



Inquiry into the Adequacy and Future Directions Of Public Housing in Victoria

Submission by
The Australian Community Support Organisation

P.O Box 14278,
Melbourne 8001, Vic.
Phone: 03 9413 7000
Fax:03 9413 7188
Email: kwarner@acso.org.au
Web: www.acso.org.au

The Australian Community Support Organisation acknowledges the contribution of:

Lisa Dwyer
Monica Karst
Tammy Rowe
Lisha Constantino
Tim Giles
Rob Ritchens
Kelly Warner

Contents

Contents	3
The Australian Community Support Organisation.....	4
Scope of Submission.....	4
As ACSO's expertise lies in offender support the contents of this submission will be limited to those questions that relate to the experience of its client group, its workers and the offender support sector.Summary.....	4
Summary	5
Introduction	6
Housing, homelessness and offenders	7
Recommendations.....	8
1. Waiting lists	10
1.1 Is the current system of segmented waiting lists preferable?	10
1.3 Are current accommodation options open to individuals or to families on waiting list suitable in the interim? What other options could be appropriate? .	13
1.4 Is security of tenure an important aspect of public housing?	13
1.5 Should public housing be made available on a short to medium term basis so it can be accessible to a greater number of people?	14
2 Adequacy	14
2.1 Is the current system for ensuring that people are allocated appropriate public housing working?	14
2.2 What changes could be made to the way in which available public housing is provided which adequately respond to the differing needs of people in Victoria?	14
3. Quality and standards.....	15
3.1 How adequate are office of housing staffing levels and expertise?.....	15
4. Safety and location.....	15
4.1 What are the most important factors that need to be taken into account in deciding where public housing should be located? How well are these needs being met currently?.....	15
4.2 What could be done to improve public housing for rural and regional areas?	16
5. How does public housing need impact differently on specific groups of people.	16
Case Study One	19
Case Study 2 – The difficulty of criteria for Segment 1 applications.....	20
Case Study 3 – Return to prison and its impact of housing tenure	20

The Australian Community Support Organisation

In 1983, ACSO commenced as a small support agency staffed by volunteers (then called The Epistle Centre; later The Victorian Offender Support Agency) for ex-prisoners who were highly disadvantaged. It established support programs and a halfway house (McCormack House) which remains in operation.

ACSO has expanded over 27 years to deliver services for the intellectually disabled, those with mental illness, the unemployed and those with alcohol and other drug problems. It now delivers more than 20 programs to approximately 10,000 disadvantaged clients per annum.

ACSO has a reputation for helping some of the most marginalised people in the community: those not generally welcomed or able to be supported by other services due to their behaviour, presenting issues or offending history. Through a diverse range of programs, provided throughout Melbourne metropolitan and regional locations we strive to achieve our purpose to make a difference in the lives of disenfranchised people.

Currently ACSO provides programs in the areas of; transitional and case management support to ex-prisoners, disability support services and residential care, employment placement services, homelessness support programs, alcohol and other drug (AOD) assessment and treatment planning and outreach support to individuals with complex mental health concerns.

This integrated complete-continuum service distinguishes ACSO. Unlike agencies that have a one-sector approach, ACSO has proven capacity to work across multiple sectors with particular emphasis on delivering specialist services that address the complex needs of offenders. ACSO operates these services via four divisions:

1. Justice Services
2. Specialist Services
3. Disability Program
4. Employment Services

Scope of Submission

As ACSO's expertise lies in offender support the contents of this submission will be limited to those questions that relate to the experience of its client group, its workers and the offender support sector.

Summary

- Most of ACSO's clients live in insecure accommodation at some point in their contact with the organisation.
- Housing insecurity impacts heavily on the stability of ACSO's clients particularly those with multiple and complex needs.
- Supporting and assisting clients find, apply for and maintain stable accommodation takes a large proportion of resources designated to clients in ACSO's programs and means that client's other support needs are frequently given less time.
- Offenders housing, particularly those with multiple and complex needs, should be considered a high priority due amongst other things to the potential impact that this group has on the wider community

Main Issues with Public Housing in Victoria

- Lack of acknowledgement of offenders as a high risk/ special needs category
- Lack of consideration of the special needs of people with a mental illness or cognitive disability and history of offending.
- Lack of consideration of the impact of their illness, disability or challenging behavior of offenders on their housing application and tenancy.
- The lack of focus on *preventing* homelessness and housing instability for offenders, those with multiple and complex needs and other highly disadvantaged members of the community.
- The stigmatizing of public housing and the creation of areas of disadvantage
- Complexity of the application process particularly for Segment 1. Early Housing applications
- The application process is disempowering for ACSO's clients
- High density public housing is inappropriate housing for ex-offenders, particularly those with complex needs
- Lack of affordable crisis and transitional housing options for people waiting for public housing
- Unacceptable waiting times

Specific issues for ex-offenders

- Increased risk of offending for people with multiple and complex needs in unstable accommodation
- Increased risk of re-offending for ex-offenders in unstable accommodation
- Increased vulnerability of clients with complex needs in unstable housing
- Impact on eligibility for parole and increase in the length of time spent in prison due to lack of appropriate housing
- The lack of flexibility for offenders to change area due to parole conditions or risk factors increases their vulnerability.
- Insufficient dedicated transitional and crisis accommodation for offenders
- Returning to prison whilst on the waiting list and having to reapply
- Having to wait to apply for Segment 1 Early Housing until close to a prisoners earliest eligibility date or release
- Inability of prisoners to keep their details updated whilst in prison
- Onerous application for support workers and clients – up to 15 hours in some instances

Introduction

ACSO has a 27 year history of supporting people transitioning from prison to the community and enhancing services to individuals at critical points in their contact with the criminal justice system. Since 1983 ACSO has developed and delivered a wide variety of services to assist offenders that face many barriers to social and economic participation. Access to affordable, secure and appropriate housing for people who have had contact with the criminal justice system has remained a major issue for ACSO and its clients over the years.

