

**Submission
No 15**

INQUIRY INTO THE PROTOCOL FOR HOMELESS PEOPLE IN PUBLIC PLACES

Organisation: Aboriginal Housing Office

Date Received: 27 February 2020

NSW Aboriginal Housing Office
Submission to the Inquiry on the Protocol for Homeless People in Public Places

The Aboriginal Housing Office has a role in reducing Aboriginal people's experience of homelessness

The Aboriginal Housing Office (AHO) is a statutory body established under the *Aboriginal Housing Act 1998 (NSW)* to ensure that Aboriginal and Torres Strait Islander people have access to affordable, quality housing.

The AHO is funded by the NSW and Australian governments to administer the State's Aboriginal¹ community housing assets. We work in partnership with Aboriginal housing organisations to deliver effective policy and standards across four key performance areas:

- Housing Services (Asset Management, and Tenancy Management)
- Strengthening the capacity of the Aboriginal Housing Sector
- Relationship management
- Corporate capability

The AHO's vision is to ensure every Aboriginal person in NSW has equal access to, and choice in, affordable housing.

Following significant discussion with Aboriginal communities and the Aboriginal social housing sector, AHO developed *Strong Family, Strong Communities*, the AHO's ten year Aboriginal Social Housing Strategy to improve the wellbeing of NSW families and communities through housing. Through *Strong Family, Strong Communities* and in alignment with the Homelessness Strategy, the AHO has committed to deliver additional housing and housing options for Aboriginal people across the State. All the work of the AHO contributes toward reducing the incidence of homelessness including a focus on prevention and early intervention, access to safe and secure housing, sustained and secure tenancies and improved health and wellbeing.

The AHO has a limited history in driving homelessness initiatives delivered by the Specialist Homelessness Service (SHS) sector. However, more recently, the AHO is working with the Department of Communities and Justice (DCJ) to inform the recommissioning of homelessness services and development of a DCJ Domestic and Family Violence Framework. AHO also advocates for investment in Aboriginal organisations as essential partners providing culturally appropriate support.

Aboriginal people and homelessness

It has been recognised that Aboriginal and Torres Strait Islander (Indigenous) people have had significantly less access to affordable or secure housing or accommodation than other Australians (Keys Young 1998), and that historical events have impacted housing situations and experiences of homelessness within the current Indigenous population (AIHW 2018c).

Australia's homeless population are among the most vulnerable groups in the community. Homelessness can profoundly affect a person's mental and physical health, their education and employment opportunities, and their ability to participate fully in society.

Indigenous people make up 3.3% of the Australian population, yet they made up 22% of all people who were homeless on Census night in 2016 (of those for whom Indigenous status was stated) (ABS 2018c).²

¹ Within NSW, Aboriginal is used to denote Aboriginal and Torres Strait Islander

² P1 *Australian and Torres Strait Islander people: a focus report on housing and homelessness*, Australian Institute of Health and Welfare <https://www.aihw.gov.au/getmedia/1654e011-dccb-49d4-bf5b-09c4607eccc8/aihw-hou-301.pdf.aspx?inline=true>

The Australian Institute of Health and Wellbeing (AIHW) has identified a range of factors that have resulted in the increase of Aboriginal people experiencing homelessness³. These include:

- historical experiences of Aboriginal people and the lasting impacts of colonisation including displacement from traditional lands, separation of children from their families
- transgenerational impact of policies and services that conflict with Aboriginal values and culture that have resulted in poverty, low self-esteem, poor physical, mental health and social and emotional well-being, welfare dependency, poor living skills, high levels of domestic violence and substance abuse, and low levels of educational attainment.

While it is recognised that the Protocol for Homeless People in Public Places provides important guidance to preserve the dignity and wellbeing of those experiencing homelessness, it is essentially a safety net for those who have not been able to access the family, community or government supports necessary to gain and maintain housing. Ensuring these supports are available should be the primary pathway to protecting the dignity of all NSW residents.

