

Submission No. 37
(homelessness legislation)
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**Submission to the
House of Representatives
Standing Committee on Family, Community, Housing and Youth
Inquiry into homelessness legislation**

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Executive Summary

According to the Government's White Paper, *The Road Home*, the most common causes of homelessness is domestic violence. The second most common cause of homelessness is family breakdown. The White Paper states that over the last five years the number of homeless children under the age of 12 has increased by 22 percent and that this costs the Government close to \$1 billion per annum when the long term economic cost to the community is taken into account.¹ From 2002-2006 there was a 33.5 percent increase in the number of children on care and protection orders and in out-of-home care,² and this directly links to the fact that most of the young people who are homeless have recently left child protection systems. It is clear that there is a family and relationship breakdown crisis that is fuelling Australia's homelessness crisis

The White Paper on homelessness rightly identifies the pathways into homelessness and presents a strategy that focuses on preventing homelessness, improving service delivery and breaking the cycle of homelessness.³ The focus on early intervention and prevention is on services that help the external issues families face, which are important in reducing the immediate stress on the family. However ACL contends that these worthwhile initiatives could be supplemented by further Government and community measures aimed at preventing the onset of family violence and preventing relationship breakdown before they cause homelessness.

ACL commends the Government's determination to address homelessness, particularly through the urgent construction of more public housing stock, but believes long-term solutions lie in a focus on preventing the two most common causes of homelessness, as identified in the White Paper. The current focus on solving the problem is laudable and necessary, but policy focus also needs to be brought more sharply to bear on the causes. Prevention is always better than the cure.

Relational support and policies and programs incentivising marriage and relational stability, working alongside the Government's early intervention strategies will, in ACL's view, be more effective in preventing relationship breakdown before it causes homelessness.

ACL has identified a number of ways that the current homelessness legislation and service delivery can be strengthened. ACL sees the need for changes to the *Supported Accommodation Assistance Act 1994* so that principles of compassion and equity underpin the Supported Accommodation Assistance Programs (SAAP). ACL also believes that the quality of service to the homeless can be improved through better integration of service systems to meet the needs of the client and the continuity of service provision until the individual is secure in long term accommodation. Finally, ACL argues that the link between homelessness, family violence and family breakdown requires the Government to take initiatives to strengthen relational and marriage stability through programs aimed at relational breakdown prevention.

¹ Commonwealth of Australia (2008), *The Road Home White Paper, A National Approach to Reducing Homelessness*, p. 10

² Ibid p. 9

³ Ibid

To provide homeless people and those at risk of becoming homeless with a better quality of service, ACL recommends the following:

- Recommendation 1: That the legislation be sufficiently flexible so as to allow each case of a homeless person to be assessed according to its merits, allowing tailored solutions to be developed for each person where necessary;
- Recommendation 2: That the legislation enshrine the principle that a homeless person has not been helped until they are in sustainable long-term accommodation; and,
- Recommendation 3: That the legislation be amended to allow for greater service integration and a continuum of support for homeless people.

To prevent family breakdown and violence which are the main drivers of homelessness, ACL recommends the following:

- Recommendation 4: That the legislation include provision for funding of preventative programs designed to promote domestic harmony and stable relationships, including marriages;
- Recommendation 5: That a comprehensive government-funded study be established to examine the range of social influences on a child's development, including the family construct, pressures on parents, media influences, the entertainment culture, the sexualisation of children, violent computer games, education, and other factors; and,
- Recommendation 6: That policy be created to incentivise marriage.

Introduction

ACL welcomes the opportunity provided by the House of Representatives Standing Committee on Family, Community, Housing and Youth to comment on "what should be included in new homelessness legislation".

ACL will argue that principles of compassion and equity should underpin changes to the *Supported Accommodation Assistance Act 1994* and the Supported Accommodation Assistance Programs (SAAP). These principles should drive legislative changes that allow maximum flexibility to service providers to cater for the individual needs of homeless people until they are in long-term sustainable accommodation. No agency or administrator of a program to assist the homeless should consider their job done until the homeless person they are assisting is in long-term sustainable housing. Anything short of that is a failure of policy and a failure to meet the needs of disadvantaged people.

Adopting some of the principles outlined in the Government's Social Inclusion Agenda should inform the scope of legislative changes.

ACL will also argue that more policy focus is needed to address homelessness before it happens. Given that the White Paper identifies family violence and relational breakdown as the

two leading causes of homelessness, work needs to be done to strengthen marriages, relationships and families.

Because ACL is an advocacy group and not a provider of services to the homeless, this submission does not comment on the detail of legislation and regulations but seeks to enunciate broader principles and recommendations of a more general nature.