It is ACSO'S position that access to safe, affordable, appropriate and stable housing is the right of every person and that this right is not and should not be, conditional.

The United Nations Universal Declaration of Human Rights states that;

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.¹

ACSO believes that it is the responsibility of the State to ensure that this right is upheld and is equitably facilitated.

ACSO supports the vision of the Federal Government's White Paper in its three strategies to end homelessness;

- Turning off the tap: services will intervene early to prevent homelessness
- Improving and expanding services: services will be more connected and responsive to achieve sustainable housing, improve economic and social participation and end homelessness for their clients
- Breaking the cycle: people who become homeless will move quickly through the crisis system to stable housing with the support they need so that homelessness does not recur.

ACSO supports any increase in the capacity of the State Governments and the Office of Housing to support these strategies through public housing in Victoria. ACSO is particularly supportive of any strategy which will address the pathways into homelessness for its clients.

¹ United Nations Universal Declaration of Human Rights available at <http://www0.un.org/en/documents/udhr/>

Housing, homelessness and offenders

5,458 people were discharged from Victorian prisons last 08-09 financial year an increase of 14.4% over five years². Though relatively small proportion of the population the impact on the wider community and the significant disadvantage of this group warrants increased attention to their housing needs.

Prisoners suffer a range of different issues that put them at risk on return to the community.

- Approximately a quarter of all Victorian prisoners are thought to have a mental illness³ and the rate of schizophrenic illness is 3-4 times higher than that of the wider community.
- Education and employment prospects are low levels of prisoners are low, with about 7% men and 14% of women reporting that they had completed secondary, trade or tertiary education prior to prison⁴. Unemployment levels prior to imprisonment are high with approximately 67% of women and 64% male prisoners were unemployed prior to employment⁵.
- 1.3 per cent of Victoria male prisoners released from prison between 1 July 2003 and 30 June 2006 were identified as having an intellectual disability⁶.
- High rates of drug and alcohol misuse and co-morbidity
- High rates of institutionalisation as children
- High levels of victimization – of sexual, physical and psychological abuse – particularly for female offenders
- Clients with mental illness and a history of offending are often denied access to services based on the perceived complexity of their support needs or behaviour.

ACSO's clients are some of the most disenfranchised members of the Victorian community, economically and socially excluded due to mental illness, cognitive disability, alcohol and drug misuse and frequently by their challenging and offending behavior. ACSO's clients often come to us with an extensive history of institutionalization, incarceration and homelessness. In many instances access to secure housing has been a life long challenge and the instability and anxiety that this produces has negatively impacted on their mental health, alcohol and drug use and offending. This is not unique to ACSO's clients however, many studies have shown the link between housing insecurity, mental health and offending. In a survey of a total of 24,936 police detainees between 1999 and 2006, the Australian Institute of Criminology's Drug Use Monitoring in Australia (DUMA) program found that;

- 7% of detainees reported living on the street, or unstable accommodation at the time of being detained in custody.
- 31% of homeless detainees had been in prison in the 12 months prior to their arrest, higher than the 18% percent of non-homeless detainees.
- 31% reported having been admitted previously to a psychiatric hospital – a prevalence rate twice that reported by non-homeless detainees (15%).

2 Department of Justice (2009), pg 10

3 Department of Human Services (2009), pg 98

4 at 30 June each year from 2004-2009 Department of Justice (2009) pg 12-13

5 at 30 June each year from 2004-2009 Department of Justice (2009) pg 12-13

6 Department of Justice (2007) page 6

- Homeless detainees were more likely than non-homeless detainees to report recent and frequent use, as well as dependence on either illicit drugs (53% vs 36%) or alcohol (19% vs 12%)⁷.

Studies have also shown that offenders with mental illness are also likely to have multiple and complex needs including co-occurring drug and alcohol issues. A study of patients in the Victorian forensic psychiatric hospital (Thomas Embling) found that most patients (74%) had co-occurring substance abuse issues and dual diagnosis impacted on the length and severity of their offending history and increased their risk of re-offending⁸.

Recommendations

Recommendation: Include people leaving custody as a special needs group and recognize the positive benefits to the community of providing stable housing to offenders

Recommendation: Alongside an increase in public housing stock reflective of demand, there should be investment in mixed use public and affordable housing including an increase in the amount of public housing available to those in the Segment 4 Wait Turn category.

Recommendation: More investment in providing public housing that is integrated into the community and a reduction in the concentration of Public Housing in high risk areas.

Recommendation : That Segment 1 and Segment 3 categories should be considered together.

Recommendation: That prevention of homelessness be considered an important priority for public housing. Including the threat of homelessness from the effects of incarceration as an equally important risk factor as recurring homelessness. Ensuring that needs of people leaving custodial settings special receive special consideration.

Recommendation: Increase the amount of time Early Housing applications are able to be made whilst applicants are in prison. Make the time reflective of average wait times for each Segmented waiting list.

