



Submission to the House Standing Committee on Social Policy and Legal Affairs Inquiry into family, domestic and sexual violence

7 August 2020

NT Shelter welcomes the opportunity to make a submission to the House Standing Committee on Social Policy and Legal Affairs *Inquiry into family, domestic and sexual violence*.

NT Shelter is the Northern Territory's peak body for affordable housing and homelessness. We advocate for affordable and appropriate housing for all Territorians, especially those with low income, and those particularly vulnerable and disadvantaged in the housing market. NT Shelter strongly supports efforts to safeguard and protect the rights of those people for whom access to affordable and appropriate housing remains elusive, including those experiencing domestic violence and sexual abuse.

We welcome the opportunity to provide our perspectives in that context. As a member-based organisation, our response to this inquiry is framed around our organisation's knowledge of the state of homelessness in the Northern Territory, the needs of persons facing barriers to obtaining safe and secure affordable housing, and interrelationships with domestic and family violence.

The Northern Territory is far from where it needs to be in terms of ensuring both adequate housing and accommodation supports are available and accessible to people experiencing domestic and family violence. 46% of people seeking support from homelessness services in the NT cite Domestic Family Violence (DFV) as the main reason for them seeking assistance, or 4,416 individuals.¹

International research highlights the necessity of strong support systems in supporting women and children to transition quickly out of homelessness, as without, "in many cases they are left with no option but to **return to situations of violence**, precarity, and marginalization."² This submission will focus on the impact the housing and homelessness situation across the Northern Territory has on those seeking housing support for reasons related to domestic and family violence.

Housing and Homelessness – Northern Territory Context

The Northern Territory has a significant and disproportionate level of homelessness at twelve times the national average. Aboriginal persons represent one third of the Territory's population but are significantly overrepresented as 88.5% of all homeless persons.³ 83% of homeless persons in the NT live in severely overcrowded dwellings, the majority (71%) of which are in remote or very remote communities outside

¹ https://www.aihw.gov.au/getmedia/a9055e27-8e4a-44d8-ad7c-9baf43c01415/NT_factsheet.pdf.aspx

² (Statistics Canada, 2019) IN literature review - <http://womenshomelessness.ca/literature-review/>

³ Australian Bureau of Statistics, 2016 Census of Population and Housing: Estimating Homelessness, 2016

of Alice Springs and Darwin⁴. The rate of demand for homelessness services in the NT is three times that of other states and territories and the level of unmet demand is twice as high.⁵ The demand for specialist homelessness services (SHS) in the NT increased 3.4% on the prior year in comparison to a decrease of 1% across Australia generally.⁶

In the private housing market, the NT remains one of the least affordable jurisdictions in the country in which to rent a property – a consequence of historically high rents and population movement.⁷ The regional and remote townships of the Northern Territory, including Alice Springs, have historically low supply and high demand markets. The Northern Territory also has the least protection for renters in Australia with “no grounds” evictions and short lease periods contributing significantly to the risk of people with mental illnesses entering homelessness.

The Northern Territory has an underdeveloped community housing sector and an over prescribed public housing market leading to long waitlists to access affordable housing options, transitional and long term. For those eligible for public housing, the waitlist is 6-8 years for a number of locations across the Territory.⁸

The provision of safe, appropriate and affordable housing remains elusive for many Territorians. With a shortfall of housing to meet demand right across the housing continuum, including emergency, transitional, supported and longer term housing infrastructure, people on low incomes including people attempting to escape DFV are frequently excluded from the housing market. The failure of the market to supply sufficient social and affordable housing, and insufficient government intervention to address the supply shortfall, means that the housing needs of many of Australia’s most vulnerable people are not being met. It is no surprise therefore that homelessness across Australia is on the rise, as are reported incidents of Domestic and Family Violence.

Additionally, chronic housing shortfalls place additional pressures on already overstretched housing and health services and a significantly underfunded specialist homelessness services sector, particularly in the NT.

