

# TRANSCRIPT

## LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

### **Inquiry into Homelessness in Victoria**

Melbourne—Thursday, 10 September 2020

*(via videoconference)*

#### **MEMBERS**

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Ms Wendy Lovell

Ms Tania Maxwell

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Dr Samantha Ratnam

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## WITNESS

Ms Kirsty Waller, Manager, Housing Justice.

**The CHAIR:** Welcome back, everyone. Thank you for joining us. As you are well aware, this is the Standing Committee on Legal and Social Issues public hearing for our Inquiry into Homelessness in Victoria. I am very pleased to be able to welcome Ms Kirsty Waller, the Manager of Housing Justice, who represents a large number of LGAs which she will be able to speak to in a minute.

Kirsty, I would like to introduce the committee. We have Rod Barton, Kaushaliya Vaghela, Wendy Lovell and Tania Maxwell, and I am Fiona Patten, the Chair. I have just got a little bit of formal information to provide to you. All evidence taken at this hearing is protected by parliamentary privilege, and that is provided by our *Constitution Act 1975* but also the standing orders of the Legislative Council. This means anything that you say to us today is protected by law, but if you were to repeat those comments outside you may not have the same protection. Any misleading information or false evidence could be considered a contempt of Parliament.

Now, we have a team transcribing behind us. Our Hansard is listening to your every word. You will be supplied with a transcript after this, and I encourage you to have a good look at it to make sure that we have not misrepresented you in any way, because ultimately it will go onto our website and of course will form part of the committee's report.

If you would like to make some opening remarks, Kirsty, and then we will open it up to a committee discussion. Thank you.

**Ms WALLER:** Thank you, Chair, and thank you, members. I would just like to start off by acknowledging that I am privileged to be able to attend this inquiry into homelessness today. I am delivering my message to you from Dja Dja Wurrung land and pay my respects to all Indigenous Australians and elders past, present and emerging.

My name is Kirsty Waller, and I am Manager of Housing Justice. It is a program of ARC Justice, which is based in Bendigo in central Victoria. ARC Justice is a community service organisation that encompasses Housing Justice and two community legal centres which are based in Bendigo and Shepparton also. The Housing Justice program supports and advocates for tenants in both public and private rental homes. Although we do not work directly with people experiencing homelessness, we work very hard to help our clients sustain their tenancies. Homelessness prevention is the core of our work.

With a small team of three very dedicated part-time housing advocates who support tenants throughout the Loddon Campaspe region, last financial year we advocated for 330 individuals and families. And through our phone service that we provide we were able to offer tenancy information to 439 people last financial year. Since March and the COVID pandemic hit we have seen an increase in inquiries, and we have helped 272 people so far with just tenancy information around COVID. We are currently funded to deliver both Tenancy Plus and the tenancy assistance and advocacy program, which I will refer to as TAAP, and those programs are separately funded through the Department of Health and Human Services and Department of Justice and Community Safety.

Today I just want to be commenting on both of those programs and the service models—what is working well and some of the broader opportunities I see to achieve more sustainable outcomes for tenants at risk of homelessness in our community. In particular I would like to highlight three points: one, the need to move away from output-based funding models for tenancy support to a greater focus on tenants' outcomes; two, the critical importance of investing in more public housing alongside other models of affordable community housing in order to meet diverse housing needs in our community; and three, the need to address the inherent power imbalance between rental providers, landlords and vulnerable tenants.

I will start with my first point. Through our Tenancy Plus service we assist some of the most vulnerable members of the community. Most of our clients have suffered horrendous trauma and hardship throughout their lives and are struggling with long-term mental health issues, alcohol and other drug addictions associated with this. These clients typically have no family support and struggle with basic life skills due to their complex health and social issues; 98 per cent of those rely on government assistance. These people we see—they are not

just going through a rough patch; they are dealing with lifelong issues. Tenancy Plus provides that critical support to those people, but the current funding model limits us to 40 hours assistance to work with clients. Forty hours just cannot fix a lifetime of trauma or addiction. Longer term support from our services often comes with strict eligibility criteria that hinders access for the people who need it most—people who require support services in their life in order to survive. Funding models for tenancy support services need to be more flexible, otherwise we will continue to see the same highly vulnerable members of our community coming back through our doors each year at continuous risk of homelessness due to the same unaddressed issues that prevent them from sustaining their tenancies and thriving in our community.