Recommendation: To simplify the application process and to enable the application of prisoners without complex assessment and documentation requirements.

Recommendation: Expand Office of Housing and Department of Justice initiatives to increase the capacity of HIR workers and transitional housing to meet the needs of more prisoners. There needs to be further investment in dedicated transitional housing stock and more targeted housing assistance for offenders.

Recommendation: That in assessing the need and risk of homelessness in housing applications, the effects of incarceration, multiple periods of institutionalization,

⁷ AIC (2008) pg 1

⁸ Ogloff et al, 2004, 543

length of sentence and supports in the community should be prioritized over current and previous housing history.

Recommendation: Increase investment in dedicated transitional housing for offenders and particularly for ex-prisoners and the provision of some dedicated transitional housing for offenders with short sentences.

Recommendation: Partnering with social and community housing developments and partnering with community providers to create a diversity of housing options for people on waiting lists including more short to medium and transitional housing.

Recommendation: That the factors considered in the definition of 'adequacy' include consideration for the special needs of offenders and the environmental conditions that may contribute to their offending behaviour.

Recommendation: Consideration of the environmental concerns of ex-prisoners, particularly those with mental health issues, in allocation of housing.

Recommendation: Having designated properties that have basic conditions suitable for special needs groups such as ex-prisoners, sex offenders, offenders with a mental illness etc.

Recommendation: More flexibility and more capacity for applicants to request a different location due to risk and safety concerns or parole conditions.

Recommendation: Increase in the stock of one bedroom or bed sits for singles that are spread throughout the wider community.

Recommendation: clustering those whose need for similar services and support who may benefit from close proximity – such as the aged, those with high care needs and disabilities.

Recommendation: The environmental constraints, particular needs, issues and potential problems that offenders and offenders with complex needs face when applying for and maintaining their tenancy in public housing be highlighted and understood by Office of Housing staff.

Recommendation: Increase investment in options for those on waiting lists. Including;

- increased investment and availability of transitional housing stock
- increase investment in appropriate emergency housing options for ex-prisoners and offenders that do not increase their likelihood of offending;
- increased investment in social housing models and supported accommodation.

Recommendation: Review of the appeals process particularly for those whose applications have been denied due to details not being updated with the Office of Housing.

1. Waiting lists

1.1 Is the current system of segmented waiting lists preferable?

It is ACSO's opinion that whilst the current segmented waiting list is preferable to a system that does not prioritize those with the most need it has led to several problems which need to be addressed.

These problems include;

- The creation of pockets of disadvantage as the public housing system has become predominantly populated with people with complex needs.
- An unnecessarily arduous application process particularly for Segment 1 - Recurring Homelessness with an onus on proving multiple forms of disadvantage
- An application process and expectation of prohibitive waiting lists that stop eligible people from applying
- Criteria that limit application of ex-prisoners
- Criteria that impact upon the re-integration of ex-prisoners
- Lack of choice and consideration for the impacts on ex-prisoners of location
- An increase in waiting times for those on low incomes
- That the current segmented waiting list does not place enough emphasis on the prevention of homelessness
- Clearly the system is not adequate if the level of demand is more than doubling the supply

Stigmatization of Public Housing

As 70% of public housing vacancies are filled from those in the early housing waiting list the dominant occupants of public housing are now those with complex needs. This creates pockets of extreme disadvantage that stigmatises public housing, it is ACSO's experience that these pockets in turn can put vulnerable clients at risk and expose them to environments that may increase their likelihood of re-offending.

Some of ACSO's clients express reservations about entering high density accommodation in particular areas due to associations with offending and drug use in the area, however they also report a reluctance to miss an opportunity for housing and return to the bottom of the list.

Some clients will go to lengths to avoid being moved into high density public housing. One of ACSO's clients refuses to report maintenance issues needing repair to ensure that he does not don't get moved from a house in a mixed residential setting into high density public housing.

Under estimation of the need for public housing

It is ACSO's opinion that due to the perceived difficulty of the application process and waiting times, many people requiring public housing do not apply and therefore the number of people in unstable or inappropriate housing is inaccurately represented. In 2009 PILCH Homeless Persons' Legal Clinic ran 18 workshops focused on homelessness and human rights, of the 145 participants 44% indicated that they were currently on a waiting list for public housing, of these 46 per cent had been on

the waiting list for more than two years and 7 per cent for more than ten years⁹. Many of ACSO clients have similar stories about the unacceptable length of time they have been on waiting lists and there is a sense that there is no point applying for certain types of public housing because the wait is just too long.

Application Process

Supporting a client to apply for Early Housing, particularly Segment One – Recurring Homelessness is a significant drain on the resources of ACSO’s case workers. It is ACSO’s view that the process is too complicated and lengthy involving far too many individuals, including the applicant, the support worker, the Transitional Housing provider and finally the Office of Housing Regional Panel.

An application can take anywhere up to 15 hours just in the initial stages of the process with the client and the support worker and can be repeated several times for clients as they come in and out of prison or are dropped off the waiting list due to not updating their contact details with the Office of Housing.

In ACSO’s experience many of its clients are eligible for Segment 1 Early Housing but are on Segment 3 or Wait Turn waiting lists because the application process is easier. ACSO’s case workers report that ACSO clients often struggle to complete Early Housing applications due, not to their lack of eligibility, but due to their institutionalization. For example clients frequently don’t remember and have no record of previous housing history, housing breakdowns or records of transitional or emergency accommodation that they have stayed in prior to prison.

