

**Inquiry into Homelessness Legislation
Standing Committee on Family, Community, Housing and Youth**

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Submission No. 40
(homelessness legislation)
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Dear Committee Secretariat,

The Australian Psychological Society (APS) welcomes the opportunity to contribute to the inquiry into Homelessness Legislation. Australian psychologists, along with other members of the health professional community, are concerned about the unmet needs of people who are homeless, at risk of homelessness and/or are in low-cost accommodation.

The APS has no interests or affiliations relating to the subject of the review and the representations submitted, other than our concern that the Australia Government be well-informed and effective in its strategies.

Yours sincerely,



Professor Bob Montgomery FAPS
President
Australian Psychological Society

Submission to Inquiry into Homelessness Legislation

**Standing Committee on Family, Community, Housing and
Youth**

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Introduction

The Australian Psychological Society (APS) welcomes the opportunity to make a submission to the Inquiry into Homelessness Legislation.

The release of the Australian Government's Green and White Papers on homelessness has signalled its commitment to tackling homelessness and creating a more socially inclusive society. The APS believes this Inquiry is another important step towards ensuring that structures and mechanisms to address homelessness are in place and that the rights of people experiencing homelessness are promoted and protected.

The APS acknowledges that the Supported Accommodation Assistance Act (1994) has provided a basis for the legislative protection and service provision for people experiencing homelessness; however it is now timely to review and expand this Act to take a broader and more holistic approach to solving homelessness, and to achieve the vision set out in *The Road Home*, the Government's White Paper on homelessness.

While commenting on the specific detail of legislation is beyond the role of the APS, the APS can contribute to identifying psychological research and best practice as it relates to experiences of homelessness, and in affirming that access to adequate housing is a fundamental right that forms the basis for achieving individual and community wellbeing, central tenets of psychology.

This submission, therefore, focuses on homelessness from a psychological perspective, identifying specific vulnerable groups with complex needs who are particularly impacted upon by homelessness. We have articulated a set of guiding principles that should underpin the provision of services to homeless persons and groups, based on psychological research and practice. Finally, we identify a number of issues in relation to the role of legislation in improving the quality of services for people who are homeless or at risk of homelessness, and end with a set of recommendations.

1. About the Australian Psychological Society

The APS is the premier professional association for psychologists in Australia, representing over 17,500 members. Psychology is a discipline that systematically addresses the many facets of human experience and functioning at individual, family and societal levels. Psychologists are experts in human behaviour. Psychology covers many highly specialised areas, including the fields of clinical, counselling, forensic, health and community psychology, all of which may provide input into the understanding of homelessness in our society.

Psychologists have been substantially involved in collaborative, multi-disciplinary work on social issues internationally and nationally for decades. They bring their psychological skills and knowledge to bear on trying to understand the systemic psychological issues that contribute to homelessness, and thus contribute to finding better ways of tackling such problems.

2. Homelessness: a psychological perspective

As well as being a fundamental human right, adequate, safe and secure housing provides a foundation for individuals and families to develop a sense of identity and belonging, and is broadly recognised as essential to individual and community wellbeing.

By contrast, homelessness involves not having a stable 'base' from which to anchor one's life, one's sense of self of identity, and sense of community. Homelessness denies people the right to shelter and safety, disrupts the connections they have with their family and communities, and is also associated with a sense of not 'belonging', not being valued and being excluded from social and community life (Chamberlain, 1999).

The sense of marginalisation and alienation from mainstream society that inevitably arises from homelessness also has profound effects upon the physical and mental health of those experiencing such homelessness (Frankish et al., 2005). The psychological effects of homelessness over prolonged periods of time are extremely detrimental to a person's mental health, sense of worth, ability to form and maintain healthy relationships, and ability to deal effectively with stress and utilise helpful coping strategies that might otherwise help them to break the cycle of homelessness.

Being homeless or without a solid base can be a cause as well as a consequence of distress and potentially of mental illness. It obviously heightens anxiety and can lead to a sense of helplessness. When untreated and unsupported, these problems are often exacerbated, and these people become further entrenched in the cycle of homelessness (Mackenzie and Chamberlain, 2003).

There are particularly detrimental outcomes for marginalised individuals and groups who are likely to experience homelessness and who have complex support and housing needs, such as those living with a mental illness, single-parent families facing homelessness, indigenous communities and young people. In addition, individuals facing important transitions are at specific risk of homelessness, and therefore require support if secure housing is to be achieved.