I have 13 years of experience within the housing and homelessness sector, and what I would like to see is funding bodies moving away from measuring the effectiveness of a program by output targets—the number of clients in and out the door and time spent with the person or family. We need to move to an outcome-based performance model. Limitations on time spent are not reflective of the complexities of people's lives and the issues impacting their ability to stay in those tenancies.

Point number two—I will try to make this quick. Sorry, guys. The second point I would like to make today is around appropriate housing options to meet the diverse needs of individuals and families in our community. Through our Tenancy Plus service we have a great relationship with the local department here, and we are able to have some really great outcomes with people. Public housing is one of the most secure and supported housing options for all of the most vulnerable individuals and families in our community. Community and affordable housing are also a critical part of this mix, but community housing may not be suitable for everyone and affordable housing is in short supply and not accessible to all. We need further investment in public housing alongside community and affordable housing options in order to meet the needs of people in our community with different levels of vulnerability, support needs and personal and financial capacity.

With community housing, they rely on their rental income, so if we receive a referral for a tenant in community housing who is experiencing difficulties and is at risk of losing their tenancy, the level of flexibility in negotiation is not always as high as it would be with the department. And it is not the fault of community housing—they play a critical role in the social housing mix—but this model is more suitable for tenants who are working, albeit on a low income, and have the capacity to afford up to 30 per cent of their income on rent. The department policies and rental management standards that also enable it to factor in and make allowances for tenants with more complex health and social needs and to absorb additional costs that can go along with this. So, for example, the ability to absorb a \$15 000 bill to replace plaster sheeting—this is just an example I will give you—in the property of a tenant who has an ice addiction, extreme paranoia and psychosis. They thought the house was bugged and there were people in the walls watching and listening to them. This tenant was so unwell that they ripped the plaster off the walls trying to work out where these noises were coming from. So the department has the ability to pay for that up-front, which does not negate responsibilities for a tenant under the Act; it simply is just a safeguard for our most vulnerable people who do not have the ability to function in that private sector. I am a big believer that the increased investment in public housing for the most vulnerable members of our communities is key to getting the balance of housing options right, particularly for the most vulnerable individuals and families in our community with complex needs.

Now, point 3—I am just going to quickly go over this one; it is about people renting in the private market. I touched earlier on the TAAP service that Housing Justice is funded to deliver. This program allows tenants who are vulnerable in some respect and are low-income earners to access our advocacy service and walk with them through the daunting process of VCAT that may ultimately be the decider as to whether that tenant can remain in their rental home or not. The power imbalance between vulnerable tenants and the rental provider—which is the landlord or the real estate agent—just cannot be denied. And if you are a tenant who is not aware of your rights under the act, you can find yourself with nowhere to live and no prospects of finding a rental property. Our housing advocates are highly skilled in the legislation that is there to protect not only the rental provider but the tenant as well.

Limitations on the TAAP program: lack of access to brokerage so limiting the program's access to much-needed funds to negotiate a payment plan in time to mitigate the loss for the rental provider and, more importantly, secure tenure for the tenant. There is funding available that can be accessed that quite often will have people presenting at our agency the day before the hearing, and you cannot always access money within a 24-hour period. So having access to brokerage will really secure that and strengthen our service.

I will conclude now, because I am aware that we have got very limited time and I could quite easily talk all day about homelessness prevention. But I will finish with this: preventing homelessness requires long-term advocacy and support services—voluntary programs such as TAAP and Tenancy Plus, which I discussed today, together with other programs such as mental health, alcohol and other drugs, family violence and sexual and physical assault services. The most vulnerable people in our community rely on ongoing support for these vital services. The majority of our clients do not have access to the support that you and I are fortunate enough to have. This is why I believe long-term support and investment in public housing is critical.