Further disadvantaging ex-prisoners in Early Housing applications

ACSO believes that certain issues mean that ex-prisoners are disadvantaged in the process of applying for early housing. For example housing history may not accurately reflect the significant risk of homelessness they face on release from prison, particularly after long sentences or family breakdown. In ACSO’s experience client’s friends and relatives are frequently used for forwarding addresses and family addresses are often cited to gain access to parole. The use of family details may incorrectly reflect the instability ex-prisoners housing history and inaccurately represent their risk of homelessness on release.

Some case managers report that a requirement for Early Housing of being unemployed limits the motivation of clients to take on employment and as employment is linked to a reduced incidence of recidivism this puts ex-prisoners at risk of returning to prison.

Prisoners must wait until six weeks before their earliest release date to apply for Early Housing when in all likelihood they may wait for years in transitional properties before being allocated a public housing property.

Like many severely disadvantaged people ACSO’s clients repeatedly have to tell their story, frequently feeling that they have to reveal personal and private details to ensure that they get better access to services and resources, this can be a demeaning and demoralising experience. The application process, particularly for the Segment 1 Early Housing is indicative of a broader trend towards making the

⁹ PILCH Homeless Persons’ Legal Clinic (2009). Promoting and Protecting the Human Rights of People Experiencing Homelessness in Australia: National Human Rights Consultation Submission setting out the views and comments of people experiencing homelessness about human rights in Australia. Pg 24

severely disadvantaged prove their worthiness to access resources such as housing that are acknowledged to be a part of their rights. The application process dis-empowers the applicant and further entrenches their dependence on support services.

Ex-prisoners and transitional housing

Whilst there are dedicated prison housing (HIR) workers and transitional properties it is ACSO's experience that a significant number of prisoners fall through the gaps and that there are insufficient dedicated transitional properties for those exiting correctional facilities.

The requirement that clients must reside in transitional or crisis accommodation to be eligible for Segment 1 early housing poses its own set of problems including;

- It ensures that the flow of people through transitional properties is held up by the length of the waiting list
- It makes clients reluctant to leave transitional properties even if they are inappropriate in case they lose their place in the waiting list
- It ensures that clients are unable to start reintegrating as they are unsure as to what area they may end up being housed

Current initiatives by the Department of Justice recognize the importance of housing stability and allow ex-prisoner's transitional properties to convert to public housing once they have been accepted. This model should be embraced and further developed.

Recommendation: Alongside an increase in Public Housing stock reflective of demand, there should be investment in mixed use public and affordable housing with an increase in the amount of public housing available to those in the Segment 4 Wait Turn category.

Recommendation: More investment in providing Public Housing that is integrated into the community and a reduction in the concentration of Public Housing in high risk areas.

Recommendation: That Segment 1 and Segment 3 waiting lists be considered together.

Recommendation: That prevention of homelessness be considered an important priority for public housing. Including the threat of homelessness from the effects of incarceration as an equally important risk factor as recurring homelessness. Ensuring that needs of people leaving custodial settings special receive special consideration.

Recommendation: Increase the amount of time Early Housing applications are able to be made whilst applicants are in prison. Make the time reflective of average wait times for each segmented waiting list.

Recommendation: To simplify the application process and to enable the application of prisoners without complex assessment and documentation requirements.

Recommendation: Expand Office of Housing and Department of Justice initiatives to increase the capacity of HIR workers and transitional housing to meet the needs of more prisoners. There needs to be further investment in dedicated transitional housing stock and more targeted housing assistance for offenders.

Recommendation: That in the case of ex-prisoners and remanded housing applications, the effects of incarceration, multiple periods of institutionalization, length of sentence and supports in the community should be prioritized over current and previous housing history, in assessing need and risk of homelessness.

1.3 Are current accommodation options open to individuals or to families on waiting list suitable in the interim? What other options could be appropriate?

In ACSO's experience there is insufficient transitional and emergency housing to meet the needs of its clients. In some areas already limited crisis accommodation available is further limited by services refusing to take clients on corrections orders.

Clients are sometimes forced by lack of other options into private rooming houses many of which are expensive, insecure and unacceptable for people exiting prison

Many of ACSO's clients return to families in order to be eligible for parole without the assistance of other forms of transitional housing, whilst for some this may be the best option, for many it is their only option and can increase strain of family relationships and lead to family breakdown.

It is ACSO's belief that Corrections Pathways Initiatives should be expanded. Whilst current initiatives are positive there is still a significant gap in the amount of dedicated transitional housing for offenders. Only 61 of the properties in Justice related initiatives such as *Prison Based Corrections Pathways*, Bail support Program, Court Integrated service program (CISP), Better Pathways, Drug Court Deadening and Youth Justice Housing Pathways Initiative are dedicated to adults leaving prison compared to the 5,458 discharges from prison in the last financial year. And these initiatives also fail to engage with the high numbers of people leaving prison after stays of 12 months or less.

Recommendation: Increase investment in dedicated transitional housing for offenders and particularly for ex-prisoners, and the provision of some dedicated transitional housing for offenders with short sentences.

1.4 Is security of tenure an important aspect of public housing?

ACSO strongly believes that housing security is important to all people particularly to those who are already significantly disadvantaged. ACSO believes that housing tenure for its clients is particularly important. Long histories of institutionalization and incarceration make it difficult for ACSO clients to integrate into the community, to remain stable and to access and build relationships with local support services. It is important that ACSO's clients feel safe and secure in the knowledge that the hard fought for links will not continue to be disrupted through no fault of their own.

