

SAFE+EQUAL

Standing strong
against family
violence

**Safe and Equal Response to
NHHA Issues Paper**

1 March 2022

Acknowledgement of Traditional Owners

Acknowledgement of Aboriginal and Torres Strait Islander peoples

Safe and Equal acknowledges Aboriginal and Torres Strait Islander peoples as the traditional and ongoing custodians of the lands on which we live and work. We pay respects to Elders past and present. We acknowledge that sovereignty has never been ceded and recognise First Nations peoples' rights to self-determination and continuing connections to land, waters, community and culture.

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About Safe and Equal

Safe and Equal is the peak body for specialist family violence services that provide support to victim survivors in Victoria. We provide specialist expertise across primary prevention, early intervention, response and recovery approaches and the inter-connections between them. Our work is focused on developing and advancing specialist practice for responding to victim survivors, building the capability of specialist family violence services and allied workforces, organisations and sectors that come into contact with victim-survivors; building the capabilities of workforces focused on primary prevention; and leading and contributing to the translation of evidence and research, practice expertise, and lived experience into safe and effective policy, system design and law reform.

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Introduction

Safe and Equal welcomes the opportunity to comment on the Productivity Commission's review of the effectiveness of the National Housing and Homelessness Agreement (NHHHA).

Housing, homelessness and family violence are inextricably linked. Family violence is one of the biggest drivers of homelessness and base funding for the specialist family violence sector is currently funded under the NHHHA. In Victoria, the specialist family violence system has undergone significant reform following the Royal Commission into Family Violence in 2016. Despite unprecedented investment in the family violence system, unfortunately, housing outcomes for victim-survivors of family violence have not improved. Forty-seven percent of people seeking support from a homelessness service in Victoria do so due to family violence. Victoria is still heavily reliant on substandard motel accommodation to house victim-survivors trying to leave a violent relationship because there is not enough capacity in family violence refuges to meet demand. Victim-survivors who manage to get into a family violence refuge remain in a refuge far longer than is necessary or is desired because they cannot afford housing anywhere else and family violence services refuse to exit them into homelessness. While a Safe at Home response or access to private rental is an option for some, the reality is that the high cost of housing in the private market compared to income support payments and the single incomes of many victim-survivors makes housing in the private market financially unsustainable for many. The risk of becoming homeless, and the reality for many of being homeless, is one of the most common reasons victim-survivors return to a violent relationship. It is clear that victim-survivors cannot be properly supported, and the cycle of violence broken, without access to safe, affordable and sustainable housing.

The NHHHA is an important policy mechanism by which funding for social housing and homelessness services, including specialist family violence services, flows from the Commonwealth Government to the states and territories. It establishes that the Commonwealth and state governments have a mutual interest in ending homelessness and improving housing affordably. This and past agreements have been successful in providing critical resources to the homelessness sector, including specialist family violence services, and, to some extent, have been successful at growing and maintaining social housing stock. It is vital that we continue to have such agreements between the Commonwealth and state governments.

However, the desired outcomes of the NHHHA have not been achieved. In fact, by most measures, things have gotten worse. It is therefore timely for the Productivity Commission to conduct this review. Below we make four recommendations on how to make the next and future NHHAs stronger and more effective.

These are:

1. Develop a National Housing and Homelessness Strategy to sit above the NHHHA,
2. Take a gendered approach to a National Housing and Homelessness Strategy and the NHHA,

3. Improve data collection relating to priority cohorts, specifically victim-survivors of family violence and those experiencing intersecting forms of marginalization, and
4. Increase the quantum of funding delivered through the agreement to truly meet demand for social housing and homelessness support services.

Develop a National Housing and Homelessness Strategy

The Federal Government has policy responsibility for most of the critical drivers of Australia's housing affordability crisis, including: income support payments (including the level of Commonwealth Rent Assistance), gender inequality, employment services, immigration, access to the NDIS and financial and tax policy affecting the housing market. However, under the current NHHA, only states and territories are required to have housing and homelessness strategies, effectively absolving the Federal Government of its responsibility to address any of the federal systems that would directly contribute to growing the supply of social housing and reduce demand for homelessness services.

The Federal Government needs to develop and commit to a National Housing and Homelessness Strategy. This strategy should sit above and guide the next NHHA.