Psychological research has highlighted the following findings:

- There is a need for ongoing, intensive support to enable marginalised groups to access and maintain appropriate housing, and for a multidisciplinary approach to long-term housing support;
- Access to permanent independent housing for people who are homeless and have a mental illness is linked to increased residential stability (for example, the Assertive Community Treatment (ACT) model, as outlined by Tsemberis et al., 2003).
- The provision of housing subsidies has been found to increase permanent housing outcomes among previously homeless families in the United States. Increased subsidies are needed, along with other longer term strategies that reduce the cost of housing and increase the availability of low cost housing (Shinn, et al,1998)
- ‘Housing first’ solutions have also been found to be effective in addressing family homelessness. These programs emphasise rapid rehousing of homeless families in independent living and provide services before and after the family is housed, enabling them to work through problems which could jeopardise their housing stability (Shinn, 1998).
- The effect of being homeless on children’s sense of security and on their long term well being has not been adequately researched.
- People are more vulnerable to experiencing homelessness at times of change and transition such as becoming a parent, adolescence, school-to-work, job loss, retirement, family breakdown, migration, and leaving hospital, statutory care or prison. These changes can be more difficult if compounded by poor health, mental health issues, caring responsibilities, bereavement, limited education and geographic or social isolation. In mental health contexts specifically, there is a link between properly executed discharge planning and reducing homelessness among already marginalised individual. However effective discharge planning is dependent on sufficient housing places, therefore an appropriate housing stock is an essential component of any discharge planning strategy (Mental Health Council of Australia, 2009).
- Indigenous people are over represented in almost all risk areas. This is also true of insecure housing. Whilst there are Indigenous-specific housing strategies, it is important that Indigenous clients are also able to access mainstream housing options.

2. Responding to the Terms of Reference of the Inquiry

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

The APS endorses the principles that guide the Australian Government's homelessness response over the life of the strategy set out in the White Paper. Specifically, however, we wish to highlight the following points as important in the light of the above-mentioned issues and best practice approaches as foundations upon which the provision of services to those who are homeless or at risk of homelessness should be delivered.

- **Adequate and safe housing are the foundation for individual and community well-being.** The psychological effects of homelessness over prolonged periods of time are extremely detrimental to an individual's mental health, and harmful to a strong sense of community.
- **Housing is a fundamental human right.** Every Australian has the right to safe, affordable and adequate housing. All policy, service and legislative efforts should ensure that this right can be realised.
- **Governments have a responsibility to provide affordable, adequate housing** for those experiencing homelessness. This includes increasing public and social housing and working with private sector to ensure affordable private accommodation is available.
- **Homelessness is caused by poverty** and measures to address the causes of poverty must be part of any efforts to reduce and eliminate homelessness. This includes increasing the economic resources of low-income individuals and families and providing adequate rental subsidies.
- **Individuals have the right to self-determination.** Those experiencing homelessness should be supported to make their own decisions about meeting their own needs. This does not include mutual obligation mechanisms which are in effect coercive and disempowering, but could include 'housing first' approaches which recognise that secure housing is the foundation enabling people to better address other issues.
- **Flexible approaches are necessary.** There is no 'one size fits all' model. Service responses, legislation, resource allocation and policy need to be flexible and multidisciplinary, enabling both mainstream and specialist services to respond to the needs of people experiencing homelessness. This includes the recognition that outreach services are essential in effectively engaging the homeless.
- **Intensive and holistic support is required for those in complex situations.** The provision of housing is key to ending homelessness, but is not enough for those with complex needs, such as people living with a mental illness or young people unused to independent living; case

management resources are also necessary to enable vulnerable groups to remain in housing and prevent further homelessness.

- **Transition points are important.** People are more vulnerable and likely to experience homelessness when they are going through a transition in their life. Support provided at the point of transition is essential to ensure that homelessness in these situations is prevented, and existing issues are not exacerbated.
- **Prevention of homelessness is fundamental.** Efforts to reduce the number of people who become homeless need to be prioritised, while ensuring that those who are homeless are supported into long term housing to reduce the risk of them becoming homeless again (tertiary prevention). It is important however that efforts at prevention do not simply focus on a reduction in numbers and deter those who need to leave unsafe situations from seeking support. Strategies such as the *Reconnect* programs aimed at strengthening the family and social networks of young people at risk of homelessness need to be supported and strengthened. Particular drivers of homelessness, such as poverty, violence and abuse, should themselves be the target of prevention strategies, rather than being obscured 'behind closed doors'.
- **Homelessness is about exclusion.** Policy, legislation and service responses need to involve homeless people in solutions and processes. Initiatives that involve and support the homeless and create opportunities for participation should be supported. Programs to involve people should complement rather than replace the provision of housing.
- **A local focus is important.** The nature of crisis and homelessness varies according to local areas. Prevention and housing initiatives need to take account of local factors which contribute to homelessness, including market rents, unemployment levels, affordable housing availability, family structure and sizes (Shinn, Rog & Culhane, 2004).
- **A long-term commitment to responding to homelessness is needed.** Investment, resources and policies should focus on long-term outcomes (such as permanent housing, rather than 'numbers through the doors'). Homeless people should be supported in ways which are long-term and flexible so that their complex needs can be addressed, and their likelihood of addressing issues and attaining permanent housing maximised.