**The CHAIR:** Well done, Kirsty. You got through a lot in a short period of time. Excellent. Thank you for that, and I think what we know—and we actually met with the Department of Health and Human Services yesterday—is that prevention is the key. If you provide services to someone who is already in a home, you have a much greater chance of success in keeping them housed than you do when they actually are homeless.

But I just wanted to explore greater access to brokerage. You are not the first person to raise this with us and with me personally. How do you think it would look for an organisation like yours to be able to access that quick brokerage, because, I think, you are absolutely right—the day before VCAT; if you could avoid VCAT just by sorting something out, that would work. So could you speak about what that looks like practically?

**Ms WALLER:** Absolutely. And not only avoiding VCAT, because quite often they will like to have that order in place, and they will adjourn it off for two or three months. In order to access money we would have to ask for an adjournment, you know, for 24 hours with them, and so it would be unlogging the system, and we are also ensuring that we can access that money immediately, because it is not always guaranteed either depending on the amounts that you would need.

**The CHAIR:** So would you expect your agency to have that or would you be able to set up a relationship or a partnership with another agency that would make that brokerage more accessible to you and your clients?

**Ms WALLER:** Well, you know, ultimately it would be great for it to sit with us. We do have a wonderful relationship with Haven; Home, Safe. They hold the PRAP program, which is a fantastic initiative, and I support that wholly. So because of where we live it is great; we can just pick up the phone, you know, ‘I have got this hearing’. So we can do it but it is not always a smooth transaction because of the availability of people.

**The CHAIR:** Sure. Thanks, Kirsty. I will move to Tania.

**Ms MAXWELL:** Thanks, Chair. Thanks, Kirsty. Just very quickly, with the TAAP funding and the budget I would imagine that somebody in your position, Kirsty, no matter how much money you had, you could spend it. It can be very difficult to draw that line in a budget of how much is actually required. How would you see that working? Would you apply for brokerage for a year? What would be the process so that you can guarantee you have that money?

**Ms WALLER:** I would like to see that built into the agreement. It would not cost a lot. I can tell you that you would only be wanting about \$30 000 a year for our program to secure people’s tenancies.

**Ms MAXWELL:** Okay.

**Ms WALLER:** And the benefit of having that would be that if you approach another agency, you could match the same costs and share that load. There are really only three options in Bendigo where you can go to get money for tenants. They are small agencies and they are struggling too, so just to share that burden.

**Ms MAXWELL:** Thank you.

**The CHAIR:** Yes, thank you. Kaushaliya.

**Ms VAGHELA:** Thank you for your presentation today. In terms of homelessness, there is intersection with other issues which lead to homelessness, whether it is family violence, drug and alcohol or mental illness. You mentioned that people do not become homeless overnight; sometimes it takes some time. What I would like to know is: are there any particular cohorts which are more at risk of becoming homeless, because if we are able to find that and if we are able to put preventative measures in place, then we would not see many people becoming homeless.

**Ms WALLER:** I love that question—thank you. Again, I could talk about that for hours. Look, before COVID we were seeing an increase in women over 55—not quite in that bracket to hit the pension. So they are on a Newstart allowance, and they cannot access affordable housing. They are living with their daughters and their children in a one-bedroom unit. It is just not sustainable for them—for anyone on a low income, so on a Newstart allowance—which we all know is going to hit hard come early next year. I am sure I am not the only one who has said ‘Anyone on a low income’.

Mental health too is a big one, because the Act does not allow for concessions for that. That is a tricky one, particularly with people in the private rental market as opposed to public housing, where there is a little bit more leeway and a little bit more work we can do with people before they actually get to homelessness, if they do. Does that answer your question?

**Ms VAGHELA:** Yes, it does. I wanted to know whether it is youth or elderly people or women or people from CALD backgrounds or people from an Aboriginal background. That is exactly what I wanted to know.