The NHHA currently makes it clear that other policy areas such as social security and immigration reform sit outside the scope of the agreement.¹ In a future NHHA and associated National Housing and Homelessness Strategy this cannot be the case. To succeed the NHHA and National Housing and Homelessness Strategy must recognise and commit to addressing the drivers of homelessness and housing unaffordability in Australia. It needs to be focused on growing social housing stock and supporting low-income earners, particularly priority cohorts outlined in the NHHA. We know that the private market will not work in any form for many of the people that seek support from specialist homelessness services. As a result, any housing strategy cannot focus primarily on housing in the private market, such as home ownership and private rental. The emphasis needs to be on housing the most marginalised. This can only be done via social housing.

A National Housing and Homelessness Strategy and subsequent NHHA also needs to link with other National Plans such as the recently released *Draft National Plan to End Violence Against Women and Children 2022-2032*, *Australia's Disability Strategy 2021–2031* and the *National Agreement on Closing the Gap*. All of these social issues are interconnected and the success of each of these plans is heavily reliant on people being able to access a safe, affordable and sustainable home. In the case of family violence, homelessness cannot not be solved without addressing family violence, and family violence cannot be addressed without more housing. The Federal Government needs to take a whole-of-Commonwealth-systems approach to address these social issues and focus on what the Federal Government can do at a Commonwealth level to solve these issues and then work with states to identify what states and territories can do to complement these efforts.

¹ National Housing and Homelessness Agreement: Purpose

Take a gendered approach to a National Housing and Homelessness Strategy and NHHAs

In 2020-21, 60 per cent of people experiencing homelessness or seeking support from specialist homelessness services in Australia were women.² Many women experiencing or at risk of homelessness have experienced, or are also experiencing, family violence. In 2020-21, 45.2 per cent of all clients accessing specialist homelessness services sought support for family violence.³ Despite family violence being one of the biggest drivers of homelessness in Australia, the specialist family violence system and the needs and journey of victim-survivors are currently made invisible by the generic way funding is allocated within the NHHAs.

A National Housing and Homelessness Strategy and future NHHAs need to incorporate a gendered lens to make sure that the unique needs and experiences of victim-survivors of family violence and the services that specialist family violence services provide is captured within future NHHAs.

Adopting a gendered lens in a National Housing and Homelessness Strategy and subsequent NHHAs means making the presence, role and scope of specialist family violence services visible within the NHHAs. While closely linked, specialist family violence services are different from homelessness services. Specialist family violence services' main purpose and objective is to respond to, and mitigate, family violence related risk. Historically, the only way to mitigate family violence risk was to provide a victim-survivor with alternative accommodation to get away from the violence. As a result, family violence services are funded within the homelessness system. However, the reason for providing accommodation in the family violence service system is not about responding to rooflessness. It is about mitigating family violence risk. As a result, specialist family violence services perform a range of activities outside the scope of other homelessness services such as family violence risk assessment, risk management, safety planning and monitoring the perpetrator with a view to maximising a victim-survivor's safety.

Family violence specialisation and the unique activities performed in specialist family violence services are not recognised under the current NHHAs. Currently there is no transparency about how, and to what extent, specialist family violence services are funded under the NHHAs because funding for the specialist family violence sector is combined with funding for homelessness services more generally. AIHW data suggests that almost half of the people coming to homelessness services are doing so for help with family violence.⁴ Specialist family violence services should be funded accordingly to be able to respond to this demand but under the current funding arrangements it is impossible to monitor this.

² AIHW (7 Dec 2021) *Australia's Welfare 2021: Homelessness and homelessness services – Characteristics of SHS Clients* <https://www.aihw.gov.au/reports/australias-welfare/homelessness-and-homelessness-services>

³ AIHW (7 Dec 2021) *Specialist Homelessness Services Annual Report 2020-21: Key findings: Clients who have experienced family and domestic violence, 2020–21* <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/clients-who-have-experienced-family-and-domestic-violence>

⁴ Ibid

A gendered approach to a National Housing and Homelessness Strategy and future NHHAs also means addressing not just the drivers of homelessness, but the drivers of homelessness specifically for women and victim-survivors. The drivers of homelessness such as poverty and housing unaffordability can affect all people experiencing homelessness. However, there are additional drivers of homelessness that specifically and disproportionately affect women. These include family violence, but also include income inequality, access to employment, access to childcare, paid parental leave, and addressing systems abuse via the legal and immigration systems, to name a few. A National Housing and Homelessness Strategy needs to commit to addressing the drivers of homelessness for women and victim-survivors of family violence.