1.5 Should public housing be made available on a short to medium term basis so it can be accessible to a greater number of people?

Rather than reducing the amount of permanent long term housing available ACSO believes an investment in short to medium term housing should be added to the current system including additional transitional properties.

Recommendation: Partnering with social and community housing developments and partnering with community providers to create a diversity of housing options for people on waiting lists including more, short to medium and transitional housing.

2 Adequacy

2.1 Is the current system for ensuring that people are allocated appropriate public housing working?

In ACSO's experience clients have little control over the location or type of housing they are placed in. For example, an ACSO client on the first day of entering his new house found that he was housed down the road from someone who was in a rival prison gang, this client felt that he had few options as he was afraid to lose his house but also afraid to bump into the person.

As ACSO clients are frequently single males with no dependent children high density housing is often the only option available to them. Some clients have found that this, particularly in areas of high drug use, has made it difficult to remain stable in the community. ACSO clients also frequently have conditions on their parole orders stipulating where they can and cannot live but find it hard to have these conditions acknowledged.

Environmental concerns are of even greater importance to ACSO clients with mental health issues as not only are they at increased risk of re-offending but also face a higher risk of victimization.

Recommendation: That the factors considered in the definition of 'adequacy' include consideration for the special needs of offenders and the environmental conditions that contribute to their offending behavior.

2.2 What changes could be made to the way in which available public housing is provided which adequately respond to the differing needs of people in Victoria?

Recommendation: Consideration of the environmental concerns of ex-prisoners, particularly those with mental health issues, in allocation of housing.

Recommendation: Having designated properties that have basic conditions suitable for special needs groups such as ex-prisoners, sex offenders, offenders with a mental illness etc.

Recommendation: More flexibility and more capacity for applicants to request a different location due to risk and safety concerns or parole conditions.

Recommendation: Increase in the stock of one bedroom or bed sits for singles that are spread throughout the wider community.

Recommendation: Clustering those whose need similar services and support and who may benefit from close proximity – such as the aged, those with high care needs and those with disabilities.

3. Quality and standards

3.1 How adequate are office of housing staffing levels and expertise?

ACSO case workers report that they frequently have trouble getting through to their local Office of Housing number with one worker reporting that they, “Have never rung the line and got immediately onto someone, often the line hangs up on you”, this seems to be particularly a problem in regional areas where there is only one or two Office of Housing staff. Workers also suggest that response times to enquiries can take up to two weeks.

A particularly concerning comment from one of ACSO’s case workers is the lack of consistency in Office of Housing staff’s ability to meet the needs of ACSO’s clients with complex needs with one worker saying that her client who had mental health issues was referred to as “a psycho”. ACSO staff suggested that Office of Housing staff be trained in how to appropriately to talk to and assist clients with complex needs.

Recommendation: The environmental constraints, particular needs, issues and potential problems that offenders and offenders with complex needs face when applying for and maintaining their tenancy in public housing be highlighted and understood by Office of Housing staff.

4. Safety and location

4.1 What are the most important factors that need to be taken into account in deciding where public housing should be located? How well are these needs being met currently?

It is ACSO’s position that public housing needs to be located in highly serviced areas, close to public transport, health and mental health services, alcohol and drug treatment and other support services. It is important for our clients, who are on marginal incomes to not be further disadvantaged by long distances and expensive and infrequent public transport. This is frequently more possible within metropolitan areas.

The majority of our clients would choose to live in the inner metropolitan areas, where services and support networks are stronger, however options available to them frequently involve areas that may put them at high risk of re-offending, such as those renowned for their high drug taking or levels of crime.

It is also ACSO’s opinion that public housing properties need to be integrated into and mixed with other types of affordable, community and social housing as well as privately owned properties to reduce the stigmatization and the neighborhood fatigue experienced by areas of high concentrations of public housing.

Current moves to towards investing in social and community housing and neighborhood renewal projects are welcomed. Particularly those renewal projects that ensure that the benefits of high density housing for certain people such as the aged, people with high support needs, those with similar cultural, religious and linguistic backgrounds, are harnessed whilst those potentially negatively affected by high density housing, such as offenders, have suitable alternatives.

Whilst certain types of high density housing may not be preferable for ACSO's client group, the sense of community that can be afforded through the support and understanding of those who can relate to their experience is not to be understated and ACSO also supports the investment in supported community and public housing as well as models of social housing for offenders that aim to enhance the social and rehabilitative effects of belonging to a community.

4.2 What could be done to improve public housing for rural and regional areas?

In ACSO's experience it generally seems to be easier to get public housing in regional areas, however these areas are frequently inadequate for our clients with multiple and complex needs who need to access mental health, primary health services or to drug and alcohol treatment.

In other regional areas where wait times for public housing may be shorter it is harder to get into transitional or crisis accommodation for the interim. One case worker remarked that it was virtually impossible to get her clients into crisis accommodation or supported accommodation in the Geelong area and that this was aggravated by the fact that some services have refused to take clients on corrections orders.

5. How does public housing need impact differently on specific groups of people

ACSO believes that offenders and ex-prisoners particularly those with multiple and complex needs should be included as a high risk group for specific consideration. Offenders frequently occupy more than one of the specific groups outlined by the inquiry but also often have very complex needs that relate to, or impact on their offending.