Domestic and Family Violence and Housing

Coincidentally, data from the Australian Bureau of Statistics shows the Northern Territory has the nation's highest victimisation rate for selected domestic and family violence-related offences in Australia. 2019 figures obtained from NT police reports show a rate of 1610 victims per 100,000 people. The first three months of 2020 show a 20% increase on the same months the previous year representing 1626.5 DFV victims per 100,000 people⁹. By comparison WA has victimisation rates of around 728 victims per 100,000.¹⁰

⁴ Ibid

⁵ Australian Institute of Health and Welfare (AIHW), Specialist Homelessness Services Annual Report 2016-17. Those seeking support in the NT unable to be assisted (45.3%). This is twice as high as unmet requests nationally (23%). More recent data from the 2018-19 Annual Report shows that the NT has 6% of all unassisted requests nationally (six times’ higher than the NT’s share (1%) of Australia’s estimated resident population).

⁶ Australian Institute of Health and Welfare (AIHW), Specialist Homelessness Services Annual Report 2018-19.

⁷ NTCOSS and NT Shelter, Cost of Living Report Part 2: Housing, June 2018

⁸ https://dlghcd.nt.gov.au/__data/assets/pdf_file/0011/589763/dhcd-annual-report-2017-18.pdf

⁹ <https://pfes.nt.gov.au/police/community-safety/nt-crime-statistics/statistical-publications>

¹⁰ <https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4510.02018?OpenDocument>

1 in 26 people in the NT received homelessness assistance and, of these, 46% indicated that Domestic and Family Violence was the main reason for them seeking assistance. NT services also report that they turn away over 15 people per day who are seeking assistance.¹¹

On a national basis, of the 121,000 clients assisted by SHS agencies experiencing family or domestic violence in 2017–18 who do get assistance from homeless services, 63,200 (or 52%) are returning clients.¹² Many of those seeking support return to unsafe situations and inevitably require crisis services again.

Indigenous Australians experience family violence at higher rates than the general population. Indigenous Australians are more likely to be hospitalised due to family violence, more likely to be murdered by a family member, and more likely to have their children removed, compared with non-Indigenous people.¹³

Given the NT has the highest rates of overcrowding in Australia (and the highest rates of homelessness in Australia generally), the lack of appropriate and affordable housing is a significant contributing factor to Domestic and Family Violence incidents. The corollary also applies - Domestic and Family Violence can, and does, lead to homelessness.

A whole-of Government approach is needed to end homelessness through a national plan with an actionable pathway to supply the required level of social and affordable housing, at scale, to address homelessness and rental unaffordability (which places more Australians at risk of homelessness).

In the context of the Northern Territory, capacity must be built in Aboriginal housing and homelessness services to ensure a culturally responsive and Aboriginal-led service model for people who are experiencing Domestic and Family Violence and are homeless or at risk of homelessness. This includes investing in Aboriginal housing organisations and Aboriginal Domestic and Family Violence services, as well as homelessness, crisis and prevention agencies.

A note on current policy responses

Across Australia, Governments are beginning to implement strategic responses to domestic and family violence that promote integrated service delivery for affected families. Consistent elements include “governance models that explicitly draw different perspectives and responsibilities together and service provision that emphasises connected approaches to service delivery, such as single contact points, case conferencing, the coordination of support provision by local ‘hubs’ and multi-disciplinary or ‘wraparound’ delivery.”¹⁴ The NT Government’s *Domestic, Family and Sexual Violence Reduction Framework 2018-2028* provides \$22 million (over three years, through the first of three Action Plans under the ten-year strategy) to domestic violence prevention, perpetrator intervention programs and safety and recovery services for DFV survivors.¹⁵ A key outcome of the Framework is to identify Territorians at risk of experiencing violence early and provide them with effective interventions. While the importance of safe, appropriate, and affordable housing for survivors of DFSV is noted in the strategy, critically, it does not specifically

¹¹ <https://www.aihw.gov.au/reports/homelessness-services/shs-annual-report-18-19/data>

¹² *ibid*

¹³ Australian Institute of Health and Welfare 2019. Family, domestic and sexual violence in Australia: continuing the national story 2019. Cat. no. FDV 3. Canberra: AIHW.