The high proportion of Aboriginal people experiencing homelessness indicates an immediate need to ensure ready access to culturally appropriate housing and wrap around supports. While the NSW Premier's commitment to reduce street homelessness across NSW by 50% by 2025 and the NSW Government's Homelessness Strategy underpin the Government's commitment to reducing the incidence of people experiencing homelessness, strengthened engagement with and support for integrated culturally appropriate services focussed on supporting Aboriginal people to obtain and maintain housing is essential.⁴

Case Study: Services Our Way

The AHO's Services Our Way program provides culturally appropriate service coordination, support and capacity building for Aboriginal and Torres Strait Islander people and families experiencing vulnerability, empowering them to improve their wellbeing and achieve their goals.

Services Our Way specialist Aboriginal staff work holistically and collaboratively with clients and service providers. This ensures that a culturally suitable and tailored solution is developed to help address the underlying causes that contribute to daily instability and challenging situations. At the core of Services Our Way is an individualised and family centred approach.

Tanya's story provides an example of the potential for integrated, culturally appropriate services to support people experiencing primary homelessness:

Tanya and her partner were sleeping in a tent in a local park and suffering from serious health issues as well as the other issues that come with sleeping rough.

Within a few weeks of coming into contact with Services Our Way, Tanya had a place to call her own, where her family could visit and where she knew she was safe.

Tanya said "When I met Kate (the Services Our Way Aboriginal Service Support Specialist), it changed my whole life... Just being able to talk to her.... People don't realise how hard it is to get where you want to go, and I have respect for someone who listens and who I can talk to."

³ P1 *Australian and Torres Strait Islander people: a focus report on housing and homelessness*, Australian Institute of Health and Welfare <https://www.aihw.gov.au/getmedia/1654e011-dccb-49d4-bf5b-09c4607eccc8/aihw-hou-301.pdf.aspx?inline=true>

⁴ It is noted reporting on the number Aboriginal people impacted by homelessness underestimates the full extent of the problem with Aboriginal status not being effectively captured in data collection or Aboriginal people choosing not to identify.

Racism is still a constant issue in the lives of Aboriginal people and it has effects across a number of social welfare indicators. Racism is contributing to anxiety, depression, post-traumatic stress disorder, and psychological disorder, which further increases the chances of poor outcomes for Aboriginal people. It is regularly acknowledged as being a key part of Australia's history, which led to Indigenous Australia's historical experiences, including but not limited to; cultural disconnection, forced child-removal, forced land acquisition and attempted genocide. However we are also aware of how racism and discrimination continues to negatively affect Indigenous Australians to this day.

Recommendations

- 1) **It is recommended that all sections of the Protocol be reflective of the different needs, including cultural needs, and experiences of Aboriginal people.**
- 2) **It is recommended that NSW Government, in partnership with Aboriginal communities and service providers, strengthens its commitment to holistic client centred services for Aboriginal people.**
- 3) **It is recommended that the AHO be a signatory to the Protocol.**
- 4) **It is recommended that ongoing locally developed cultural awareness training (delivered in partnership with Aboriginal communities) be compulsory within signatory agencies, given the over representation of Aboriginal people experiencing homelessness.**

The Sax Institute notes:

*People leaving government-funded services have an elevated risk of becoming homeless. This includes people with a history of out-of-home care, people who have been involved with the justice system...*⁵

With Aboriginal people being significantly over represented in both rates of out of home care and incarceration, transition to primary homelessness is a significant risk.

Significantly higher rates of domestic and family violence nationally also increases the risk of homelessness and rough sleeping, particularly for Aboriginal women and children.

*Housing crisis and domestic and family violence were the most common main reasons for those experiencing homelessness to seek assistance in 2017–18: housing crisis was the main reason over 1 in 4 (27%) Indigenous clients were seeking assistance in 2017–18; 1 in 5 (19%) reported domestic and family violence as the main reason.*⁶

Developed in partnership with Aboriginal communities, a strengthened focus on transitional and emergency housing would strengthen the wellbeing of particularly vulnerable groups who may otherwise face primary homelessness.