Housing and getting out of prison and staying out

The importance of housing is highlighted by all ACSO's clients but particularly by ex-offenders on release from custody. 76% of new Link Out¹⁰ participants in Jan-Dec 2009 requested support with accommodation. Of Link Out participants released in the same period 39% were housed in Crisis Accommodation (including – temporary boarding houses, unplanned/ unstable family/friends, Hotel, Short-Term Boarding House), 8.6% THM/ Department of Justice Housing, and 3.3% Returned to public

10 A Corrections Victoria funded transitional program delivered by ACSO in partnership with VACRO, The Salvation Army and Jesuit Social Services

housing. A large proportion, 33% of released participants were accommodated by family and friends in what they identified as planned and supportive accommodation.

On exit of the program of those that had not returned to prison the highest proportion were living with family and friends (26%) followed by 23% who remained in crisis/unstable accommodation, 17% were in private rental, 14% were in public housing, 12% were in THM properties.

In a study of the post release experience of ex-prisoners in NSW and Victoria (one of very few in Australia) Baldry et al (2006) found that accommodation is a predictor in re-offending with those in unstable accommodation more likely to return to prison¹¹. Baldry's study also found that those in long term public and supported accommodation were significantly less likely to return to prison¹². The study showed that the amount of times someone moves predicts return to prison more conclusively than the type of accommodation an ex-offender may be housed in and that ex-offenders are frequently moving between and into homelessness rather than consistently experiencing primary homelessness¹³.

Women were both more likely to return to prison and less likely to be able secure stable accommodation¹⁴ and Indigenous participants moved more frequently, were less likely to have stable family support and were more reliant on public housing. Indigenous prisoners were also significantly more likely to return to prison. The study showed that *no* female Indigenous women were able to secure public housing post release due to debt or poor standing¹⁵. Significantly to this inquiry 30% of participants with a debt had a debt to a public housing authority and of these 65% returned to prison those participants with a debt were significantly more likely to return to prison than those without a debt¹⁶.

There is also evidence to suggest that current or previous homelessness is associated with offending behaviour by individuals with an intellectual disability¹⁷, and that individuals with an intellectual disability transient accommodation indicated a more lengthy criminal history.¹⁸

The lack of suitable accommodation, both public housing, transitional and appropriate crisis accommodation unfairly impacts on offenders not only through an increased likelihood of returning to prison but by affecting the length of time they remain in custody through their eligibility for parole or bail. This particularly impacts some sub groups of offenders such as sex offenders and offenders with an intellectual disability. Victorian intellectually disabled prisoners are less likely, than those without an ID, to receive parole or be released at their earliest eligibility date due to lack of suitable accommodation¹⁹.

11 Baldry et al (2006), pg 20

12 Ibid.

13 Baldry et al (2006) pg 30

14 Baldry et al (2006) pg 26

15 Baldry et al (2006) pg 27

16 Ibid.

17 Cockram, 2005b; Simpson & Hogg, (2001) cited in Department of Justice, 2007, pg 10

18 Klimecki, Jenkinson and Wilson (1994) cited in Department of Justice, 2007, pg10

19 Department of Justice (2007) page 6

Need for public housing for offenders

As stated in previous sections offenders face specific barriers when applying for any sort of housing. They frequently have a lack of housing history to apply for private rental and may fear the disclosure of their criminal record. There are often conditions on their parole orders or extended supervision orders specifying the areas that they cannot live. Offenders and ex-prisoners have a high level of material disadvantage and often are unemployed and poorly educated which form major financial and social barriers to private rental.

Applying for Public Housing

As stated previously many prisoners face barriers when applying for public housing that include;

- They may have a history of anti-social behaviour in tenancy and rent arrears can impact on their capacity to gain public housing
- They can't apply for priority housing until 6 weeks before getting out but may remain on waiting list for several years once released
- They sometimes have limited access to information in prison on housing, housing support and Office of Housing tenancies, particularly on short sentences.
- Offenders and ex-prisoners frequently don't remember and have no record of previous housing history, housing breakdowns or records of transitional or emergency accommodation that they have stayed in prior to prison.
- Housing history may not accurately reflect the significant risk of homelessness they face on release from prison, particularly after long sentences or family breakdown.
- Some case workers report that requirement for Early Housing of being unemployed limits the motivation of clients to take on employment and as employment is linked to a reduced incidence of recidivism this puts ex-prisoners at risk of returning to prison.

Maintaining Tenancy

Those who are incarcerated whilst a tenant of a public housing property face unique challenges in maintaining their tenancy including;

- The length of time that properties can remain vacant whilst a person is incarcerated has been reduced from 6 months to 3 months putting added pressure on offenders and their workers to find accommodation and access parole on release from longer sentences.
- Those who fail to notify the Office of Housing of their incarceration (which is difficult for prisoners) are often notified of their rent arrears via letters to their home address, which they cannot access. In many instances clients are in arrears and face eviction whilst they remain in prison.
- Clients are vulnerable to the risk factors of high density housing, particularly those with drug and alcohol issues. Offenders with complex needs particularly mental health issues and intellectual disability are not only at risk of re-offending but of victimization due to their vulnerability

Case Study One

B is a 27 year old male who has a long history dating back to the age of 12 of AOD issues and criminal behaviour associated with this. B completed a 6 month sentence at a Youth Training Centre in Malmsbury as a teenager and a three and a half year sentence in the adult system. Before his sentence in the adult system, he was living in an Office of Housing Property at the high rise flats in North Melbourne. This accommodation was not ideal for B as there were several tenants in his block of flats who were also drug users that tempted B with drugs on a regular basis. In terms of preventing relapse, this was difficult and at times impossible to manage. He requested a transfer to a different area, however he found the process slow and difficult to navigate and as such had a significant heroin habit that led to the offending that saw him return to prison.

