

Safe as Houses



SAFE as **HOUSES**

FIRST EVALUATION SNAPSHOT - SEPTEMBER 2018

PREVENTING HOMELESSNESS FOR WOMEN AND CHILDREN AFFECTED BY FAMILY AND DOMESTIC VIOLENCE

Safe as Houses is a partnership between three WA community legal centres – Tenancy WA as lead agency, Women’s Law Centre of WA and Street Law Centre WA. The partnership was formalised as SASH and commenced operating in March 2017.

SASH offers a statewide wrap around service for women experiencing family and domestic violence (FDV) and who are homeless or at risk of homelessness, this approach is unique in WA.

Tenancy WA provides legal advice and representation on tenancy disputes including evictions cases, negotiations to end a tenancy and resolve liability and support to establish new tenancies; Women’s Law Centre focuses on family law, child protection through the Family Court and Children’s Court, compensation for criminal injuries related to FDV and Family Violence Restraining Orders; Street Law Centre WA provides legal advice and representation on many legal issues, including, fines and infringements, accessing identity documents, early release superannuation, credit and debit issues and Magistrate Court criminal matters.

Each agency brings their own particular area of expertise to the table, strengthening the partnership. By providing a support worker who uses a case-management approach, SASH is providing a more efficient, holistic and ultimately more effective way to resolve the complex tangle of legal issues FDV creates.

SOME KEY FINDINGS

- SASH HAS ASSISTED 115 CLIENTS
- 61 CLIENTS HAVE RECEIVED INTENSIVE CASE MANAGEMENT TO REMAIN IN SAFE HOUSING



CLIENT DEMOGRAPHICS

- AVERAGE AGE OF CLIENTS IS 39 YEARS
- CLIENTS RANGE IN AGES OF 14 – 67
- 68% OF CLIENTS HAVE DEPENDENT CHILDREN
- 69 CLIENTS WITH 176 CHILDREN



- 26% OF CLIENTS ARE ABORIGINAL OR TORRES STRAIT ISLANDER
- 21% ARE OF A CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUND



97 CLIENTS HAVE SERIOUS FINANCIAL ISSUES

An independent evaluation is being conducted by a team from the School of Population and Global Health at The University of Western Australia to assess the outcomes and effectiveness of the program, with the final report due in March 2019.



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LEGAL ISSUES



Safe as Houses accepts referrals from support services and agencies that identify women and children who meet the SASH criteria for assistance. SASH operates an outreach clinic at Women's Health and Family Services, and has direct specialist intake from the King Edward Memorial Hospital social work team.

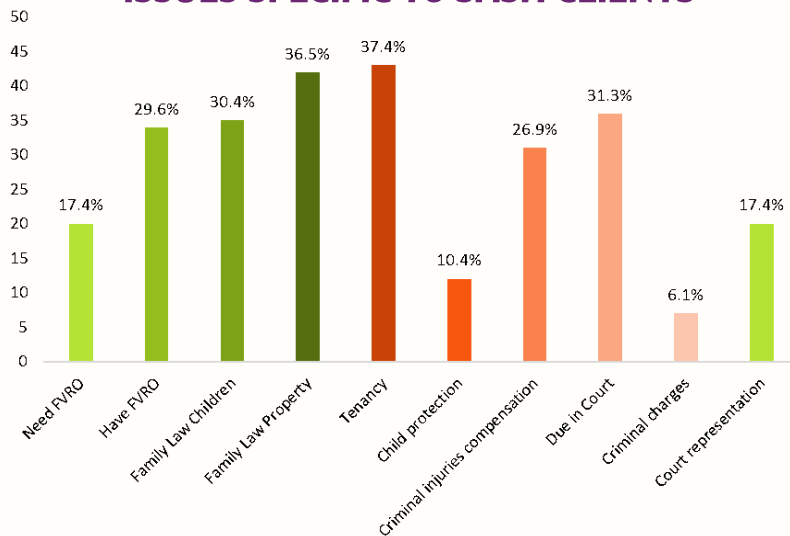
By resolving their complex legal, social and practical issues, homelessness may be avoided.

Stable, secure housing, coupled with appropriate legal protections, can provide a degree of safety for women and children affected by FDV.

30 clients were assisted with court representation

Up to 842 hours spent preparing and supporting clients in court

ISSUES SPECIFIC TO SASH CLIENTS



Case study 1 - Background

Jane has two children and co-owned a property with her controlling ex-partner. The police were called after a violent altercation and arrested and charged Jane for property damage and threatening her ex-partner. She was forced to stay away from the property, leaving her children. Jane initially presented to SASH with pending criminal charges and bail conditions, other issues included the property of the relationship, mortgage payments, responding to the FVRO, being a victim of sexual assault, homelessness, children's matters, Centrelink payments and Child Support being claimed against Jane.

Legal assistance provided through SASH

Street Law assisted Jane by providing preliminary advice regarding her criminal charges. They secured a grant of legal aid for a Barrister to represent Jane in court to defend the charges. Jane had one charge discontinued and the other charge was recorded as a spent conviction. Women's Law provided advice to Jane relating to the mortgage, her outstanding financial matters, spousal maintenance entitlements and child support. Women's Law also provided legal advice relating to the children and assisted Jane in negotiating custody arrangements.