¹⁴ https://www.ahuri.edu.au/data/assets/pdf_file/0026/37619/AHURI-Final-Report-311-Housing-outcomes-after-domestic-and-family-violence.pdf

¹⁵ This is in addition to the \$25 million Northern Territory Government’s annual budget for domestic, family & sexual violence services (this means that the annual budget in NT for these services will be \$31.49 million).

¹⁶ 14 Feb 2019 [news release](#) (Minister Wakefield): *Creating Safer Communities and Investing in Generational Change: Release of Domestic, Family, and Sexual Violence First Action Plan*.

respond to nor address the housing infrastructure shortages across the Northern Territory, which as noted above, is the jurisdiction with the greatest need.

The fourth stage of the *National Plan to Reduce Violence against Women and their Children 2010–2022* notes that it will provide “up to 450 safe places for people affected by violence, assisting up to 6,500 people a year” through the provision of the \$60 million Safe Places capital grants program to provide new or expanded emergency accommodation.

This is a start but does not adequately address the sheer levels of demand across the country.¹⁷ While the *Plan* refers to “inadequate housing and overcrowding” as a factor in Aboriginal family violence, it “offers no specific guidelines or strategies to overcome these problems.”¹⁸ It is critical that the next *National Plan to Reduce Violence against Women and their Children* incorporates dedicated housing investment for the areas of greatest need (demand), and works in conjunction with all State and Territory Governments in their development of a National Housing Strategy.

Without adequate, safe and affordable housing options, too many women and children in the Northern Territory will continue to be turned away from over stretched services and continue to live in vulnerable and dangerous circumstances.

Responses to Inquiry Terms of Reference

(d) The way that health, housing, access to services, including legal services, and women’s economic independence impact on the ability of women to escape domestic violence.

A chronic lack of long-term secure housing and crisis accommodation are significant barriers to women escaping violence in the Northern Territory.

Women’s Legal service providers regularly report that a lack of transitional and long-term accommodation options is the biggest barrier facing many of their clients.

46% of all people seeking assistance from homelessness services in the Northern Territory report Family and Domestic Violence as a reason for seeking assistance (compared with 38% nationally),¹⁹ yet currently, many are unable to access the support they require. Unmet demand represents 48.4% of total client demand in the NT, with 78% of the unmet demand for homelessness service requests from women, many of whom are fleeing²⁰ domestic and family violence from communities with severely overcrowded houses.²¹ The number of women who could benefit from such services is also likely to be much higher than reported, with research suggesting that up to 90% of violence experienced by Aboriginal and Torres Strait Islander people goes unreported.²²

Service Availability and Demand – An Alice Springs Case Study

In Alice Springs, for example, the sole women’s-only accommodation support provider Women’s Safety Services of Central Australia (WoSSCA), operates 30 crisis beds for women and children family violence

¹⁷ <https://www.smh.com.au/lifestyle/gender/we-have-to-believe-we-can-change-this-situation-now-on-violence-20190813-p52gnd.html> + consultations in AS

¹⁸ <https://theconversation.com/another-stolen-generation-looms-unless-indigenous-women-fleeing-violence-can-find-safe-housing-123526>

¹⁹ 2018-19 SHS Annual Report, Australian Institute of Health and Welfare (Feb 2019).

