

Submission No. 42

(homelessness legislation)

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*The Salvation Army*  
*Tasmanian Division*

**Inquiry into Homeless Legislation**  
**Submission 2009**



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**2009**

# The Salvation Army

## Core Values



Compassion



Community



Justice



Hope



Human Dignity

## Contacts

Jed Donoghue PhD & Major Jennifer Begent  
Divisional Headquarters



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## Summary

It is time to fix homelessness. It is long overdue. Seventeen years of economic growth yet the number of homeless people has risen.

Even when its been really tough –we have kept the ideal alive – social justice and the elimination of homelessness. The task ahead is huge and it won't happen overnight.

Narelle Clay 2008

The Salvation Army believes that it is the right of everyone to have affordable, appropriate, safe and secure accommodation. The Salvation Army supports the development of long term, affordable social housing in Australia.

The Salvation Army seeks to address the needs of homeless people in Australia. Homeless people require support and improved public understanding to enable them to participate in the social and economic life of the nation.

The Salvation Army invests numerous resources annually in the community welfare sector to provide services to homeless and disadvantaged people. These resources include funds that are raised through public appeal and are applied where we identify unmet need and gaps in existing community services.

A significant proportion of Salvation Army funds are allocated to the provision of Alcohol and Drug Treatment, Poverty Relief, Homelessness and Support Services. The Salvation Army in Tasmania has identified several high priority areas that we feel need to be addressed in order to improve the health and wellbeing of people who are homeless. These areas include more:

- Affordable Social Housing
- Emergency Accommodation
- Transitional Support Services

In order to help address these issues we make this submission to the House Standing Committee on Family, Community, Housing and Youth. We call on the Government to develop legislation that promotes a compassionate response to the housing and support needs of people who are homeless.

## **Introduction**

“A kind society is one which extends a supportive hand to people when they need world class health services, access to housing and community support.

Premier David Bartlett 2008

The Salvation Army supports the Tasmanian Premier’s desire that all Australians benefit from socially inclusive policy, which promotes a society that is kind and clever. The Salvation Army has long recognised that the objectives of economic and social policy need to be entwined. We are keen to work closely with government to achieve sustainable outcomes for homeless people.

An inclusive society is one that ensures people who are unable to fully participate are supported by a system that values and promotes access to housing, education and employment opportunities. Material, emotional and spiritual needs are interdependent and it is imperative for a ‘kind’ society that they remain connected.

The Salvation Army is committed to working towards a society that is socially inclusive and provides resources to meet the needs of homeless people with services that enable them to re-engage with their family and the local community. More than 30 million people each year are assisted by services provided by The Salvation Army worldwide.

There were several challenges facing non government organisations like The Salvation Army (TSA) such as the 15% increase in the number of people seeking homeless, community welfare and rehabilitation services over the last financial year.

The increase in people seeking assistance can in part be attributed to the lack of affordable private rental housing. While the top 10% of income earners live on more than \$1500 per week, the bottom 10% are forced to live on less than \$200 per week. Out of this meagre amount disadvantaged people are required to pay for all the basic necessities that their well being requires, including shelter, food, clothing, heating, transport and health related costs.

## 1.0 Principles and Scope of Legislation

Bradbrook (1998, 5-7) suggests that the provision of rental housing generally is a central public policy issue. The principles and scope of homeless legislation needs to reflect this central policy issue in order to promote social inclusion and the housing rights of people who are homeless. Homeless legislation needs:

- To promote a sense of community and participation in the community.
- To ensure good quality rental and emergency housing stock. The maintenance of good quality housing stock entails reliance on repair laws and excessive rent controls.
- To ensure availability of affordable rental and emergency housing. While private investment in the rental housing market should be encouraged as far as practicable, this alone is incapable of housing all categories of applicants. Lack of resources is likely to exclude from the sector many low-income families and individuals. There is a need for social housing if homelessness is not to be a large-scale problem.
- To promote social, community and family stability. Social stability is fostered by ensuring that no form of discrimination is permitted.
- To ensure access to affordable rental housing. The law must ensure that potential tenants are not precluded from rented premises by having to pay large up-front costs prior to being allowed possession.
- To improve educational standards. Education is advanced by home stability and by the maintenance of reasonable living conditions. It is retarded by the need to change schools or as a result of a change of accommodation and by inadequate and poorly maintained premises.
- To foster human dignity. As referred to in article 11(1) of the *International Covenant on Economic, Social and Cultural Rights* declares the right to adequate housing to be a human right.
- To ensure that homeless legislation is consistent with, rather than isolated from, other social policy goals.
- Society's goal of maximising energy conservation could be advanced by encouraging landlords under the terms of the legislation to install energy efficiency materials and devices.
- To establish a fair, harmonious and easily accessible system of dispute resolution. Fairness in this context should encompass the use of specialist decision-makers, the exclusion of legal representation and the restriction of rights of appeal.
- To provide an effective system of enforcement for the terms of the homeless legislation. The legislation should provide for adequate

penalties and sufficient administrative and financial resources to enable breaches of the law to be detected and prosecuted.

