

Inquiry into Homelessness in Victoria

Ms Tricia Ciampa

Organisation Name: Women and Mentoring

Your position or role: Executive Officer

SURVEY QUESTIONS

Drag the statements below to reorder them. In order of priority, please rank the themes you believe are most important for this inquiry into homelessness to consider::

Family violence, Mental health, Rough sleeping, Public housing, Services, Indigenous people, Housing affordability, Employment

What best describes your interest in our Inquiry? (select all that apply) :

Other (please describe)

working with criminalised women who experience a range of psycho-social issues

Are there any additional themes we should consider?

women exiting prison and having limited opportunities; women being misidentified as perpetrators of violence, breaching a FVIO and being removed from the home

YOUR SUBMISSION

Submission:

Do you have any additional comments or suggestions?:

FILE ATTACHMENTS

File1: [5e16685e278cb-Women and Mentoring - Inquiry into homelessness submission Final Draft.docx](#)

File2:

File3:

Signature:

T. Ciampa

Women and Mentoring – Inquiry into Homelessness Submission 2019

Executive Summary

At the Women and Mentoring (WAM) program, we are privileged to work with women who, despite facing significant challenges through their criminalisation, work hard to keep their children safe, healthy and happy, and try to actively make connections and take part in their community.

This submission refers to the items raised by terms of reference 2 and 3 within the Inquiry into Homelessness in Victoria, currently undertaken by the Legal and Social Issues committee of the Victorian State government. These terms require the committee to:

2. investigate the many social, economic and policy factors that impact on homelessness; and
3. identify policies and practices from all levels of government that have a bearing on delivering services to the homeless.

This submission is authorised by WAM Executive Officer – Tricia Ciampa



Submission

Based on our qualitative and quantitative data collection, we submit that to reduce the rising level of women that are criminalised through homelessness, and as victims of family violence, the committee should consider:

- Providing more housing that is affordable, adequate and comes with a secure tenure, for women to be part of a community, raise their children and access employment. Specifically, women's housing initiatives such as the Women's Property Initiative, women's housing, Launch housing and McAuley House specifically work with women who have experienced family violence, mental health, homelessness and substance issues. Investment in these services offers a specialist approach to housing solutions which is necessary for people that have and are processing complex trauma.
- More equitable tenancy laws to strengthen oversight and complaints system to mitigate competitive conditions that are created by the private rental market that vulnerable women are disadvantaged by.
- Recommending to the Commonwealth government that the rate of Newstart is raised to make it level with the rise in living costs. Given that a large proportion of women are single mothers, they often rely on this payment to pay rent, feed themselves and their children, and access services and resources to address any specialist needs.
- Reviewing the current bail laws that have been pivotal in the rise in numbers of women on remand within the justice system, their housing loss and their potential to re-enter the prison system.
- Inquiring further into the processes and protocols of police and other integrated services that are the first respondents to family violence. In particular, the process for appeal by women that believe they have been misidentified as perpetrators should be improved.
- The triage of family violence responses, particularly the involvement of Social Workers or other highly specialised independent practitioners who can sufficiently assess family violence.
- The work being undertaken by the Federation for Community Legal Centres, and elsewhere in the world, that highlights the lack of worth in short term prison sentences.
- Providing early intervention models that respond to gendered experiences of criminalisation and homelessness and work with women and their children in ways to minimise the potential of intergenerational trauma and the poverty that comes with it.
- Investing across services in accessible training that provides an understanding of trauma informed practice.
- Ensuring that staff working with people experiencing complex social issues such as homelessness and family violence are highly trained, specialised and paid accordingly. Raise the profile and value of such care work.
- Developing policies to encourage service practice that destigmatises women who may be sole carers, in the justice system, substance users, mentally unwell, gamblers, poor, disabled and/or living with learning difficulties.

The criminalisation of women experiencing family violence and homelessness

Many people who become homeless have experienced serious disadvantage throughout their lives, including long-term unemployment, poor education, violence, mental health issues, disability and substance misuse (Launch, 2019).