Non-Legal assistance provided through SASH

SASH assisted with a FDV risk assessment and safety planning. The SASH Case worker was able to source clothing, household items and a safe smart phone, as well as providing referrals to services that would assist with Centrelink payment issues. They worked with WA Police to give Jane advice around reporting the sexual assault and linked her with counselling providers.

When Jane was thrown out of her family home by an abusive partner, she did not know what to do. The police sided with her partner and Jane faced separation from her son and daughter for the first time in their young lives. "I literally had nowhere to go and it was a lady at the police station who put me in touch with Karen (from SASH), she came around and helped me so much to organise my life. I was down. I was as down as I could get. I had no idea what to do - no clothes, food, money, no nothing." One year on, Jane is back in her home with her children, minus her former partner, and runs her own business.

"I didn't know these services were available, I thought I was pretty much on my own. I saw the light at the end of the tunnel through these ladies. They're a godsend."

- A SASH client, reported in The Weekend West - 14/07/2018

39.8% OF ALL HOMELESSNESS IN WA IS DUE TO FAMILY AND DOMESTIC VIOLENCE*

*Australian Institute of Health and Welfare. Specialist Homelessness Services Annual Report 2016-17. Australian Institute of Health and Welfare, 2017.

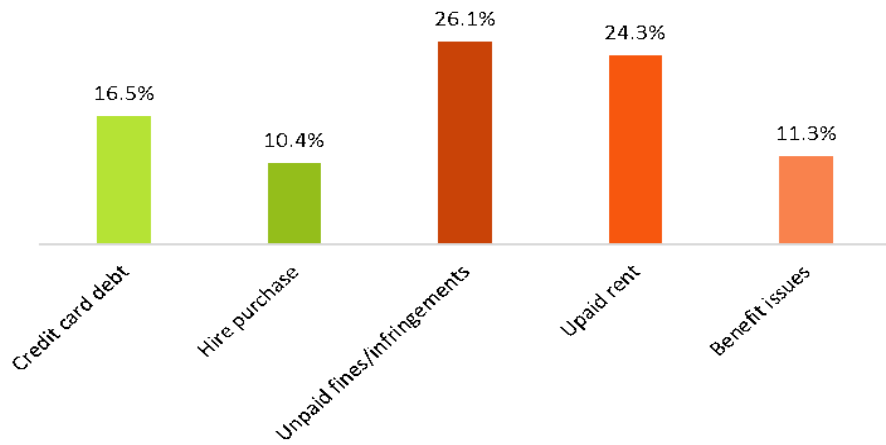


FINANCIAL ISSUES



Exposure to physical, emotional and/or psychological violence is associated with the inter-generational transmission of poverty.* Family and domestic violence also creates complex economic issues for women and their children, and many experience financial risk or poverty as a result. FDV affects women's financial security in key areas of life: debts, bills, and banking, accommodation, legal issues, health, transport, migration, employment, social security and child support.**

SIGNIFICANT FINANCIAL ISSUES FOR SASH CLIENTS



CASE STUDY 2 -Background

Wendy had five children with her physically, financially and emotionally violent ex-husband. During their 20+ year marriage they purchased a shared equity home. After he left the marriage, he stopped making contributions to the mortgage, resulting in a default. Wendy supported herself and her children financially, complicated by her youngest child suffering an serious medical condition. Wendy initially presented to SASH with a second default notice from Keystart. Additional issues identified were a Telstra account debt, child support not being paid, regular breaches of a Family Violence Restraining Order by her ex-husband and ongoing divorce and property settlement issues.

Legal assistance provided through SASH

Street Law assisted Wendy with negotiations with Keystart to prevent legal action being taken in relation to the house. Unfortunately refinancing and transferral of the deed was not an option so Women's Law continued the negotiations with Keystart to assist Wendy to voluntarily surrender the property to minimise further liability. Women's Law also assisted in successfully applying for divorce and initiated Family Court proceedings on the outstanding financial matters. Further advice was given to Wendy regarding breaches of the FVRO and child support arrears.

Non legal assistance provided through SASH

The SASH Caseworker assisted Wendy with referrals to transitional accommodation providers, and provided food, school uniforms and support letters for Housing Authority Priority Assistance. They advocated regarding the Telstra debt and provided referrals for assistance with furniture. Support from SASH assisted Wendy in securing a house from the Housing Authority.

Family and Domestic Violence is a lead cause of homelessness for women in WA.* The annual cost to the community of rough sleeping has been estimated as exceeding \$25,000 p/person******

The SASH program provides legal services as well as case management to assist clients at an average annual cost of **\$3000 p/client**

"Money spent on programs aimed at reducing homelessness and the problems often associated with homelessness, like mental illness, substance abuse and domestic violence, is much more likely to reduce crime and make our community safer than the vast amounts of money we are spending on police, courts and prisons." - The Honourable Wayne Martin AC

*Spinney A, 2012. Home and safe? Policy and practice innovations to prevent women and children who have experienced domestic and family violence from becoming homeless. Final report no. 196. Melbourne: Australian Housing and Urban Research Institute.