There is currently very little clarity about how the NHHAs fits with the recently released *Draft National Plan to end Violence Against Women and Children*. The *Draft National Plan* has very little mention of housing, and where it does it focuses on access to Safe at Home responses and the private rental market – both of which are difficult for victim survivors to obtain due to economic inequality and the lack of income compared to the cost of housing. A gendered approach to a National Housing and Homelessness Strategy and NHHAs would help identify the interconnections between these strategies and identify responsibilities at both the Commonwealth and state and territory levels of government for tackling the systemic barriers that prevent many of the desired outcomes across housing and homelessness and family violence from being achieved.

Improve data collection specific to marginalised cohorts to guide policy and program development and monitor success

AIHW data is an invaluable tool for understanding the nature and scope of homelessness and impact of homeless services. However, the data is not nuanced enough to give insight into the outcomes for identified cohorts, particularly women and those experiencing family violence.

In an analysis of data currently available on victim-survivors experiencing or at risk of homelessness, McAuley Community Services for Women found that ‘Don’t Know’ was listed as the reason for the closure of support periods in 22 per cent of cases managed by specialist family violence services. In addition, 37 per cent of cases where support periods were closed did not have a known resolution as they have fallen into either ‘lost contact with client’, ‘client didn’t turn up’, ‘maximum service reached’, ‘other’ or ‘don’t know.’⁵ These figures suggest that a large number of victim-survivors of family violence are getting lost in the system, likely without having their housing situation resolved.

The data is even less useful when trying to understand the experiences and housing outcomes of smaller subsets of victim-survivors experiencing multiple forms of marginalization. Listing priority cohorts becomes difficult because it easily becomes a

⁵ McAuley Community Services for Women (October 2021) *Family violence, homelessness and ‘safe at home’ Data state of knowledge, October 2021* p 2

laundry list of groups that tries to tick every box and doesn't account for the fact that many women and victim-survivors may identify with many different groups who face discrimination and marginalization. That being said, we believe the priority cohorts in the NHHAs need to be expanded to include women on temporary visas, migrant and refugee communities, LGBTIQ communities and people with disabilities. Data needs to be able to capture the experiences of women and victim-survivors of family violence who experience these types of intersecting marginalisation, as we know they are more likely to be poorly served by our support systems, have poor housing outcomes, and are more likely to experience homelessness.

The ambiguity in data, as identified by McAuley's work, gives no insight into who the clients are who are dropping out of the service system or why. Victim-survivors of family violence experiencing intersecting forms of marginalization (victim-survivors on temporary visas, Aboriginal victim-survivors, victim-survivors from the LGBTIQ community, victim-survivors with disabilities etc.) are currently invisible in the national data sets. We know from in-depth, often qualitative research these cohorts are at increased risk of homelessness and suffer very poor outcomes. However, the lack of nuanced quantitative data makes it impossible to know if these cohorts are disproportionately represented in cases listed as "Don't Know" and if they are, to what extent. The lack of nuanced data also undermines our ability to understand how individuals with these experiences are moving through and between the specialist family violence system and the homelessness system more broadly. As a result, our ability to engage in targeted policy development and evaluation is undermined.

In addition to needing to collect data that better captures the experiences of individuals who face multiple forms of marginalization, we note that the Australian Parliamentary Inquiry into Homelessness made a number of recommendations to improve data collection related to housing and homelessness. We strongly support these recommendations and reiterate the need for these data improvements to incorporate a gendered lens that captures women's specific experiences.

Significantly increase funding for social housing and homelessness services

The amount of funding delivered via the NHHAs is not enough to meet demand for homelessness services, including specialist family violence services, or produce the growth in social housing that we need to meet demand for social housing and reduce pressure on the homelessness system.

We support Council to Homeless Person's call for a new NHHAs to provide separate streams of funding and create one funding stream that funds the maintenance of existing stock and another funding stream that provides the funding necessary to grow social housing stock. We also support CHP's proposal for targets for net growth in social housing stock to be included in future NHHAs.

The current inadequate level of funding provided through the NHHAs has meant in many cases states and territories have had to choose if they would put the money towards upgrading and maintaining existing stock or building new stock. In Victoria, much of the state's public housing is in desperate need of repair and upgrades were, and are, necessary.