Women living in conditions of poverty and homelessness have significant interactions with the police and the criminal justice system. It is recognised that homelessness is one of the most significant issues precipitating imprisonment and reimprisonment for women. The causes of homelessness include:

- severe financial hardship and lack of access to adequate income support
- unemployment
- lack of affordable housing
- family violence
- mental illness, and
- lack of access to health care and substance use.

Those placed in social housing are also more vulnerable to eviction because social landlords more frequently use family violence as a reason to evict, both the victim and the perpetrator (The Guardian, 2019).

Launch Housing (2019) suggests that family violence is the primary issue that leads women and their children into homelessness. Current statistics state that 35 per cent of homelessness in Victoria is a result of family violence (CHP, 2019), with 46 per cent of those experiencing homelessness as a result of family violence being women.

A national study conducted in 2012 showed that half of the female prison population were homeless before being imprisoned. For women, the trauma accumulated from violence and homelessness means they are much more likely to have substance use issues, often to mitigate the trauma, or who have mental health conditions because of it (Gleeson & Baird - ABC, 2018).

The Australian Institute of Criminology reports that 84 per cent of women in the criminal justice system have experienced 'sexual, physical or emotional abuse with the majority experiencing multiple forms of abuse' (2004). The Victorian Ombudsman further reports the higher level of mental health and substance abuse issues that women present with in the criminal justice system, and that a high proportion of women are sole carers of children (2015).

Definition of homelessness

The Australian Bureau of Statistics defines homelessness as:

- Marginally housed: people in housing situations close to the minimum standard;
- Tertiary homelessness: people living in single rooms in private boarding houses without their own bathroom, kitchen or security of tenure;
- Secondary homelessness: people moving between various forms of temporary shelter including friends, emergency accommodation, youth refuges, hostels and boarding houses;
- Primary homelessness: people without conventional accommodation (living in the streets, in deserted buildings, improvised dwellings, under bridges, in parks, etc).

There is a strong history of homelessness amongst the participants on the WAM program. Participants largely constitute those within the categories of insecure, inadequate or secondary forms of homelessness. This coincides with early family lives that present complex issues of violence, trauma, removal from the family home as children or adolescents, substance use and mental health conditions. The data collected from participants suggests that poverty has stayed with them over the course of their life. Specialised service provision and social reforms may have remedied this if intervention was provided within the early stages of their lives.

Contextualisation of the participants on the WAM program

For women participating in the WAM program, their contact with the justice system reflects the significant challenges they have faced as children and in their adult life. The women on the WAM program are victims of intimate partner and family violence, with higher rates of mental health and substance abuse issues, that are often interrelated and causal of their offending.

Currently there are 25 matched mentoring pairs on the program in the metropolitan Melbourne area. This covers six court jurisdictions: Sunshine, Melbourne, Heidelberg, Frankston, Broadmeadows and the Neighbourhood Justice Centre (Collingwood). Of these participants 96 per cent have experienced significant family violence as children, and again within intimate partner relationships. This coincides with a mirrored rate of mental health presentation, and a high level of substance use, often documented as a 'self-medicating' approach to mitigate the cumulative experience of trauma. 94 per cent of these women are also homeless, through inadequate housing, insecure housing or with no housing at all.

Children are consequentially being removed from participants because of their interaction with the justice system. Children subsequently being prohibited from reconnecting with their mother because she has been unable to secure adequate housing is also a common theme amongst participants on the WAM program. These statistics reflect nationwide trends of women and the 'justice' issues that arise when social issues are dealt with as criminal matters.