Homelessness in Australia

There are approximately 105,000 homeless people in Australia⁴ and this number continues to rise. Of these, 16,000 are thought to be 'sleeping rough', whilst 89,000 live in 'insecure accommodation' such as boarding houses, are in crisis accommodation or are staying with friends or relatives.

What Christian organisations are doing to alleviate homelessness

Christian support agencies form a disproportionate part of Australia's service sector to the homeless. The motivation is Christian teaching on caring for the vulnerable and the disadvantaged. The Salvation Army is the largest support agency in Australia for homeless people and St Vincent De Paul and Mission Australia contribute greatly to the sector. There are also numerous smaller agencies that support the homeless by providing meals, counselling, and short term accommodation amongst other things. Many church groups run soup kitchens and coordinate street outreach teams to help the homeless. Christians often operate in this area selflessly and sacrificially with a genuine desire to see lives restored.

Causes of homelessness

There are many causes of homelessness. However, the White Paper says the two most common causes are family violence and relational breakdown:

*Domestic and family violence continues to be the major driver of homelessness. Escaping violence is the most common reason provided by people who seek help from specialist homelessness services. Twenty-two per cent of people seeking help from specialist homelessness services do so because they are escaping violence.*⁵

*Domestic and family violence is the principal cause of homelessness among women. Fifty-five per cent of women with children and 37 per cent of young single women who seek assistance from specialist homelessness services do so to escape violence.*⁶

The White Paper goes on to say:

⁴ Chamberlain C. & MacKenzie, D. (2008). *Counting the Homeless 2006*. Canberra: Australian Bureau of Statistics, [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/57393A13387C425DCA2574B900162DF0/\\$File/20500-2008Reissue.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/57393A13387C425DCA2574B900162DF0/$File/20500-2008Reissue.pdf)

⁵ Commonwealth of Australia op cit, p. 17

⁶ Ibid, p. 7

Family or relationship breakdown is the second most common reason people seek assistance from specialist homelessness services. Ten per cent of SAAP clients cite relationship or family breakdown as the primary reason for seeking assistance. It is the main reason why males with children seek assistance from SAAP (19 per cent).⁷

Family breakdown is a large factor in youth homelessness.⁸

ACL believes addressing these causes of homelessness must form part of a multi-pronged response to the homelessness crisis. It stands to reason that if domestic violence was curbed and relationships remained in tact, there would be less homelessness and less youth homelessness in particular.

Principles underpinning the provision of services

It is important that certain principles underpin any legislation dealing with homelessness. SAAP services have been operating out of a historical stereotype of homelessness which views homeless people as middle aged men who are alcoholics or have a mental illness. This then defines the measures put in place to reduce homelessness and does not address the issues faced by many other groups who are homeless or at risk of becoming homeless. ACL believes that the underpinning of the principles outlined below will result in better service delivery to homeless people and result in less people on the streets.

Compassion

Sincere compassion towards those who are at risk of becoming homeless or are homeless is crucial for the framers of the legislation, administrators of SAAP and the service deliverers. It may be a temptation to take the view that the homeless have brought it upon themselves or that homelessness is a cycle that cannot be broken, however this view will only limit the scope of the legislation. When one truly believes that there is hope for the individual, then one is willing to go the extra mile to support the person until they can support themselves. This goes beyond simply meeting the need, to supporting the person all the way through to long term stability.

Compassion is a central principle of Christianity. Christ even likens himself to the poor person and challenges the Christian to treat 'the least of these' as if you were treating Christ Himself.⁹ This speaks of the value of every individual and the importance of reserving judgments and acting with compassion instead.

One conversation which ACL had with a service delivery agency revealed that current accountability measures provided by SAAP's seem to be focused on output rather than upon the outcomes for the individual. The question should not be 'how many people have achieved

⁷ Ibid, p. 22

⁸ Ibid, p. 8

⁹ Matthew 25:45

transitional housing?’ but should rather be ‘how many people have gone through transitional accommodation and secured long term secure housing?’. This approach shows the genuineness of concern for the individual and is a better strategy for breaking the cycle of homelessness. Legislation which has as its policy outcome the securing of long-term accommodation as the only relevant performance indicator would be more compassionate than the existing regime.

Equity

Every person should be able to access housing, although currently many people in crisis situations fail to make it onto the priority public housing list because they do not meet the criteria set by SAAP. The criteria state that the person must have some kind of dysfunction or disability before being considered for public housing. For there to be equitable access to housing, agencies must be able to assess individual needs and not be bound to a limiting set of guidelines that makes it more difficult for individuals to access housing.