**Dunkley, A, and Phillips, J. Domestic Violence in Australia: A Quick Guide to the Issues. Research Paper Series, 2014-15: Department of Parliamentary Services, Parliament of Australia, 2015.

***Australian Institute of Health and Welfare 2018. Family, domestic and sexual violence in Australia 2018. Cat. no. FDV 2. Canberra: AIHW.

***Witte, E. The Case for Investing in Last Resort Housing. MSSSI Issues Paper No. 10. The University of Melbourne: Melbourne Sustainable Society Institute, 2017.

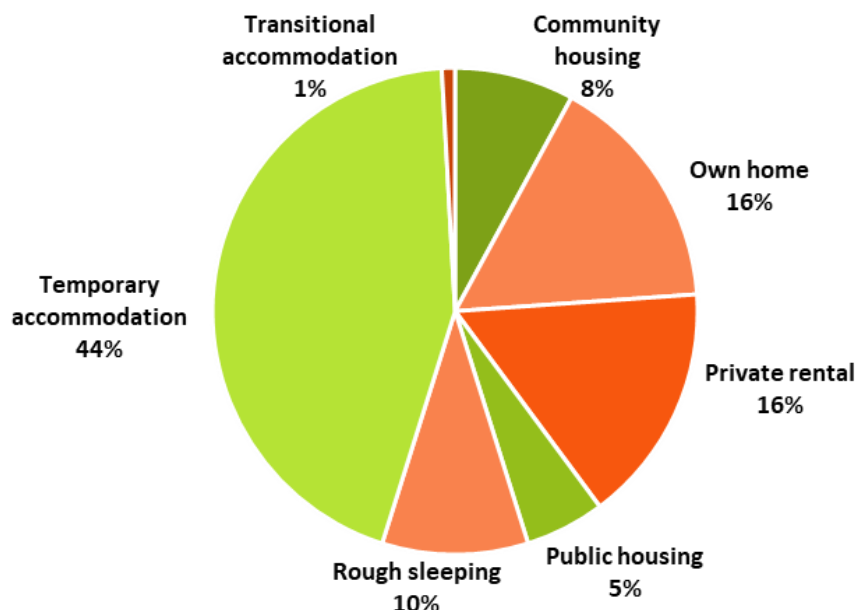


HOUSING ISSUES



In Australia, domestic violence is the main reason that women and children leave home and is the most common reason for seeking support from specialist homelessness services.* Homelessness profoundly affects health (mental and physical) and education and employment opportunities. For people who have been homeless and impacted by FDV, sustaining tenancies can be an ongoing challenge. All SASH clients are either homeless or at risk of homelessness. 55% are homeless coming into the program (10% sleeping rough on the streets, and 44% in temporary accommodation), and 45% are at serious risk of homelessness, unable to afford their current housing, and many are facing Court applications for eviction.

HOUSING STATUS OF SASH CLIENTS



When Mary and her two teenage sons faced eviction, she was depressed and suicidal. SASH helped Mary escape an environment of drugs and alcohol and she is now set up with her children in a new home and contemplating the prospect of a future working with disabled people. "No one else would go out of their way to help me", she said. "I rang a lot of places but they couldn't help me."

Without help she is blunt about her future. "I'd probably be in a mental ward." she said.

- A SASH client, reported in *The Weekend West* - 14/07/2018

Case Study 3 – Background

Kate had two children and co-owned two properties with her ex-husband who perpetrated family violence against her during their 10+ year marriage. Kate called for Police assistance after an assault by her ex-husband. He spat on her and dragged her by the hair through the home. The Police did not charge him but issued a 24 hour Police Order to leave the property. Three days later the Police were called again, which resulted in Kate being charged with common assault. The Police identified Kate as "difficult" and "angry" after a discussion with her ex-husband. Kate was not properly identified as a victim of FDV and was not provided appropriate victim support. Her ex-husband obtained a Family Violence Restraining Order against Kate, forcing her to leave her home and children. After her ex-husband varied the FVRO to exclude her from their second property she became homeless and sought advice from SASH.

Legal assistance provided through SASH

Street Law assisted Kate in obtaining disclosure from the Police regarding the criminal charge and proceeded with a merits assessment of the charge. This analysis supported the view that there was insufficient evidence, resulting in the matter being discontinued without proceeding to Trial. Street Law also assisted Kate in making a Freedom of Information application to support a potential criminal injuries compensation claim due to the long term family violence she had suffered. Women's Law assisted Kate with advice on her options to recover the care of her children, property and financial matters and legal advice regarding the FVRO.

**20.8%
of SASH
clients
have
mortgage
issues**

*Spinney A, 2012. Home and safe? Policy and practice innovations to prevent women and children who have experienced domestic and family violence from becoming homeless. Final report no. 196. Melbourne: Australian Housing and Urban Research Institute.

**Australian Institute of Health and Welfare. Specialist Homelessness Services Annual Report 2016–17. Australian Institute of Health and Welfare, 2017.



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