Recent intake and assessment of women on the WAM program indicates a rising trend of women being referred with charges of breaching family violence orders. Similarly, Women's Legal Service have already indicated this as an issue, with 57% of women in a five-month period being misidentified as perpetrators of violence (2018). In discussion with these women, it is evident that women's interaction with the criminal justice system in these situations is often a result of their misidentification as a perpetrator of family violence, when seeking a justice response. Homelessness often results when the perpetrator of the violence remains in the family home with the children, whilst the woman is incarcerated or remanded. Upon release, or after the incident, the woman is left to find housing with limited resources (due to the broader discrimination of women as carers relying on inadequate welfare or in low paid employment). Women in these situations are often traumatised by the separation from their children.

Participants on the WAM program often speak about the experience of a system that places children in the care of the violent partner, who can use the increased power given to him by the justice system to inflict further psychological and emotional abuse, as similar to the violence that is inflicted within the home. Women are then marked with a criminal record that can affect her future volunteer and employment opportunities, as well as the potential to gain suitable housing for herself and her children. These issues sit alongside the requirements that the court or child protective services place upon women.

The stigmatisation that comes from such experiences creates shame and vulnerability. One woman on the WAM program recently spoke of having to negotiate unreasonable contracts with landlords in her desperation to secure housing. A private landlord required that she provide one year's rent in advance to secure her property. As the property was in her child's

school zone, and she was desperately trying to be reunited with her children after being misidentified as the primary aggressor of family violence, she agreed. These conditions, however, compromise her financially and minimise her security as a tenant if conflict arises during her tenure. It is also an extra condition that other renters in the community are not compromised by in an already and increasingly competitive rental market. Another participant on the WAM program was evicted when the landlord discovered she had a criminal record. She had three children at the time.

Such conditions can significantly limit the potential for the woman to move on, work in the legal economy and take part as an active citizen in her community. The ability to find employment when homeless is far more difficult. The insecurity, or lack of feeling safe in the housing that women on the WAM program reside in, consumes so much of their emotional energy that they often do not have the capacity to even consider employment, especially given that they are often also managing their mental health and substance use issues.

Several participants on the WAM program also have reported feeling constantly harassed by neighbours and feeling unsafe. One participant on the WAM program described her situation in living in a high-density dwelling, where a neighbour was constantly harassing her to use heroin. Given that substance use was an issue for her, she felt if she had not had the support from her mentor to advocate strongly to find more appropriate and safe accommodation, she would have become a 'full blown heroin addict'. Past participants have also described feeling deeply unsafe in high density dwellings, where women are preyed upon by men, given their known vulnerability.

Furthermore, living life publicly as a homeless person blends what is often separated, the private and public spheres of people's lives. What can be legally enjoyed in the private cannot be enjoyed by those that are forced to live in public spaces, which again heightens the risk of contact with the law. For women on the WAM program there are so many intersections along their journey with the justice system that can potentially drive them into further criminalisation.

Lastly, although women's representation within the justice system is on the rise, they are still a minority within justice statistics, and are often forgotten in criminal justice policy planning, service design and delivery. A review into Victoria's bail system by the Law Institute of Victoria speaks to the unprecedented rate of the rising prison population that affects marginalised cohorts disproportionately (LIV, 2017). The review considers the effects of bail reforms that have increased the courts' powers to remand. In the past five years, women's representation in the justice system has risen by 50 per cent. Women are significantly overrepresented in remand statistics, with two thirds of women who are remanded being subsequently released and not having to serve further prison sentences (The Age, 2019). The Law Institute of Victoria largely attributes these outcomes to risk-adverse bail reforms. These reforms aim to reduce the risk of those profiled as highly violent male offenders. Yet they also capture women who often present as victims of crime, with issues in need of social and health solutions rather than criminal justice responses (LIV, 2017).

Remanded prisoners are also restricted in accessing the opportunities afforded to sentenced prisoners. They lack access to services, such as education, employment, behaviour change programs, housing support and transition and other rehabilitative services that contribute to their rehabilitation (LIV, 2017). Given that research demonstrates how remand has now become a criminogenic risk factor, such systemic conditions are only perpetuating a cycle of disadvantage which further marginalises some of the most vulnerable women in Victoria, maintaining homelessness and undermining the resilience factors required to minimise vulnerability.