Article 11 of the United Nations International Covenant on Economic, Social and Cultural Rights states that, “The States Parties . . . recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”¹⁰ This article explicitly states that ‘everyone’ has a right to an adequate standard of living. This is an unconditional right and does not have a set of clauses for those who do not deserve housing.

ACL acknowledges that there would be those who are higher on the priority list for emergency and long term housing, however in a country like Australia, there should not be this shortage and everyone who seeks assistance should know that they will be treated equally and fairly and be able to access accommodation.

Quality of services

There are significant reforms already underway to prevent people from becoming homeless. The Closing the Gap Package for Indigenous Australians includes the Remote Indigenous Housing National Partnership which addresses the significant overcrowding, homelessness, poor housing conditions and the severe housing shortage in remote Indigenous communities.¹¹ The National Mental Health and Disability Employment Strategy¹² aims to address the financial

¹⁰ Article 11, *United Nations International Covenant on Economic, Social and Cultural Rights*, 3 January 1976

¹¹ Council of Australian Governments, *National Indigenous reform agreement (Closing the Gap)*
http://www.coag.gov.au/intergov_agreements/federal_financial_relations/docs/IGA_FFR_ScheduleF_National_Indigenous_Reform_Agreement.pdf

¹² Australian Government, *The National Mental Health and Disability Employment Strategy Discussion Paper*,
<http://www.workplace.gov.au/NR/rdonlyres/F6FC6261-54C2-4238-A22B-EF57F2206C06/0/NationalMentalHealthandDisabilityEmploymentStrategyDiscussionPaper.pdf>

disadvantage faced by many mentally ill and disabled individuals which will in turn help them to maintain stable housing. The 'Australia's children: safe and well' discussion paper¹³ focuses on prevention as a key strategy. This includes a focus on good parenting and better monitoring.

Recommendation 1: That the legislation be sufficiently flexible so as to allow each case of a homeless person to be assessed according to its merits, allowing tailored solutions to be developed for each person where necessary.

In Social Inclusion Principle #6, the Government has outlined the need for services to work together with flexibility in a way that meets the needs of each person. Existing legislation does not provide this flexibility and many clients do not fit within the model or criteria set by SAAP. For the system to be truly equitable, it is important that each case is assessed according to its own merits and tailored solutions are developed for each person, family, or community.

Developing tailored services also provides a more sustainable approach to dealing with homelessness by addressing more than just the immediate circumstance. The principle states:

*Successfully overcoming social exclusion may also involve learning to change deeply held attitudes and behaviours, for example through anger management or family counselling, in order to access new opportunities.*¹⁴

This statement acknowledges the holistic nature of homelessness. It is usually more than just a financial issue. In many cases there are also behavioural and relational issues also involved and this requires individual assessment and the tailoring of services to meet the specific needs of the person or family.

Recommendation 2: That the legislation enshrine the principle that a homeless person has not been helped until they are in sustainable long-term accommodation.

The current focus on transitional housing fails the individual in achieving sustainable housing.

The previously mentioned United Nations article specifically states "the continuous improvement of living conditions" however many of those who go through transitional accommodation end up back on the streets and fail to have a continuous improvement of their living conditions. If the principle of sustainability underpinned the provision of services then all measures would be taken to ensure that the individual is supported until they have long term secure accommodation.

An opinion piece by Chris Middendorp,¹⁵ a homelessness worker for over 20 years recounts the story of a man named Robbie who became homeless after the loss of his wife and son in tragic circumstances.

¹³ Australian Government (May 2008). *Australia's children safe and well- A national framework for protecting Australia's children*

¹⁴ Australian Government (2009). *Social Inclusion Principles for Australia*, p. 3

This story well illustrates the principle of sustainability.

Middendorp reports that Robbie attempted to find a place to stay in crisis accommodation facilities, low-cost hotels, and boarding houses although because of the violence and drugs in those facilities, he believed that the shed that he lived in the park was a safer option. After visits from a dozen workers from different services, Robbie was seen as a lost cause. A local policeman even said “Robbie’s a lost cause. There’s nothing anyone can do”. However, a rare opportunity arose for Robbie to sign a lease for a flat provided by a local housing service. With the help of a support worker, Robbie moved in and the support worker continued to visit him once a week for at least a year. The worker taught him basic life skills and Robbie gradually regained basic skills such as cooking, budgeting and shopping. Robbie lived in the shed for 10 years, and it has now been 6 years that he has had stable accommodation.

This story proves that with ongoing support, eventhose who appear stuck in a cycle of homelessness can, with ongoing support, build a secure home environment. In this case, Robbie did not have any viable options for accommodation and saw the shed as the best option. Once housing was made available, Robbie regained his confidence. A place to live was the first step in helping Robbie to address the other issues in his life which was necessary for him to be able to remain in housing.