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

In recognition that homelessness causes marginalisation, alienation and disrupts the connections people have with their families and communities, the APS welcomes the Government's focus on social inclusion in addressing homelessness. Specifically, we recommend that the scope of legislation includes the following:

- Explicit provision for those experiencing homelessness to be encouraged, included and supported in the development and evaluation of homelessness policies and services (such as meaningful participation in the Council of Homelessness);
- Expansion and adequate resourcing of initiatives that create opportunities for community involvement for those experiencing homelessness;
- Review and transformation of laws and practices that discriminate against and further marginalise homeless people (e.g., public space laws), in recognition of the importance of civic places in providing safety, comfort and connection to homeless people;
- Legislation and policy should explicitly recognise that participation is part of a process to address homelessness and that full inclusion will only be achieved with the provision of adequate, affordable and safe housing;
- Development of stronger mechanisms to ensure accountability to legislation/service provision targets; increasing resources for service provision and affordable housing are key to achieving this right. While the *right* to adequate housing is recognised in current legislation, people continue to experience homelessness as identified in the White Paper. In particular, consideration for inclusion of the right to shelter and crisis accommodation, as well as the right to longer-term housing should be considered.
- Provision for intensive case management services, tightening the regulation of tenancy databases to ensure participation in the private rental market, increasing the income level and/or rental subsidies of low-income earners to prevent eviction, and significantly increasing the stock of affordable housing. Such measure would serve to operationalise the Government's focus on early intervention and prioritise sustaining people's tenancies to prevent homelessness;
- Targeting those at high risk of homelessness such as those in low income areas where there is a lack of affordable housing, families who have accessed transitional housing previously, and people in transition (prison, discharge, state care, new families, new migrants and refugees, young people) should also be recognised in relevant legislation.

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

While the Supported Accommodation Assistance Act (1994) and subsequent Supported Accommodation Program (SAAP) have provided a foundation for the provision of homelessness services, the APS believes that in light of increasing homelessness, the crisis in affordable housing, and increasing income stress, there is a need to broaden the scope of current legislation and policy, and increase associated resources to improve the quality of services for people who are homeless or at risk of homelessness. Specifically, the APS recommends:

- *Broadening the definition of homelessness*

In recognition of the 'hidden homeless' such as families (especially those impacted upon by family violence), 'over-crowding' (specifically an issue for Indigenous, new migrant and refugee communities), and 'unsafe sleeping' (typically young people who may not be 'homeless' but are likely to be in accommodation that threatens their safety), the existing definition of 'inadequate access to safe and secure housing' set out in the Act also needs to include 'affordable' housing, and to make more explicit links to long term housing.

- *A 'Housing First' approach*

The APS supports the development of a 'Housing First' approach to legislative, policy and service provision for vulnerable groups with complex needs. This approach firstly provides rapid rehousing of homeless families in independent, long term, affordable and sustainable housing, then provides 'wrap-around' services before and after the family is housed to work through problems which could jeopardise their housing stability (e.g., mental health services, drug and alcohol counselling, employment support). The APS believes conditional housing services which require clients to participate in services and meet minimum requirements to attain housing further marginalise and alienate an already disempowered group.

- *Supporting those with complex needs*

The APS welcomes the initiatives proposed that will provide specific support to homeless people with complex needs such as:

- the 'no exit to homelessness' where a no tolerance approach to discharge into unstable housing, combined with strengthening of post-release services is seen as one of the most significant government agendas. This goal must be independently monitored and publicly reported and cannot be achieved without an increase in affordable housing (Mental Health Council of Australia, 2009);
- a focus on 'wrap-around services' designed to provide holistic and intensive services to those experiencing entrenched homelessness. The APS believes this model would be applicable to those experiencing mental illness, young people and Indigenous communities that request such services;
- implementation of service responses designed to be flexible, intensive, and long-term in support of those with complex needs is key to improving the quality of services for people who are homeless or at risk of homelessness;
- expansion of assertive outreach responses is important in recognising the barriers to those with complex needs accessing homelessness services;
- provision of integrated case management approaches to working with young people at risk of homelessness by ensuring that young people are appropriately assisted by a range of supports is essential if the number of young people who succeed in social housing is to increase. The APS believes that programs such as the

Reconnect, Lighthouse Foundation and Service to Youth Council Inc (SYC) offer holistic, intensive and youth specific solutions to homelessness that should be supported and expanded.