Introduction to WAM

Women and Mentoring was established in 2009 from a grassroots community initiative that acknowledged that there was limited court support for women addressing criminal charges. Since then the program has expanded across Melbourne and Frankston. The program now works across six Magistrates' court jurisdictions: Melbourne, Inner North (Neighbourhood Justice Centre), Sunshine, Heidelberg, Frankston and Broadmeadows. Over the past 10 years the program has grown in capacity with the referral rate rising from 7 women in the inaugural year (2009) to 79 in the present year. There has also been a significant increase in WAM's capacity to assess participants with 46 assessments being made in 2019 and 31 matched pairs.

The program matches women, referred through the justice system, with a voluntary mentor, who provides emotional, social and practical support for the participant to: move through the court process, engage with sentencing outcomes and connect with community organisations to address causes that underly their interactions with the justice system.

The one on one relationship with a trained voluntary mentor has demonstrated positive outcomes for women, outlined in detail in Appendix A. Participants engage in a relationship that establishes mutual respect providing women with a safe space to: discuss their experiences, be validated through listening, process situations that have occurred and be supported to look at areas within their life that they would like to address. These skills enable the women to be better equipped to live within the law.

- **WAM enables disadvantaged women to get their lives back on track** by promoting more effective engagement with social services
- **WAM breaks the cycle** of intergenerational offending and helps to reduce other social costs
- **WAM saves money.** It costs at least \$117,000 per annum to keep a woman in a Victorian prison. With \$5,500 we can support a vulnerable woman in a positive mentoring relationship for a year.

Over the past decade, WAM has expanded its services to six Magistrates' Courts precincts with the support of a mix of philanthropic and government grants. WAM's future is uncertain due to a lack of committed sustainable funding. To continue providing services and to expand its program in 2020 and beyond, an investment of \$550,000 per annum is needed to provide this support.

Why WAM works, what it offers to support homeless women

The WAM program understands that when women have a positive relationship where they are:

- listened to and respected
- supported at their pace, and
- unconditionally regarded, not judged or made to feel ashamed to share their experiences,

they are better enabled to make choices that match their values, address their personal circumstance and evolve, in a time frame which they can manage.

The mentoring relationship aims to consistently provide these positive experiences. It is noted that a significant number of women have not experienced this model of support in the home, at school, in community or when engaging with other institutions and workers.

The process of mentoring enables women to address issues in their lives with consistent support. The restorative nature of being listened to and supported by a trusted, reliable person has proved to enable women's 'emotional regulation', develop positive coping

strategies, increased motivation to engage with community services, and maintain relationships with justice services to comply with community correctional orders. All of which contribute to a minimisation in offending and reduction in contact with the justice system.

In Victoria, the recidivism rate is about 44%, and the most common precursor to reoffending is going to prison. Most participants engaged in the WAM program have avoided custodial sentences. The rate of reoffending among participants engaged in the program is low (15%). Providing them with an opportunity to connect with a female mentor who can provide guidance and support on a consistent basis can be the first step to positive community connection.

Women have also reported the following positive outcomes since being engaged with WAM:

- smoking and alcohol cessation
- employment
- furthering on to higher education or engaging in TAFE or community based educational programs
- volunteering and education placement engagement
- reduction in admissions to psychiatric services over the course of a year
- improved relations with children and family
- having children replaced in their care
- engaging in community activities
- securing more suitable housing
- improved health from access to services (dental, using health services-gym, reduce substance use benefits)
- accessing welfare measures that suit their need-NDIS, and disability pension
- reducing fines through WDP initiative
- improved self-advocacy skills
- improved ability to manage emotions, and
- improved self esteem and confidence.

Snapshot of the women WAM supports

As discussed above, in 2018-19 WAM supported 45 women through a formal mentoring relationship. 82 per cent of these women were responding to a current criminal charge or sentence. Across these participants, WAM's data demonstrates common themes of homelessness, substance use issues, family violence and mental health issues. Appendix A provides further data on the women supported by WAM in 2018-19, and the outcomes they experienced from participating in the program.