The Governments Social Inclusion Principle #11 makes this point regarding sustainability: “it is important to ensure that interventions build an individual’s capacity and develop protective factors that will enable them to self-manage through life-course events.”¹⁶

As seen in the ‘Robbie’ case, his individual capacity was built through support and he developed the necessary protective factors that enabled him to self-manage through life-course events. This should be the aim with all individuals who become homeless.

Recommendation 3: That the legislation be amended to allow for greater service integration and a continuum of support for homeless people.

The Governments Social Inclusion Principle #8 acknowledges that the services of one agency cannot meet all of the complex needs of the person or family and it is therefore important for different levels and parts of government to work together.

One of Mission Australia’s goals is to reduce the number of people coming into homelessness by a minimum of 10% per annum. This includes those who have become homeless within three months of leaving correctional facilities; state care; Alcohol and Other Drugs (AOD) rehabilitation services; and Mental Health in-patient services.¹⁷ This list reveals how agencies such as these have failed to achieve long term stability for the individual. Once the person has

¹⁵ Middendorp, C. (4 August 2009). ‘Being homeless does not mean being hopeless’, *The Age*.
<http://www.theage.com.au/opinion/being-homeless-does-not-mean-being-hopeless-20090803-e771.html>

¹⁶ Australian Government (2009). *Social Inclusion Principles for Australia*, p. 4

¹⁷ Mission Australia (June 2008). *Linking support and housing to end homelessness*, p. 4

gone through a program, many times the support has ended and this has exacerbated the homelessness problem.

Mission Australia identifies that a continuum of support is needed from prevention, early intervention, crisis, transitional through to long term care.¹⁸ Potential blockages to this continuum need to be addressed so the process is smooth and free flowing. This will require greater service integration particularly in the areas of housing, welfare, health, justice, employment and child protection.

'Robbie's' case was hindered for six years because there was no opportunity for stable affordable housing. This was a blockage in the continuum from transition through to long term care and the process would have continued had there been accommodation available. Currently affordable housing is a major blockage to the continuum although this will begin to be remedied through the National Affordable Housing Agreement.

A hypothetical example of a person faced with a crisis will help to illustrate the need for better service integration. A teenager in state care turns eighteen and is forced to find a place to live. With no employment or long term housing options, he or she turns to the streets. As a result of difficult life circumstances, the teen has a history of offences and also has an addiction to drugs. This one individual will need the integration of the state care system, correctional facilities, rehabilitation services, employment agencies and housing to help him to achieve long term sustainable housing. Each agency will have a different role to play in supporting the teen and they are all necessary to achieve the best outcome for this person.

ACL supports the recommendations made by Mission Australia to achieve better integration of service systems. These include a Minister for Social inclusion, a Social Inclusion subcommittee of cabinet, a Social Inclusion board and a Social Inclusion Unit. They also suggest that social inclusion indicators be integrated into major agreements and that further development needs to include inter-agency governance, integrated strategy, integrated processes and integrated frontline delivery.¹⁹

Strengthening marriage and family

After extensive research, the Centre for Social Justice in the United Kingdom lists a series of recommendations to the Government in the Breakthrough Britain report.²⁰ These include community based centres for advice or guidance on parenting, family service hubs, and marriage and relationship education programs.²¹ The report states that in Oklahoma 100,000 couples completed the marriage and relationship education programs and after completion the

¹⁸ Ibid, p. 20

¹⁹ Mission Australia (June 2008). *Linking support and housing to end homelessness*, pp. 4-10

²⁰ The Centre for Social Justice UK (July 2007). *Breakthrough Britain: Ending the costs of social breakdown*, <http://www.centreforsocialjustice.org.uk/default.asp?pageRef=226>

²¹ Ibid, p. 6

couples reported lower conflict, higher satisfaction in their relationship and lower divorce risk.²² Families that could have potentially broken down and left single parents facing financial hardship may have been saved through programs such as these.

Support is a key factor in strengthening families. As a result of the high divorce rate and family breakdown of one generation, many individuals who are beginning long term relationships do not have the necessary relationship skills that are needed to establish a healthy and stable marriage and family in the long term. The Government is largely uninvolved in supporting or initiating programs that strengthen the family unit before the families face problems that require intervention. It seems to be a common sense approach to support and strengthen relationships from the beginning, rather than waiting for the generational breakdown to continue to repeat itself. Given the causes of homelessness, it stands to reason that anything that will strengthen family relationships and prevent the onset of family violence will have a direct impact in reducing the number of homeless, particularly amongst the young.

