commission highlighting the links between family violence, affordable housing and homelessness. 129 organisations from the housing, homelessness, community, family violence, local Government and legal sectors, endorsed that submission and joined together to provide the Royal Commission with recommendations aimed at reducing the current links between family violence and homelessness. Attached to this statement and marked “HL-3” is a copy of the joint submission to the Royal Commission.
83. A long-term affordable housing strategy to address the soaring public housing waitlist and increasing unaffordability of private rental for low income Victorians will create housing options for victims seeking to leave violent relationships and reduce the current links between family violence and homelessness.



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Lucinda Adams

Dated: 15 July 2015



A handwritten signature in black ink, appearing to read 'Antoinette Russo', positioned above a horizontal dotted line.

Antoinette Russo

Dated: 15 July 2015