Appendix A – WAM Outcomes

Outcomes

1. Women in the program indicate feeling better resourced to manage their issues; are linked in with appropriate services.

83% of participants indicate improvement across prioritised Domains of Change, from intake to 6-month review (and match closure is applicable).

86% of program participants are linked in with other agencies, through the WAM Coordinator or with support from the mentor to seek out services. Services include attending GP to access a mental health plan; maternal child health nurse; drug counselling; community legal service; Launch Housing, etc.

One participant spoke of being pushed outside of her comfort zone doing things she wouldn't ordinarily do, such as going to 'Fitted for Work' or meeting with the Coordinator for review meeting in a new area. Having a mentor by her side gave her more confidence.

2. Women are better resourced, more confident, and have a more positive attitude & approach to their legal matters

86% of women indicate improvement in legal issues from intake to 6-month review, and closure.

Most identify the importance of "having someone next to me" as they go to court. For some women having to complete a CCO can cause anxiety and stress, particularly if they have other appointments and caring responsibilities.

Mel expressed feeling that the program has changed her life and for the first time in a long time she feels like the person she was 10 years ago. She has been enjoying the school holidays with her child and her friends, her anxiety levels have dropped dramatically, and she feels more in control.

Tracy stated that she feels human again after meeting Cheryl. She really takes a lot from being able to talk to someone and bounce ideas off.

When asked what it was she liked about her mentor, Kylie appreciates the advice that she gets "she doesn't tell me what to do, but listens validates me and does not judge me. I feel a sense of connection and being understood by someone".

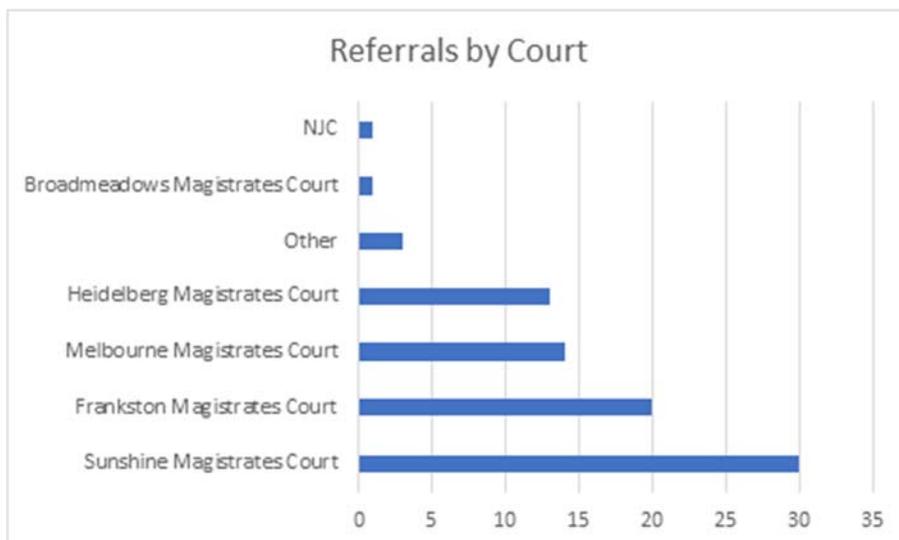
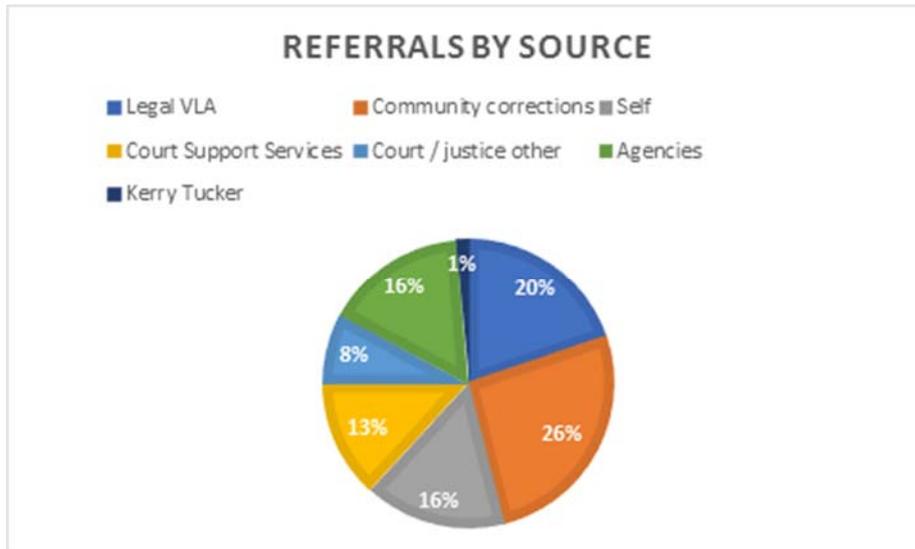
3. Women in the program reduce/cease their offending (ie, no new charges) whilst engaged in the program

