

Preventing homelessness for women and children who have experienced domestic and family violence

INTEGRATED HOMELESSNESS PREVENTION SCHEMES ARE EFFECTIVE FOR WOMEN AND CHILDREN WHO HAVE EXPERIENCED DOMESTIC AND FAMILY VIOLENCE. HOWEVER IMPROVEMENTS TO LEGAL AND JUDICIAL PROCESSES ARE NEEDED FOR THESE SCHEMES TO BE EXPANDED.

KEY POINTS

- Australia should expand the provision of homelessness prevention schemes that support domestic violence victims to remain in their own home rather leave the home in order to exit a violent relationship.
- The most effective homelessness prevention schemes for women and children who have experienced domestic and family violence integrate legal issues, housing and welfare provision.
- Effective implementation of homelessness prevention schemes requires both adequate funding and Australian jurisdictions addressing legal/judicial issues, housing and welfare policy in a coordinated fashion.
- Improvements to the legal and judicial system include providing police powers to offer immediate protection to women by the removal of the perpetrator, consistent training for police on domestic and family violence, and specialist domestic and family courts.
- Improved approaches to housing include using non-restrictive eligibility criteria to homelessness prevention programs so that women are not turned away or kept

*This bulletin is based on research conducted by **Dr Angela Spinney**, **Professor Sarah Blandy** and **Professor Kath Hulse** at the AHURI Swinburne-Monash Research Centre. The research examined International and Australian approaches to homelessness prevention for women and children who have experienced domestic and family violence. It considered the legal/judicial, housing and welfare dimensions of these approaches to see how they work.*

on a waiting list, private rental brokerage programs for women who have experienced family violence, and in home risk assessments to assist the client in deciding whether to remain in the home.

- Improved approaches to welfare provision including better sharing of information between accredited agencies on domestic and family violence victims and perpetrators.

CONTEXT

Domestic and family violence continues to be the major driver of homelessness and that escaping violence is the most common reason provided by people who seek help from specialist homelessness services.

This project evaluated innovative homelessness prevention measures introduced in Australia and England since the mid-1990s and the extent to which they have enabled women and children to safely remain in their homes, avoiding homelessness.

RESEARCH METHOD

Stage one consisted of a desk-based review of international and national policy and academic literature.

Stage two compared case studies in England and Australia, allowing investigation of ‘joined up’ (housing, judicial and support services working together) approaches. Forty-five semi-structured interviews were conducted. The English case studies involved three Sanctuary homelessness prevention schemes in Sheffield, Hull and Norfolk. The Australian case studies focused on homelessness prevention schemes including *Staying Home Leaving Violence* (NSW), *Safe at Home* (Tas), *Safe at Home* (Vic) and *B Safe* (Vic).

Stage three comprised workshops in five capital cities—Hobart, Melbourne, Sydney, Adelaide and Brisbane—with a total of 47 policy-makers, practitioners and researchers. These facilitated discussions deepened understanding of policy implications for successful implementation of

homelessness prevention practices for women and children in each state.

KEY FINDINGS

It is critical the community, professionals and policy-makers understand the link between domestic violence and homelessness for women to feel they can exercise their right to remain in their homes. There is an emerging new orthodoxy that women and children should not be made homeless as a result of experiencing domestic and family violence, and this should inform policy.

Women who are undergoing the stress of a relationship break-up following domestic and family violence need to have the choice as to whether it is best for them and their children to remain in the family home.

What helps women and children experiencing domestic or family violence avoid homelessness?

The most effective homelessness prevention measures for women and children who have experienced domestic and family violence integrate legal/judicial, housing and welfare policy and practices and to support women to stay in the family home while excluding perpetrators.

1. Effective law to exclude perpetrators

Highly relevant to whether women feel safe to remain in their home are matters of legal powers—who can exclude perpetrators of domestic and family violence from their home, their immediacy of effect, the time span of exclusion and the penalties for breach by the respondent.

2. Police responses

Improving police responses to breaches of court orders and ensuring police are well trained to deal appropriately with those affected is critical to ensuring the safety of women in their home. Research participants from all the Australian jurisdictions expressed disappointment at the amount of training that the police have received on domestic violence issues.

3. Access to legal support

Access to legal support affects the ability of women and children to pursue legal entitlement to remain in their homes. Most women access legal support through refuge and shelter networks, however, most women at risk of homelessness due to domestic violence do not approach crisis services for assistance, and are likely to lack information about their legal options. This is particularly the case for women from non-English-speaking backgrounds and Indigenous Australian women. Access is further hindered by the lack of legal aid available to women who have experienced domestic violence.

4. Appropriate court practices

Interviewees from all the case study jurisdictions said lack of support from the judiciary, including inconsistency and unevenness in their treatment of breaches of injunctions and related issues, can impact on women's confidence to engage in the system. Providing court-based family violence advocacy services is important in assisting victims, especially in cases where no police were involved. Specialised domestic violence courts are also helpful, with specific training for magistrates leading to a greater consistency of outcomes as the bench is educated in domestic violence issues.