²⁰ <https://www.katherinetimes.com.au/story/5623046/older-women-at-risk-of-homelessness-a-worry/>

²¹ Ref ABS

²² <https://www.theguardian.com/commentisfree/2019/feb/21/id-like-to-share-a-few-uncomfortable-truths-australias-violent-crisis?fbclid=IwAR2ivET9K6eB388t6jwr1Wh88EKEMoPP9j959NBRX-1SYbiBtcXDJ680788>

survivors in a fully secure, 24/7 stand-up support environment. This is to service a population of 24,753 people.²³

Between January 2019 to January 2020 WoSSCA accommodated 1,083 women and children. The table below shows the breakdown of support periods, with 33 women accessing the service more than 6 times in the year alone.²⁴

Number of Support Periods by Distinct Client		
	Frequency	<i>Percentage</i>
1 support period only	716	66.1%
2 support periods	207	19.1%
3 support periods	65	6.0%
4 support periods	42	3.9%
5 support periods	20	1.8%
6 or more support periods	33	3.0%
Total	1047	100%

Only support periods that fall within the reporting period are included in this count of repeat support periods

Barriers/Gaps

Survivors of domestic and family violence face multiple barriers to accessing safe and secure housing in the Northern Territory.

The Central Australian Aboriginal Family Legal Unit (CAAFLU) report that clients are frequently turned away from accommodation options due to the unavailability of beds. The Aboriginal Hostels are well utilised, but CAAFLU note: “we have had issues with booking clients in, even for short stays, as these hostels appear to be at capacity, or only taking limited short term bookings.”²⁵

Survivors of domestic and family violence are more likely to face difficulty in accessing housing if they are on low incomes and have dependent children. Stakeholders consider the most critical gap in services to be the lack of transitional and longer-term accommodation options in social housing and the private rental market, with a particular need for secure and private 2-bedroom units.

In the Northern Territory, with its tight rental market, long public housing waitlist and no dedicated medium or long-term accommodation options, very limited options currently exist for women and children experiencing domestic violence. WoSSCA staff note the difficulties faced in supporting clients to move into safe and affordable housing options, and that many women return to the situation from which

²³ 2016 ABS Census data

²⁴ Submission to Federal Homelessness Inquiry 2020 <file:///C:/Users/CA.NTSHELTER/Downloads/sub051.pdf>

²⁵ Submission 52 - CAAFLU

they came due to the severe shortage of alternatives (in Alice Springs, this is often back into overcrowding), and/or cycle back into the crisis service. 341 (29%) of WoSSCA's clients in 2017-18 presented to the service two or more times during that period. In 2018-19 this rate increased to 34% of clients.

Stakeholders also discussed the need for short term accommodation options for women at risk of or experiencing homelessness who, due to their homelessness alone, are more vulnerable to violence. This would not be a 'crisis response' space but rather, short term accommodation for women who seek respite to avoid a potential crisis, or who are seeking shelter for other reasons. There is also concern about the lack of secure accommodation option for women under the age of 18.

For those with a public housing lease, our experience is the Department of Local Government, Housing and Community Development (NT Government) is responsive to domestic and family violence situations, with a high proportion of tenancy re-allocations in Alice Springs due to requests resulting from Domestic and Family Violence incidences and concerns.

This, however, is an issue when the individual needing support or wanting to relocate is not officially on the lease. In practice, due to the severe level of overcrowding in Alice Springs, women may not necessarily be a registered lease-holder, and so a tenancy re-allocation is not applicable.

For women already residing within the private rental market, tenants experiencing Domestic Violence and Family Violence are not protected by the Northern Territory's *Residential Tenancies Act* meaning that these tenants may be living in fear without options or flexibility around whether to stay or go without penalty. Women also regularly report difficulty in obtaining a future tenancy as they have unknowingly been registered with a "black mark" on the national Residential Tenancies database (TICA). It is critical that all components of the housing continuum are strengthened to support women in both the immediate and long-term.

We provide a selection of comments received from Sector Workers:

- *"I have managed properties where couples have separated due to domestic violence and do not have the affordability individually. This results in rental stress as the remaining party tries to maintain the rent to avoid breaking the lease - when they fail to do so they end up with a black mark against their name. This in turn pushes them back to living with someone (may or may not be the ex-partner) as they cannot get a property alone."*
- *"I have many [case studies]. Specifically, tenants have been evicted due to anti-social behaviour and property damage which have resulted from DFV. Financial abuse also impacts tenants' ability to pay their rent on time and as a result they are evicted and also incur a debt and possible blacklisting."²⁶*

A substantially increased supply of housing "across the board" coupled with appropriately funded program and case management supports to meet client service demand is instrumental for improved outcomes for people leaving violent and abusive relationships.