85% of women indicate they have no new charges brought against them whilst engaged in the program; women identify a shift in their attitude to offending behaviours and instead successfully work towards completing their Community Corrections Orders.

Magistrate Tim Gattuso: *"The stability and guidance provided by a WAM mentor led to the accused making such progress in her rehabilitation that I was ultimately persuaded to impose a sentence different to which I would have otherwise contemplated. I have confidence that the Accused had overcome a significant drug addiction largely as a result of WAM's assistance and is not likely to reoffend. She presented in court as a healthy and employable person with a bright future."*

WAM participants July 2018 - June 2019

82 referrals received across six court precincts, of whom 45 women were assessed and progressed through to matching. 23 did not respond to phone calls or text messages and others indicated not interested or were not eligible (owing to custodial sentence or deemed significant risk to a mentor).



Age & Culture

Assessed participants ranged in age from 21 to 55, with a median age of 37.

When asked “what is your cultural identity?” 33 responded Australian, two each responded Greek, Sudanese, and Turkish, and one woman each responded Lebanese, Samoan, Sierra Leone, Thai, and Vietnamese. One woman identified as Aboriginal.

Housing & Living Arrangements

11 of the 45 lived alone, and another 9 were sole parents.

About half of the women were in a family owned house or private rental, or own home.

4 had secure social accommodation and 5 were in transitional housing. 5 reported homelessness, 2 were in a caravan park cabin, 1 was in a motel. Others did not report.

Family Relationships

The 45 women have 83 children between them – though this does include adult children. Of the 83 children, only 31 lived in the same home as their mothers.

3 of the 45 women answered no to being asked about current or past family violence.

21 reported past family violence only, 2 current family violence only, and 16 reported both current and past family violence.

Mental Health

Only 8 of the 45 reported no mental health issues. In 6 of those 8 cases, the assessor suspected undiagnosed mental health issues.

17 women had only one diagnosis, while 20 women had two or more mental health diagnoses. Depression was the most common presentation (17/45) with anxiety second (16/45) and PTSD third (13/45). Also present in the population is borderline personality disorder, schizophrenia, psychosis, eating disorders, bipolar, and obsessive-compulsive disorder.

13 of the 45 reported mental health issues that have a significant daily impact.