- To ensure that there are no artificial and legalistic exclusions to the scope of application of the homeless legislation.

## **2.0 Role of Legislation**

The role of the legislation is to ensure that there is adequate, appropriate, affordable, safe and secure social housing for all residents of Australia. Social housing plays a critical role in people's lives; it provides a foundation from which individuals are able to engage in the wider community. However, for many homeless people simply having a roof over their head is not enough to establish a secure home base for them to engage in the local community. Many homeless people require support to enable them to maintain and sustain their tenancy. The lack of tenancy support is a key reasons why so many tenancies fail and why we have seen a significant increase in demand for homeless services.

There are 105,000 homeless people in Australia, 36,000 aged 12 to 24 years, 22,000 of those are teenagers, and 10,000 are children, on any one night. Analysis of the 2006 ABS census data revealed that there were 2,507 homeless people in Tasmania on census night. This figure was up by 92 people from the 2001 ABS census figure. Of the 2,507 people homeless in Tasmania on census night only a small percentage under 15% were able to access the limited number of beds funded by government specifically to provide emergency accommodation to the homeless through Specialist Homeless Services (aka SAAP).

The reported number of young homeless people in Tasmania between 12-18 declined from 1008 to 770 according to the 2006 census data. However, our services have worked with 199 young people in the last 12 months who required homeless services, some as young as 14 years old. Of the 199 young people, our programs were only able to support and house 60. Support program resources are very stretched and are often hampered by the lack of living skills among young people who are seeking or attempting to maintain accommodation. Homeless young people also experience limited pathways into employment, education and long-term housing.

### **3.0 Effectiveness of existing Legislation**

The Supported Accommodation Assistance Program (SAAP) provided a national response to homelessness. It replaced inadequate State and Territory responses to homelessness. SAAP services have been delivered by the community sector, within a social justice framework. SAAP has been the key response to homelessness in Australia since 1985, and remains an effective but under resourced program.

SAAP has been unable to meet the demand for immediate emergency accommodation and transitional support due to the limited amount of funding allocated by government. Programs have focused their resources on providing beds and support to the homeless on a first come first served basis which means many people are turned away when services are full.

Past governments and the wider community have failed 75% of homeless people who have been unable to access programs that are under resourced. The causes of homelessness have not been addressed; prevention strategies and services have not been funded appropriately. SAAP has provided many homeless people with a pathway out of homelessness but was not able to reduce homelessness because it was not adequately funded to address the social and economic causes of homelessness.

We would agree with Narelle Clay (2008) who suggests that there have been improvements to SAAP over the years including the expansion of medium term supported accommodation, the enhancement of case management, increased professionalism, and a move away from institutionalisation. SAAP services have also shown great commitment by stretching their capacity with the provision of additional transitional housing so that people exiting emergency accommodation had access to an affordable community housing property. However, increased government regulation and reporting probably reduced the level of innovation and time that workers could spend with homeless people

According to Narelle Clay (2008) we have been tinkering around the edges of programs, rather than taking real action to expand them and eliminate homelessness. We know that there is are high levels of unmet demand, that we need access to more social housing and support, but case management can only address homelessness it does not prevent it. We need to allocate more resources to Specialist Homeless Services in order to address the causes of homelessness if we want to make a difference.



## **Conclusion**

The Salvation Army's (TSA) interest in the inquiry relates primarily to our work as one of Australia's largest non-governmental provider of alcohol and other drug (AOD), Emergency Relief, Housing, Homeless and Support services.

TSA will continue to apply agency resources to these areas in order to meet the needs of the homeless in a solid and systematic manner. We are working at a service delivery level to address the immediate impact and underlying causes of homelessness, as well as linking people who are homeless into appropriate support services to achieve successful housing outcomes.

There needs to be recognition that intensive and supported transitions out of homelessness need to be adequately resourced. There has been a general level of frustration among non-government agencies with the inadequate level of resources provided to meet the needs of the most disadvantaged in our society. The cost in human misery and wasted potential if we do not address homelessness is greater than the cost of appropriate accommodation and support services.