- *Enhancing service provision*

The APS supports the 'No wrong doors policy', and believes it will be of particular benefit to those with mental health issues as they often face difficulty navigating systems. It is recommended that capacity be increased to mainstream agencies who will take an increased role in supporting homeless people to navigate the system, and support for a range of services to work together is the key to holistic and effective support to homeless people with complex needs. Services should be specifically resourced to support people through transition points (e.g., discharge from hospital, newly arrived in Australia, transition into adulthood) and to work with the 'hidden homeless', such as families and victims of family violence. A further challenge will be identifying the mechanisms to ensure that there is adequate accountability to promote integration at the service level. A well-trained workforce across disciplines and sectors that understands the principles and related practices inherent in the White Paper, especially the 'no wrong doors' policy, will be essential to the success of this initiative.

- *Targeting resources where they are needed most*

The APS believes that more research is needed to determine when transitional housing is required, including a comparison of the cost of transitional housing versus other longer term housing options. For example, many people who use specialist homelessness services have difficulty finding alternative accommodation to move to after they have received support. Over the last five years the average length of time spent in specialist homelessness services has increased from 33 days to 50 days. The problem of finding secure affordable housing and, in some cases, supported accommodation to move out of a specialist homelessness service, is directly connected to the number of people who are turned away from specialist homelessness services because no beds are available (White Paper). Investing in longer term accommodation for some groups (e.g.; those with a mental illness, families), providing housing subsidies and exploring 'transition in place' options may prove to be more effective solutions in terms of cost, and disruption to individuals and families (Shinn et al, 2004). A review of existing SAAP services is also recommended to ensure that those areas most disadvantaged are receiving equitable allocation of transitional and crisis housing resources and services.

2.4 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 homelessness sector.

While the APS is not in a position to comment extensively on this term of reference, we would recommend that any legislative or regulatory models developed have a strong focus on

accountability to those who experience homelessness, and that associated measures prioritise feedback on the experiences of those receiving homelessness services.

In addition, the APS believes that careful, critical consideration of the applicability to the homelessness sector of existing legislative and regulatory models used in other community service systems, such as aged care and child care is required. Specifically, the aim should be to increase service capacity and effectiveness, and not to misdirect already scarce resources from the provision of direct housing and housing services, to onerous and unnecessary compliance activities.

3. Recommendations

In order to strengthen legislative, policy and service responses to homelessness, the APS makes the following recommendations.

- *A focus on prevention* to support vulnerable persons to remain in housing, receive adequate support for their psychosocial needs, and reduce the likelihood of their becoming homeless.
- *A social inclusion approach to homelessness* so that laws and practices which exclude the homeless are reformed and initiatives to increase participation among those experiencing homelessness are prioritised.
- *Realising the right to housing* by strengthening existing legislation (such as tenancy laws) while increasing the range of affordable and available public and social housing.
- *A 'Housing First' approach* which would provide rapid rehousing of homeless individuals and families in independent, long term, affordable and sustainable housing, with services being provided beforehand and afterwards to enable them to work through problems that could jeopardise their housing stability (e.g., mental health, drug and alcohol counselling, employment support).
- *Supporting those with complex needs* would require a focus on 'wrap-around services', that is, implementation of service responses designed to be flexible, intensive, and long-term in support of those with complex needs, expansion of assertive outreach responses and provision of integrated case management approaches to working with young people at risk of homelessness. Such measures would serve to operationalise the 'no exit to homelessness' guarantee proposed in *The Road Home*.
- *Enhancing service provision through service integration* (the 'no wrong doors' policy) and supporting people through transition points (e.g.; discharge from hospital or prison, newly arrived in Australia, transition into adulthood).
- *Successful service integration will require considerable workforce retraining* to promote cross-referral and optimum utilisation of 'joined-up' services. Sufficient resources need to be allocated to developing the proposed 'advanced practitioner' role which the APS supports in principle.
- *Targeting resources where they are needed most* on the basis of evidence-based practice, and a review of the costs and benefits of transitional versus longer term housing options.
- *Research funding* for evaluating new models of housing as well as the proposed integration of service provision.

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