Further, while it is acknowledged that Residential Tenancies Legislation is the responsibility of states and territories, the next *Framework* could be strengthened by providing support for programs such as My Place, which support women to overcome the financial and discriminatory barriers they face in accessing the private rental market.

²⁶ NT Shelter member comments on RTA Survey, 2019

My Place Program

The My Place Program aims to prevent homelessness by improving access to housing in the private rental market through providing subsidised transitional housing, tenancy education and coordinated support.

- **Rent Subsidy:** The Rental Subsidy Program focuses on helping people that are experiencing homelessness, with a focus on those that are escaping domestic and family violence and/or people who are suffering mental health issues. Across a period of up to 24 months the My Place team works with households to build their knowledge and understanding of managing a tenancy, establish support links where needed, and provide case management for independence. The aim is for all households to have secure housing at the end of the transitional period.
- **Private Rental Brokerage:** The Private Rental Brokerage program helps households with the financial means and capacity to enter the private rental market directly. Program staff act as a broker by helping the participants establish a rental budget, searching for affordable properties in the private rental market and then supporting them with coordinating inspections and applying for housing.²⁷

Priorities, Safety and Risk

The greatest evidence of a housing system under stress is the perceived necessity for a person attempting to escape DFV to return to the relationship to avoid homelessness for themselves or their children.

Research in 2019 by the Australian Housing and Urban Research Institute²⁸ highlighted the need for people experiencing Domestic and Family Violence to assess safety and risk. Often this assessment of their circumstances was to get the best possible outcomes for their children. The fear of homelessness or being forced to live in substandard accommodation or poorly situated accommodation is considered too great a risk for many. Returning to a violent relationship for the sake of the children or to avoid the possibility of being homeless can be seen by victims in these circumstances as the best option when there is a lack of affordable or suitable accommodation.

In the Northern Territory, we understand that mandatory reporting of Domestic and Family Violence has increased the level of insecurity some families face. Concerns about being reported to Territory Families can place added stresses on the family. Homelessness is also a risk factor for children that concerns the authorities, the fear of being homeless and having your children taken into Out of Home Care under the protection of the Government is very real for Aboriginal women. The NT has the highest rates in Australia for children in care - losing one's children due to homelessness is a very real risk for Aboriginal mothers attempting to escape Domestic and Family Violence.

For many leaving a violent or abusive relationship their options are limited and their security and safety at risk when they try and navigate an already overstretched and failing housing system. With demand for social and affordable housing on the rise, system supply is failing to keep up with demand.

For every person impacted by Domestic and Family Violence and seeking to leave the relationship, safe affordable and appropriate accommodation is needed. For the 2018-19 SHS reporting period, 4281 DFV

²⁷ <https://www.affordablehousingcompany.com.au/my-place-program/>

²⁸ Flanagan, K., Blunden, H., valentine, k. and Henriette, J. (2019) Housing outcomes after domestic and family violence, AHURI Final Report 311, Australian Housing and Urban Research Institute Limited, Melbourne, <http://www.ahuri.edu.au/research/final-reports/311>, doi: 10.18408/ahuri-4116101.

beds were required in the NT²⁹. In essence, for every relationship breakdown an additional home is required either for the perpetrator or the survivor.

Case Study A

This case study highlights the critical need for more accommodation infrastructure and the challenges facing people experiencing homelessness and domestic family violence in the Northern Territory.

Jill is a 37-year-old woman of islander decent with 6 children in her care. She presented at a DFV crisis centre in Darwin with her 6 Children seeking support to escape her partner of 17 years. This is not her first visit to a Domestic and Family Violence service.