5. Housing

Providing housing quickly is vital to prevent homelessness resulting from domestic violence episodes. To be effective, housing agencies need to provide 24-hour response services. Private rental brokerage programs may facilitate quick access to suitable and appropriate local accommodation. *Staying Home Leaving Violence* (SHLV) type schemes, which seek to remove the perpetrator from the family home, also avoid homelessness, with perpetrator accommodation provided as part of this approach.

6. Welfare services

Refuges provide women leaving violence access to a range of suitable welfare services, including financial confidence mentoring, emotional and practical support, emergency support during perpetrator return incidents, support for Indigenous Australians, community education, support for children, and perpetrator support and accommodation provision.

What makes Staying Home Leaving Violence schemes work?

The SHLV scheme in New South Wales was one of the first joined up homelessness prevention schemes in Australia. It relies on collaboration and integration between police, courts and other welfare and housing support services. This scheme was modeled on *Sanctuary Schemes*, which have become mainstream policy in the UK and have been successful in assisting women and children who have experienced domestic and family violence to remain in their homes.

Drawing on three case-studies of SHLV schemes in New South Wales (Newcastle, Mt Druitt and Bega), the following factors have proven important in the establishment and successful operation of these schemes:

- Intensive case management.
- Implementation of an integrated system involving partnership with key agencies (e.g. police, courts and SHLV staff).
- Integrated training to ensure a consistency of service standards.
- In home risk assessments to assist the client in deciding whether to remain in the home, ensure necessary protection orders are in place and to conduct safety audits. Security upgrades to properties can assist women who have experienced domestic and family violence feel safer in their new home.
- Provision of ongoing emotional support.
- Creating community awareness via social marketing.

In Victoria the relatively new *Safe at Home* integrated partnership model is developing good practice in inter-agency working and in outreach work. The provision of extended longer-term support, and tailored group and individual interventions are particularly important for women and children who remain in their home, as they may not have access to the alternative support mechanisms those staying in a refuge or other form of crisis accommodation may have available.

Challenges for implementing SHLV style schemes:

- Difficulties in trying to 'shoehorn' SHLV schemes into the existing service system.
- Housing affordability affects how long women can remain in their own house once they separate from their violent partner.
- A strong justice-led crime response to domestic violence, like the Tasmanian *Safe at Home* model, might deter women from contacting the police and mean the perpetrator is not ordered to leave the home, or that he is prosecuted.
- Barriers to taking out injunctions and occupation orders due to cost and inconvenience.
- Research participants were critical of the inconsistency of the police, and more often the court system, in following through on breaches of injunctions.

POLICY IMPLICATIONS

The move towards greater use of integrated schemes like SHLV in helping women remain in their homes can help prevent homelessness for women and children who have experienced domestic and family violence. The following policy measures can support this:

Legal

- Creation of matching interstate legislation relating to all aspects of good practice homelessness prevention attributed to domestic and family violence.
- Provision of specialist domestic and family courts to be legislated for, and provided, throughout Australia. These would include court support workers for victims and perpetrators.

ahuri.edu.au

- Provision of police powers to offer immediate protection to women by the removal of the perpetrator. The 12-month notice used in Tasmania is an example of good practice.
- Consistent police training on domestic and family violence.

Housing

Adequate funding is required for homelessness prevention schemes, using non-restrictive eligibility criteria, so that women are not turned away or kept on a waiting list.

Welfare policy

Accredited agencies need to share information throughout Australia on domestic and family violence victims and perpetrators. This would enable, for example, dual risk assessments to be conducted by police and support agencies.

There is also a need for culturally appropriate schemes for Indigenous women. The implications of mainstream law, legal and judicial systems and the practices of mainstream welfare agencies need to be considered in each jurisdiction.

FURTHER INFORMATION

This bulletin is based on AHURI project 50602, *Homelessness prevention for women and children who have experienced domestic and family violence*.

Reports from this project can be found on the AHURI website: www.ahuri.edu.au or by contacting AHURI Limited on +61 3 9660 2300.



ADDRESS Level 1, 114 Flinders Street Melbourne Victoria 3000 TELEPHONE +61 3 9660 2300
FACSIMILE +61 3 9663 5488 EMAIL information@ahuri.edu.au WEB www.ahuri.edu.au

ACKNOWLEDGMENTS This material was produced with funding from Australian Government and the Australian States and Territories. AHURI Limited acknowledges the financial and other support it has received from the Australian, State and Territory Governments, without which this work would not have been possible.

DISCLAIMER The opinions in this publication reflect the results of a research study and do not necessarily reflect the views of AHURI Limited, its Board or its funding organisations. No responsibility is accepted by AHURI Limited, its Board or its funders for the accuracy or omission of any statement, opinion, advice or information in this publication.