However, the focus on upgrading existing stock has meant the supply of social housing has not materially increased despite rapid population growth. As a result, tens of thousands of households have been left languishing on the social housing wait list, many of them homeless and stuck in the homelessness system, unable to exit because there is simply no affordable housing for them to exit to.

Future NHHAs must increase the money allocated to building new social housing stock. It must also increase the amount of funding allocated to homelessness services, including specialist family violence services. Not only is the demand for family violence services increasing, but the costs of operating services are increasing. Services need infrastructure funding to support quality assurance and good governance. Many social service sectors are experiencing workforce shortages and the specialist family violence sector is no different. Poor pay and difficult working conditions in which staff are expected to deal with significant complexity, trauma and risk mean that working in the community services sector is unattractive and the rate of burnout is high. The move to introduce minimum qualification standards, while important in ensuring quality service delivery, is making it even more difficult to recruit staff because the cost of education needed to qualify to work in the sector is not commensurate to the expected earning capacity upon completion. To recruit staff, services need to be able to pay their workers at a level that reflects the skills and qualifications they are expected to have and the level of complexity they are expected to manage.

The Commonwealth's response to the Inquiry into Homelessness in Australia

Safe and Equal acknowledges that the recommendations in this submission reflect several recommendations made in the final report of the *Inquiry into Homelessness in Australia* (the Inquiry) released in 2021. We are disappointed that in its recent response to the Inquiry, the Commonwealth only accepted two of the Inquiry's 35 recommendations and outrightly rejected the recommendation to develop a National Housing and Homelessness Strategy.

In its response, the Commonwealth noted that many of the Inquiry's recommendations had to be negotiated between the states and Commonwealth as part of a future NHHAs. The Commonwealth referenced this Productivity Commission's review of the NHHAs, saying the outcome of this review would inform its decision to accept or reject several of the Inquiry's recommendations.

It is therefore our view that this review of the NHHAs offers a point in time to reiterate the Inquiry's recommendations. We strongly urge the Productivity Commission to make it clear that the Commonwealth Government has a responsibility and a role to reduce homelessness and increase the availability of social housing beyond simply contributing money to the NHHAs. Housing affordability and homelessness are national issues that needs a national response that coordinates with and compliments state responses to these issues. There are clear, Commonwealth-level policies that contribute to and perpetuate housing unaffordability and homelessness which only the Commonwealth can address.

Conclusion

The NHHAs have not achieved their objectives. To make future NHHAs more effective, particularly for victim-survivors of family violence, we believe the following need to be made part of any future NHHAs:

1. Develop a National Housing and Homelessness Strategy to sit above the NHHAs that:
 - a Identifies and addresses the systemic drivers of homelessness, including those for women and victim-survivors of family violence,
 - b Clearly states the roles and responsibilities of the Commonwealth and State Governments to address systemic barriers to making housing affordable for those on low incomes and increasing social housing stock,
 - c Focuses on the housing needs of low-income earners who are unlikely to be able to sustain housing in the private market, and
 - d Draws linkages to other relevant National Plans to address intersecting social issues
2. Take a gendered approach to a National Housing and Homelessness Strategy and subsequent NHHAs that:
 - a Makes the unique and distinct role of and funding for Specialist Family Violence Services visible within the wider NHHAs
 - b Ensures that Specialist Family Violence Services receive funding proportionate to the number of people seeking support for family violence
 - c Links with the forthcoming *National Plan to End Violence against Women and Children 2022-2032*, prioritizing the need for access to affordable and sustainable housing
3. Improve data collection that:
 - a Captures the experiences of priority cohorts, specifically victim-survivors of family violence and those experiencing intersecting forms of marginalization,
 - b Expand priority cohorts under the NHHAs to include women on temporary visas, women from CALD and migrant backgrounds, victim-survivors with disabilities and victim-survivors who are part of the LGBTIQ community, and
 - c Implements the recommendations on data from the Australian Inquiry into Homelessness
4. Increase the quantum of funding delivered through the agreement to truly meet demand for social housing and homelessness support services.

Finally, we urge the Productivity Commission to reiterate and support the recommendations made in the *Inquiry into Homelessness in Australia* and make it clear that the Commonwealth Government must take a more proactive and intentional role in providing social housing and reducing homelessness in Australia. The Commonwealth needs to continue and increase funding via the NHHAs but it also needs to strategically work with state governments to address the systemic drivers of these issues across both levels of government.