Jill was provided with crisis support in a local hotel as there was no suitable accommodation available for such a large family group.

Jill has been able to move into a transitional accommodation option in a 3-bedroom house managed by a Domestic and Family Violence service. During this stay the family have been supported to submit a priority housing application with DLGHCD. Jill has also been offered counselling for herself and her children and has also been referred to a mental health provider for support to deal with depression and trauma issues. Jill has also been contacted by Territory Families to discuss the health and wellbeing of the children.

Jill relies on the support of her mother and her male cousin to manage the large family unit. Unfortunately, her brother is not able to visit and offer support due to the Domestic and Family Violence service's "no males" policy.

Currently there is a public housing waitlist of 4-6 years for a 3 bedroom house. However a three bedroom house is deemed unsuitable for the size of this family further extending the wait time for a suitable vacancy.

Jill cannot afford to enter the private housing market. Additionally, local agents are not prepared to rent a property to such a large one income family. At the time of writing the cheapest 4-bedroom house available for rent was \$580 per week and unaffordable. At the time of writing there are no Community Housing properties for rent in the Darwin area. Gaining suitable stable accommodation for Jill and her family is a long-term proposition.

The transitional housing the family is in is temporary. Jill is also struggling with raising her family and misses the support of her cousin who is able to support her male children. The Domestic and Family Violence service is actively canvassing the Specialist Homeless Services sector for suitable accommodation. Vacancies are scarce and SHS services will not allocate housing to Jill with insufficient rooms further limiting her options.

Jill continues to stress about the possibility of losing her children to Territory Families. This stress, coupled with her previous anxiety and trauma, has resulted in her losing trust in counselling services. She has refused to allow her children to receive counselling fearing that to give permission will lead to her children being taken from her.

She now sees her only option is to reunite with her partner who has a history of abusing her, but he has expressed remorse for his actions. Jill feels that in reuniting with him they will be able to

²⁹ AIHW 2019. Family, domestic and sexual violence in Australia: continuing the national story 2019

afford a house and avoid homelessness. Unfortunately, the Department of Territory Families has indicated that should they reunite then they will have no option but to remove the children most at risk. Jill doesn't understand this given their previous concern for the children being homeless and this is aggravating her mental health concerns.

Recommendations

1. The Australian Government, with the support of all State and Territory Governments and in consultation with national and state housing and homelessness peaks, must develop a **national housing strategy** to address Australia's housing and homelessness crisis.
2. Within this framework, the next iteration of the *National Plan to Reduce Violence against Women and their Children* must include a plan for dedicated housing investment for areas most in need, and ensure no women is turned away from homelessness services.
3. Build appropriate transitional and longer-term accommodation options for persons fleeing domestic violence – so that they have safe and appropriate accommodation options in the face of a crisis.
4. Establish and build capacity in **Aboriginal housing** and homelessness services to ensure a culturally responsive and Aboriginal led service model for people who are experiencing Domestic and family Violence and are or at risk of homelessness. This includes investing in Aboriginal housing organisations and Aboriginal Domestic and Family Violence, homelessness, crisis and prevention agencies.
5. Drive a whole-of Government approach to ending homelessness by making it a priority for National Cabinet's First Ministers. **Incorporate targets across portfolios** to drive early intervention work across mental health, drug and alcohol, domestic and family violence, out of home care, education and justice in order to prevent homelessness and domestic violence.
6. Increased, flexible funding for outreach programs and service coordination to strengthen responses that support people experiencing DFSV throughout their journey, ensuring that once connected with a service, engagement and case-coordination can remain flexible and client-focused, regardless of which organisation the client has initially engaged with.
7. Expand brokerage programs such as MyPlace so those who can afford to be in the private rental market can be supported to access properties in the private rental market.
8. Convene **public hearings** in respect of this Inquiry in the Northern Territory to hear directly from the experiences and recommendations of those living and working in an environment with both the highest rate of domestic violence and the homelessness and the high rates of domestic and family violence.