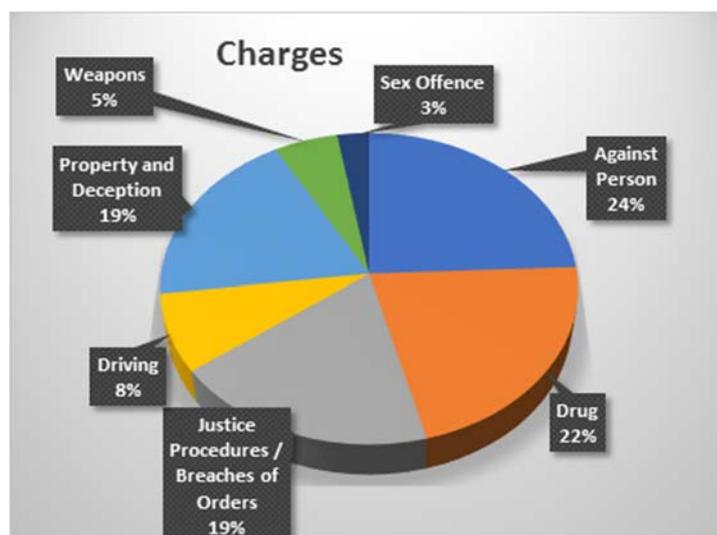
Alcohol & Other Drug Use

Participants who identified current problematic AOD-use identified ice (7), alcohol (6) cannabis (4) heroin (3) and GHB (1) as their primary drug of concern. 24 women reported no current problematic substance use. Of those, 14 reported a previous problematic substance use (7 ice, 3 alcohol, 3 heroin, 1 cannabis).

Criminal Justice System Connection

Many participants (37 out of 45) had a current matter- they were planning for court (6), had a current court date (6) had been sentenced (14) or had a recent diversion (2).

WAM Participants' current most serious charge



Five of the justice procedural offences were breaching CCO / Parole / Bail, one was breaching a Family Violence Intervention Order, and one was unspecified. Of those who did not have a current criminal charge, four had fines, two were family violence intervention order respondents.

Appendix B - References

Australian Bureau of Statistics (2019)

<https://www.abs.gov.au/websitedata/censushome.nsf/home/factsh>

Australian Institute of Criminology (2004) <https://www.aic.gov.au>

Council of the Homeless Person (2019) [Family violence and Homelessness: context and the facts](https://chp.org.au/homelessness.context-and-the-facts). <https://chp.org.au/homelessness.context-and-the-facts>.

Gleeson, H & Baird J (2018) [Why our prisons are full of domestic violence victims](https://www.abc.net.au/news/2018-12-20/womens-prisons-full-of-domestic-violence-vicims). <https://www.abc.net.au/news/2018-12-20/womens-prisons-full-of-domestic-violence-vicims>.

Launch Housing (2019) <https://www.launchhousing.org.au/family-violence-and-homelessness>

Law Institute of Victoria Submission- [Review of Victoria's Bail system](https://www.liv.asn.au/Staying-Informed/Submissions/submissions/March-2017/Review-of-Victoria-s-Bail-System). <https://www.liv.asn.au/Staying-Informed/Submissions/submissions/March-2017/Review-of-Victoria-s-Bail-System>

The Age (2019) [The government is criminalising the very women it should support](https://www.theage.com.au/national/victoria/the-government-is-criminalising-the-very-women-it-should-support-20190207-p50wf6.html). <https://www.theage.com.au/national/victoria/the-government-is-criminalising-the-very-women-it-should-support-20190207-p50wf6.html>

The Guardian (2019) [Social housing landlords use domestic violence as a reason to evict victims study](https://www.theguardian.com.australia-news/2019/jun/13/social-housing-landlords-use-domestic-violence-as-a-reason-to-evict-victims-study). <https://www.theguardian.com.australia-news/2019/jun/13/social-housing-landlords-use-domestic-violence-as-a-reason-to-evict-victims-study>.

Victorian Ombudsman (2015) [Investigation into the rehabilitation and reintegration of prisoners](#). September 2015.

Women's Legal Service Victoria, (2018): [Policy Paper 1 "Officer she's psychotic and I need protection": Police misidentification of the 'primary aggressor' in family violence incidents in Victoria](https://womenslegal.org.au/files/file/WLSV%20Policy%20Brief%201%20MisID%20July%202018.pdf). <https://womenslegal.org.au/files/file/WLSV%20Policy%20Brief%201%20MisID%20July%202018.pdf>