**Ms WALLER:** I would say women, most definitely.

**Ms VAGHELA:** Yes.

**Ms WALLER:** About 75 per cent of our clients are women.

**The CHAIR:** Right. Wow. Thank you. Rod?

**Mr BARTON:** I think I have got enough answers. I will let someone else ask another question, but great work. Keep it up.

**The CHAIR:** Thank you. Wendy.

**Ms LOVELL:** Thanks very much, and thanks very much for your presentation, Kirsty—very good. I was really interested to hear you say about funding for outcome rather than output. I actually call it funding for outcome rather than throughput, because we see people just going through that revolving door of coming into the service, going out the back door and coming back in the front door all the time. The problem with funding everyone for outcome of course is: where does that bucket of money come from? So I am just wondering—obviously there are not endless buckets of money—how you would feel if funding for outcome meant working with a smaller cohort of people more intensely but actually getting the outcomes that mean they do not come back into the system. So ultimately we will catch up, but in the initial stages you might not be servicing as many people as we currently service.

**Ms WALLER:** Yes. With the current model with Tenancy Plus, there are two components to that. So you have got your advocacy work, which is 10 hours, and you have got your support side of things. You could filter the people who are at most need through the advocacy and get that work done in that 10 hours, easy, and with a great outcome of course, and then you would concentrate more on the people that need the support the most. But it would have to come out of there and go into another section.

**Ms LOVELL:** Also, when we took—sorry, go ahead; I did not realise you had not finished.

**Ms WALLER:** I think it is important that you do need to have a target as such just in the back, but in our sector it seems to be quite a hindrance to the work we do. It is, ‘Oh, we’ve got to make the target; we can’t do any more of that, because we’ve exceeded time’, so I think that pressure needs to be lifted.

**Ms LOVELL:** Absolutely. I live in Shepparton, and we have become the panacea for all sorts of welfare agencies, because we have every touchpoint. We have low socio-economic, we have Indigenous, we have new settlers and we have two streets in Shepparton that are virtually just full of every agency. But one of the problems we find a little bit, because of this throughput and their funding being dependent on their outputs rather than their outcomes, is we get this corralling of people and, ‘These are our clients, and that’s our funding source’. It is almost a perverse sort of outcome from it because they do not really want to find an outcome, because that is their funding source. Sorry, I should not say they do not want to, but the incentive is not there to actually produce outcomes, because that is your funding source. But also it does not encourage collaboration and work between agencies to holistically deal with a client’s issues. I think if we are going to move to an

outcome funding base, we probably need to go through recommissioning, and I am wondering how you feel about the recommissioning of homelessness services.

**Ms WALLER:** That is a great big question to have. I think I would have to say I would be supporting that. You have got a lot of programs that are just programs, the same organisation for years and years and years and years—not saying that there is not great work coming out of those agencies. But to open it up to the sector and make it available for others to have a go, put their hat in the ring and put the tender in, I would support that.

**Ms LOVELL:** Good. Thank you very much.

**The CHAIR:** Thanks very much, Kirsty. Can I just touch on a point you were making to Kaushaliya around mental health?

**Ms WALLER:** Yes.

**The CHAIR:** I did not quite catch what you said, but somehow mental health was not one of the elements that was captured in assistance programs. Was that right?

**Ms WALLER:** My point was that, within public housing, people with high levels of mental illness and causing damage would not be tolerated in the affordable housing, community housing private market. I was just trying to make that distinction.

**The CHAIR:** Got you. Thank you. Thank you so much, Kirsty. You smashed it in a really short period of time, and I think we all got a lot out of that. That was a very dense session, so I very much appreciate it.

**Ms WALLER:** Glad I did the morning, then, and not the afternoon!

**The CHAIR:** Yes, exactly. We are still relatively pumped on our morning coffees, as you may be too. Thank you, everyone. Kirsty, thanks for your session today and thank you for the work that you are doing, and I think you have given us actually some really nice solutions and ideas of ways that we can improve the system, particularly for some of the regional areas. So thanks again. Thanks to the committee. We are going to take a quick 15-minute break, and we will be back at 11.30.

**Witness withdrew.**