B found it particularly difficult to contact The Office of Housing once incarcerated to inform them of his situation. B was charged the full rent for a period of 9 months after he was taken into custody and is now finding it difficult to access Office of Housing accommodation due to the arrears that he is required to repay for the period that the accommodation was not being occupied.

When B was coming to the end of his sentence, he was fortunate enough to have access to the HIR worker at Barwon Prison who was particularly experienced within the system. This HIR worker who knew B's rights in this particular system, had his Segment One Application backdated to when he officially relinquished the tenancy of the North Melbourne flat. Without this particular knowledge, B would have had to have a new application written from scratch which is a lengthy process in itself and would not have been backdated as he was entitled to. This would have meant that he would have had to wait months and quite probably years longer than he will with the application backdated.

B is now back in the community and his backdated application has been approved. He was advised that it would be unlikely that he would be required to wait longer than three months, however B has now been in the community for nearly six months and the Office of Housing are not willing to give any indication of how much longer he is likely to have to wait for an offer to be made.

B has been living transiently since being released from prison. He initially stayed with extended family, before being asked to leave as this particular house was not large enough to accommodate him long term. He then went to live with another uncle who has mental health issues and who has regularly threatened to 'kick' B out of the house. B's uncle recently following through with his threat and calling the police who removing him from this property. As B's support worker, I have made contact with community housing services and we are currently awaiting an assessment appointment where B's eligibility will be determined. In the mean time, B is living in a very small room at a boarding house in North Melbourne which is very run down and which is costing him \$130 per week, placing him under significant financial pressure.

B is at significant risk of relapse in his current circumstances and it is largely a result of his transient accommodation arrangements.

Case Study 2 – The difficulty of criteria for Segment 1 applications

C has recently been released from prison following his fourth custodial sentence. C has a substantial history of recurring homelessness. He states that between the ages of 19 and 23 he was sleeping rough for a period of every year and since this time has been on the street sporadically, sometimes for many months at a time. When not on the street, C has spent time couch surfing, in supported accommodation, in crisis accommodation and in prison. C has lived in crisis accommodation: Quin House, Ivy Grange, YHA backpackers, The Terrace, Youth Refuge (Preston), The Gatwick and the Carlton Hotel. During this time of homelessness, C managed to retain long term employment in the field of the arts.

On release from prison, C moved into the family home. Living with him are his mother, his step-father and his two brothers. This accommodation is temporary only and is a source of much anxiety for C because of his tenuous relationship with his step-father.

C has struggled with issues of long-term drug abuse since being introduced to heroin by his father when he was 15, although he had occasionally used illicit substances and abused alcohol from age 12. C states he has overdosed in excess of 20 times, though never intentionally and claims that he remains in risk of returning to his history of drug dependence while he is not settled in permanent accommodation and employment. While previously employed, C's drug use dramatically reduced and only became problematic again when he lost his job. It was in this period of instability and crisis that C re-offended and ended up back in prison. C's health is poor. He suffers from Hepatitis C, diagnosed anxiety and depression and gastric oesophageal reflux disease. C would like to try the interferon program for his Hepatitis C but is reluctant to do so while in an unstable home environment.

Case worker and C are working together to find suitable medium to long-term accommodation. This is proving to be quite difficult because while he is living with family he is ineligible for a segment one public housing application.

Case Study 3 – Return to prison and its impact on housing tenure

Ms H was referred to ACSO from Dame Phyllis Frost Centre (DPFC) for support to address her long standing drug related offending history and her significant history of Mental Health issues (Borderline Personality, Depression & Anxiety).

H was being considered for parole and required assistance to secure her existing public housing which had been vacant for nearly 5 months and was therefore at risk of being reacquired by Public Housing. The expected release date for H was changed several times due to requests by adult parole board (APB) for additional information and assessments; this pushed her release date an additional 5 months away. The Office of Housing were intent on reclaiming the property due to the long vacancy paired with rent arrears and complaints of her behaviour in the flat prior to her incarceration. ACSO advocated strongly on behalf of H by:

- Advocating with Office of Housing who were unaware of H's mental health issues.
- SS assisted with locating funds to address her arrears.

- Provided reports and support information to Corrections.
- Provided up-to date information and letters of support to the APB
- Met with H several times to attain trust and clear information in relation to her situation.

Had SS not intervened the property to which her parole eligibility hinged on would have been lost hence so to her ability to attain parole, resulting in her being released into homelessness at a later date. H remains in contact with ACSO and has for the first time completed a parole . She still has her crisis days when we step in to diffuse the situation and break down the problems into smaller “bite size chunks” before the panic drives her into her old patterns.

Case Study 4 - the importance of good quality public housing and housing tenure

J's story

I came across ACSO when I was incarcerated in Port Phillip Prison. It was the last 7 months of my sentence, and while I was there, a worker came and gave a speech about how ACSO can help certain people. Now, to me that was just like a miracle because that's exactly what I needed, because my time was coming to be released, and I had nowhere to really go, so I was really worried about that.

Without their house McCormack House [ACSO's short term semi supported accommodation], I'm almost certain I would've reoffended just to have a roof over my head, and to have food. Because I had nothing, I just had one set of clothes on me, and that's it, nothing, no support in the community whatsoever, apart from ACSO.