Case Study: Housing for Outcomes

Aboriginal people and families have strongly voiced the need for suitable housing for people at risk of, or experiencing homelessness in their communities. There is currently a lack housing for people experiencing domestic and family violence (DFV), transitioning from government services, including transitioning from out-of-home-care or exiting gaol, as well as housing for community members to stay to cool-down if there's been a dispute, or as part of a bail condition.

⁵ P8 *Homelessness at Transition*, Sax Institute <https://www.saxinstitute.org.au/wp-content/uploads/Homeless-at-transition.pdf>

⁶ P54 *Australian and Torres Strait Islander people: a focus report on housing and homelessness*, AIHW <https://www.aihw.gov.au/getmedia/1654e011-dccb-49d4-bf5b-09c4607eccc8/aihw-hou-301.pdf.aspx?inline=true>

The AHO is currently seeking to use current assets and partner with stakeholders to support better housing outcomes. The properties would support short term accommodation, for an initial 6 month period, up to 18 months by exception with proposed eligibility to include:

- Experiencing domestic violence
- At risk of experiencing homelessness
- Exiting gaol
- Leaving out of home care

Recommendation

- 5) It is recommended that NSW Government, in partnership with Aboriginal communities and service providers, look for innovative approaches to increase access to transitional and emergency housing.**

Homelessness is not an innate characteristic

“Homeless people” is used throughout the Protocol, giving the impression of a defined population group. Homelessness, including primary homelessness, is not static. With appropriate support, people transition out of homelessness into secure accommodation. The impermanent nature of primarily homelessness is reflected in the following AIHW analysis:

Analysis of the service use patterns of rough sleepers presenting to SHS in 2011–12 revealed 3 cohorts of rough sleepers

- Persistent service users: accessed services every financial year from 2011–12 to 2014–15 and account for 13% of all rough sleepers.
- Service cyclers accessed services in 2 or 3 years of the 4-year period and account for 42% of all rough sleepers.
- Transitory service users accessed services in 2011–12 only and account for 44% of all rough sleepers.⁷

Recommendation

- 6) It is recommended that the Protocol be reworded to refer to “people experiencing homelessness” as opposed to “homeless people” to better reflect the transitory nature of the homelessness experience.**

The changing face of government service delivery

Governments have been progressively devolving service delivery to external organisations, in particular, the not for profit sector. As early as 2012, the NSW Commission of Audit noted:

Partnerships, outsourcing and divestments are an increasing part of modern government and service delivery. Where groups outside government can deliver better services at lower cost and with greater innovation than government then that should be expedited. The contracted not for profit providers of the government’s human and social services need to be recognised as partners with the public service in implementing government programs. In areas like social housing, out of home care for children, and disability services, the not for profit sector is actively exploring new partnerships with government and the private sector. And this partnership activity is growing.⁸

⁷P vii *Sleeping Rough: A profile of Specialist Homelessness Services clients*, AIHW 2018, <https://www.aihw.gov.au/getmedia/96b4d8ce-d82c-4149-92aa-2784698795ba/aihw-hou-297.pdf.aspx?inline=true>

⁸P8 NSW Commission of Audit Final Report: Government Expenditure 2012, https://www.treasury.nsw.gov.au/sites/default/files/pdf/NSW_Commission_of_Audit_Final_Report.pdf

As a result, many of the front line services that were previously delivered by NSW government agencies are now delivered by third parties. As such it is important that these providers are both aware of the commitments in the Protocol and are required to fulfil the same commitments. The language within the Protocol, which refers to “officials” throughout, should be amended to reflect a broader spectrum of service delivery.

Recommendations

- 7) It is recommended that the Protocol for Homeless People in Public Places is communicated with relevant non-government service providers by the relevant government agency to develop partnerships and strengthen local communication at an agency and individual level.**
- 8) It is recommended that the Protocol be amended to reflect the role of not for profit service providers to people impacted by homelessness.**