

South Western / Western Metropolitan Region  
of the NSW Women's Refuge Movement

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Standing Committee  
Family, Community Housing & Youth  
PO Box 602  
Parliament House  
Canberra

### **INQUIRY INTO HOMELESSNESS LEGISLATION SUBMISSION**

As a result of a consultation held on the 4<sup>th</sup> August, 2009 representatives from: Muslim Women's Support Centre - Lakemba, Marcia Women's Refuge - Campbelltown, Essie Women's Refuge - Rooty Hill, Penrith Women's Refuge, Jessie Street Domestic Violence Service - Doonside and Bathurst Women & Children's Refuge contributed to this submission.

Refuges in our region are situated in areas with some of the highest incidents of domestic violence in NSW. Access to safe, affordable housing is extremely limited in public housing, community housing and the private sector.

One refuge in the region had 130 applications for housing over an eight month period and only 6 were successful in gaining accommodation.

Turnaway figures are extremely high with refuges not able to meet the demand of the number of women and children needing safe accommodation. Many of these women and children are returning to or remaining in unsafe situations and are therefore not classed as being homeless. The absence of any reference to domestic violence as a primary cause of homelessness for women and children must be addressed in the Legislation.

Domestic Violence is the primary cause of women and children's homelessness. Therefore the legislation must reflect this unique situation, separate to other causes of homelessness and integrate the specific service delivery to these women and children.

We respectfully submit the following points:

**1. The principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness.**

- Domestic Violence must be included and acknowledged in the definition of homelessness. The Legislation needs to address the causes of homelessness, specifically relating to Domestic Violence.
- The definition of homelessness according to the inquiry terms of reference, contains a three tier definition which does not reflect the experiences of women and children living in their home experiencing Domestic Violence as a category of homelessness. Homelessness is grossly underestimated in relation to the existing definitions as women and children are staying in unsafe housing and are not captured in any data collected in relation to homelessness.
- Issues of child protection in relation to homelessness and Domestic Violence must be included in the Legislation. Children must be recognised as individual clients in their own right.
- Any principles for service provision should apply to government and non government, not only specialist homelessness services.

**2. The scope of any legislation with respect to related government initiatives in the areas of social inclusion and rights.**

- Access to safe secure accommodation is a basic human right as outlined in the SAAP Act. Safety is the primary concern in relation to women and children experiencing Domestic Violence even though they may not fit the definition of homelessness as is currently identified in the legislation, therefore the Act must acknowledge these women and children.
- The new act needs to encompass the complex issues of women and children experiencing domestic violence.

- Joint funding with the Commonwealth and the States must continue to ensure the State commitment to the provision of Domestic Violence and homelessness services. The Act should also include a reporting provision requiring the Commonwealth and the State to report to parliament on the activities and performance of both the States and the Commonwealth.
- Goals and targets included in the White paper should be included in the Act, however special consideration needs to be taken in regard to the suggested accreditation process in relation to Domestic Violence service provision.

### **3. The role of legislation in improving the quality of services for people who are homeless or at risk of homelessness.**

- Main stream services need to be accountable.
- All services must have a knowledge of Domestic Violence, it's impact on women and children and the link to homelessness.
- Child protection, health and well being need to be considered within the context of domestic violence.
- The needs of cultural and disadvantaged women and children must be considered when addressing homelessness.
- Uniform service standards need to be accompanied by a stable and adequate funding environment.

### **4. The effectiveness of existing legislation and regulations governing homelessness services in Australia and overseas.**

- The purpose of the SAAP Act should be retained and in the new act and a specific reference needs to be made to Domestic Violence. It should not be implied, it should be implicit.

- An ongoing evaluation of Australia's response to homelessness should be conducted with particular attention to the needs of women and children experiencing Domestic Violence, which includes, the commonwealth state and NGO's sector
  - Domestic and family violence become a central consideration in governing all legislation.
- 5. The applicability of existing legislative and regulatory models used in other community service systems, such as disability services, aged care and child care, to the homeless sector.**
- Accreditation needs to be developed particular to the homelessness sector and take into account the differences between services especially domestic violence services – not based on pre-existing models and formats.
  - Whilst the development of accreditation for other services such as aged care, child care and disability services may be appropriate, homelessness Domestic Violence services need to be considered as specialist that do not fit a generic model description.
  - Whilst the White Paper flagged the development of accreditation service standards, the current Performance Monitoring Framework processes adopted by the SAAP sector is considered more relevant and specific to NGO's and specialist services. There is a danger in imposing a generic accreditation process to an already over burdened system. If any accreditation process takes place, Domestic Violence services must be considered as a separate entity to generic homelessness services.

We welcome an invitation to participate in providing verbal evidence to support this submission.

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