So after about 3 weeks or so, I was transferred into another house with two other people. We were pretty glad to be there, but unfortunately drugs came into that house, and all of us started doing drugs in there. I was on injections at the time, and that particular medication had a really, really severe side effect for me and it gave me pain in my joints , especially my knees, 24/7 it would never go, not even at night I would have no rest whatsoever from it. So I never did Heroin but then someone offered it to me, and I tried it and the pain went instantly. So after 3 days in a row of using Heroin, I found myself addicted to it. So after a few months of being there I had to get out.

From there I got into a rooming house and ACSO workers kept seeing me. So after about 8 months there, ACSO put me in another lovely place. [an Office of Housing spot purchase] It was like a God given gift, it was the perfect thing for me, and I've lived there now for 10 years.

I suffer from a mental illness. It's treatable, and I've been in hospitals a couple of times since I've been released since '98. When you suffer with a mental illness like myself, you don't realise what you're doing or what you're saying- its like someone else is in control, you're not at the steering wheel sort of thing. So ACSO had to put up with me being unwell at times. I wasn't probably the nicest person in the world, but they were kind, and they took me to the hospital. I didn't want them to though. They always visited me, and when I came out ACSO was still there. And the flat was still there, and everything was maintained – yeah, that was my biggest worry. Also they linked me up with some courses – I did an art course and a leadlight course. It was for people like me with disabilities.

I am living life healthy and really well, I got engaged, and I've been working now for almost 3 years, a paid job. My job is great, though I can only do one shift because of my medication, but when I work they give me a free meal, any meal on the menu, they're like a family, really kind people, so I'm happy there. I've even managed to get an old car, and so I'm at a good spot in my life at the moment. I've been drug free since the year 2000. I just thank everyone for all the help, and some of the credit belongs maybe to God as well; I have a bit of strength in God as well, so that's helped me as well.

My main goal was to never reoffend, to prove that I wasn't a bad person..... and I will with all my strength make sure that that doesn't happen again.

I came here from a far country with nothing, but I've got everything now. I wish I never had my illness, it has been a burden. I never dreamt I'd have this disability. But despite everything that's happened I'm still here. When you're doing drugs, you forget that when you live life the right way, it has a natural high. You forget that you can feel happy for no reason at all.

Case Study 6. The importance of transitional housing for offenders

Mr. X is a 70 year old man who has recently completed a 16 year custodial sentence for murder. Mr. X is currently undertaking the intensive period of parole. Mr X. presents with significant transitional issues due to the period of time he was incarcerated. These are mainly housing & social issues Mr X has a lengthy criminal history, including several relatively short sentences prior to the most recent charge.

Mr. X presents with significant transitional issues. He appeared quite isolated within the prison and by his own words anti social. Prior to release, he expressed a desire to maintain this while in the community and not associate himself with any of his old acquaintances and those he has since met whilst incarcerated.

Mr.X had limited housing options upon release. 2 years into his 16year sentence, he separated from his wife and subsequently relinquished his property. Mr.X has 5 children, however did not think it in his best options to reside with any of them.

Mr.X presented with extreme anxiety about the prospect of living in a community that had progressed whilst he was incarcerated. He undertook a leave program whereby he left the prison on three occasions to visit his children in Melbourne. During these leaves, Mr.X explained that he felt so overwhelmed by the experience that he wanted to return to prison as soon as possible. Mr.X states that after these episodes, he returned to the prison and slept for a period exceeding 24hrs, due to the stress regarding many facets of the community. i.e. cultural, technological and aesthetic changes to Melbourne.

Mr.X was able to secure a single transitional property through the Link Out program prior to his release. Mr.X stated that this development eased many of his concerns about returning to the community. A transitional property has allowed Mr.X to maintain his independence and be in control of personal space and social reintegration. Mr.X was provided information/directions, whilst incarcerated on how to use electronics such as Automatic Teller Machines (ATM's) eftpos, mobile phones and the transport systems from the location of his transitional property to his parole office.

References

Australian Institute of Criminology (2008) Homelessness, drug use and offending. Crime Facts Info

Baldry, E et al (2006) Ex-prisoners, homelessness and the state in Australia. Australian and New Zealand Journal of Criminology. 39:1 April 01, 2006, pp 20-33

Cockram, 2005b; Simpson & Hogg, 2001b cited in Intellectual Disability in the Victorian Prison System Characteristics of prisoners with an intellectual disability released from prison in 2003-2006

Department of Justice (2003) Victorian Prisoner Health Study. Available at http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/resources/file/ebc9b4401a0575e/CACHE_DUVIE=d9c05caa39b37cc9731ddbda91e81ce1/Victorian_Prisoner_Health_Study_February_2003_Part1.pdf

Department of Justice (2009) Statistical Profile of the Victorian Prison System 2004-05 to 2008-09

Klimecki, Jenkinson and Wilson (1994) cited in Intellectual Disability in the Victorian Prison System Characteristics of prisoners with an intellectual disability released from prison in 2003-2006 Corrections Research Paper Series. Paper No. 02 September 2007

Ogloff, Lemphers, and Dwyer (2004) Dual diagnosis in an Australian forensic psychiatric hospital: Prevalence and Implications for Services, Behavioural Sciences and the Law, 22 (4): 543-562,

Mental Health and Drugs Division, Department of Human Services (2009) *Because Mental Health Matters*

United Nations Universal Declaration of Human Rights
<http://www0.un.org/en/documents/udhr/>