Recommendation 4: That the legislation include provision for funding of preventative programs designed to promote domestic harmony and stable relationships, including marriages

The family is the building block of society and as such is the central unit for social stability. Family violence and family breakdown are the leading causes of homelessness. Any serious attempt to address homelessness must address the two biggest causes.

ACL believes that the Government needs to take one step back to look at ways that the family unit can be strengthened so that in the long term, less breakdown occurs. Considering the long term economic costs to the community of family breakdown, this approach is well worth the efforts. This could include relationship education in schools, pre-marriage counselling, community courses teaching couples how to have healthy relationships, easy access to marriage counselling and mediation services, television advertising promoting healthy families and working with the not for profit sector to deliver these kinds of services to the community.

Recommendation 5: That a comprehensive government-funded study be established to examine the range of social influences on a child's development, including the family construct, pressures on parents, media influences, the entertainment culture, the sexualisation of children, violent computer games, education, and other factors.

This is a recommendation ACL made in its submission to the Prime Minister's 2020 Summit in April 2008. Furthermore, the 'Australia's children: safe and well' discussion paper also recommends a solution driven national research program.²³ ACL supports this recommendation because it is important that the root causes of family breakdown is identified and that

²² Ibid, p. 7

²³ Australian Government (May 2008), *Australia's children safe and well- A national framework for protecting Australia's children*

programmes are put in place to address the causes of breakdown. The causes of family breakdown in Britain, listed in the Breakthrough Britain report include lack of relationship support, insufficient mental health services, disincentives to form committed relationships in the benefits system, and trends in work and childcare weakening family ties.²⁴ ACL believes similar factors would apply in Australia but that Australian research is needed to verify this. If similar work is already underway, then this study could complement existing work by studying facets not included in those studies. Having determined which influences are positive and negative, the study should make policy recommendations to create a healthy culture for children.

Considerable research shows that children are more successfully raised in an environment where they have a mother and a father. Coira, Zill & Bloom write that young children without two biological parents are three-times more likely to suffer behavioral problems such as attention deficit disorder or autism.²⁵ In the US, male teens without a biological father are twice as likely to be incarcerated than teens from two-parent homes.²⁶ ACL believes that research relevant to Australia will also show the benefits of the marriage relationship to the wellbeing of a child. This knowledge could then be applied to addressing the most common causes of homelessness as already identified in the White Paper.

Recommendation 6: That policy be created to incentivise marriage

From this point, ACL recommends that the Government forms policy that incentivizes the marriage relationship. In the UK, the marriage relationship between a man and a woman is not valued or benefited within public policy:

This government has been characterized by a reluctance to pronounce on the superiority of any form of personal relationships . . . However, at times this reluctance to adjudicate between different types of relationship has threatened to collapse and the result has been dissent in government and incoherence in policy.²⁷

Whilst ACL recognises that in a secular society people are free to form a variety of relationships, creating policy that is in the best interests of the child means that public policy should favour the marriage relationship between a man and a woman because of the overwhelming benefits to the common good.

²⁴ The Centre for Social Justice UK (July 2007), *Breakthrough Britain. Ending the costs of social breakdown*, <http://www.centreforsocialjustice.org.uk/default.asp?pageRef=226>, pp. 23-26

²⁵ Coira, Zill & Bloom (1994). *Health of our nation's children*. National Center for Health Statistics in Vital Health Statistics, vol 10, p. 191

²⁶ Harper C. & McLanahan S. (2003). *Father absence and youth incarceration*. Center for Research on Child Wellbeing Working Paper, pp. 99-103

²⁷ The Conservative Party (2001). *New Labour and the Politics of the Family*, Durham *Parliam Af.*; 54: pp. 459-474

Conclusion

ACL is concerned regarding the plight of the homeless within Australia and believes that a significant amount of resourcing and improvement of the quality of services needs to occur within a short timeframe to address the crisis. ACL acknowledges that the Government is committed to addressing this issue and has already begun to provide funding and work with State governments to implement plans to reduce homelessness.

The principles ACL recommends together with the Governments social inclusion principles will help to underpin homelessness legislation that increases its scope of helping homeless people to achieve long term sustainable and secure housing and prevents people from entering into crisis situations. Research into the causes of family breakdown and policy that strengthens the family unit will also dramatically reduce homelessness in the long term by attacking the problem at its known sources. Family and strong relationships are very much interconnected with young people having the necessary life skills to gain financial stability and housing. Stronger families will not only relieve housing agencies, but will also relieve correctional facilities, rehabilitation programs, health services, employment services and the child protection systems.

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