

Submission No. 11
(homelessness legislation)
A.O.C. | Date: 18 Aug 2009

Inquiry into Homelessness Legislation

YP Space MNC Inc. Submission



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Contents

1.0 Introduction/ Background

2.0 Response to Terms of Reference

2.1 The Principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness.

2.1.1 Social Justice and Inclusion

2.1.2 Empowerment

2.1.3 Whole of Community Response

2.2 The scope of any legislation with respect to related government initiatives in the areas of social inclusion and rights

2.3 The role of legislation in improving the quality of services for people who are homeless or at risk of homelessness.

2.4 The effectiveness of existing legislation and regulations governing homelessness services in Australia and overseas

2.4.1 The Supported Accommodation Act

2.5 The applicability of existing legislation and regulatory models used in other community service systems, such as disability services, aged care and child care, to the homeless sector

3.0 Concluding comments

1.0 Introduction / Background

YP Space MNC is a Homelessness Assistance Youth Service that was previously funded through the Supported Accommodation Assistance Program (SAAP), now under the National Affordable Housing Agreement (NAHA) under the Specialist Homelessness Services umbrella. YP Space MNC has been operating in the Macleay region, of NSW, for over 21 years, a region that covers Nambucca to the north, Comara to the west and Kundabung to the south. The focus of the service throughout this time has been providing 24/7 hour crisis accommodation services to young people aged between 14 years and 9 months to 17 years (inclusive). A further focus for this organisation has also been to provide tenancy support and accommodation to young people from the age of 16 to 25 years with our Exit Units, funded under the Community Accommodation Program. Essential core business of YP Space MNC from inception to the current day has been to provide support structures to young people who are homeless or at risk of homelessness and the issues that impact on young people's health and housing status. The service delivery model implemented by YP Space MNC has evolved throughout its existence to reflect the changing needs of young people who access the service, the management structures in operation at the time, the best practice and service standard structures current for the period and the changing political environment in Australia. In 2008 YP Space MNC reconfigured its service structure, as a result of funding constraints, to ensure financial and operational sustainability and viability into the future. The reconfigured service structure has increased YP Space MNC's capacity to provide services to young people that are comprehensive, holistic and seamless. YP Space MNC now works from a comprehensive case management model, to ensure young people are engaged in the process, have a strong voice in the support they receive and have the systemic and individual issues that are impacting on them addressed. This reconfiguration process has also provided YP Space MNC the framework and opportunity to expand our advocacy services and leadership position, and has created a stable platform for our organisation to make constructive and sophisticated contribution to public policy and the accountability of the services systems we work within.

2.0 Response to Terms of Reference – YP Space MNC's Key Vision

YP Space MNC Inc acknowledges that young people of all cultures and minority groups are often the most disadvantaged group within our community, due to experiences of poverty, mental health issues, homelessness, family breakdown, lower socio-economic status, decreased access to education and training, drug and alcohol use, trans-generational trauma, sexual and physical violence and often social perception. All of which are identified pathways that lead to social exclusion and lack of basic human rights. YP Space MNC Inc also recognizes that young people often experience a sense of dispossession and disconnection to self, spirit and community through these experiences and the overt importance of connection to community lessens in comparison to basic survival needs.

YP Space MNC seeks quality of life and provision of Basic Human Rights as an outcome for all young people in Australia, not just service access. The underlying principle of any new homelessness legislation should have strong foundations in Social Justice, and should seek to build on and strengthen the existing Supported Accommodation Assistance Act 1994, to incorporate the 'new' vision of a 'whole of community' response to homelessness.

YP Space MNC wants to see the development of legislation that ensures:

- the basic human rights of young people experiencing homelessness;
- the rights of young people to access tailored and effective support;
- the rights of young people to have access to community participation and the resources to support this;
- the rights of young people to have access to client-focused programs based on respect and dignity;
- the rights of young people to not have a '**one size fits all**' service system/ program structure enforced upon them;
- the rights of young people to be the authors of their own lives and not the product of government policy;
- Government and Corporate sectors are governed accountably and transparently, in line with the non-government sector.

2.1 The principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness.

YP Space MNC views the foundation of any legislation on homelessness as essentially being built on the principles of Social Justice, human rights and individual tailored responses.

2.1.1 Social Justice and Inclusion

The Australian Governments social inclusion policy approach, as identified by the Hon. Julia Gillard MP (2008) ¹ indicates that, in order to be social included in Australia, requires opportunities for: Securing a job; Accessing Services; Connecting with others in life through family, friends, work, personal interests and local community; Dealing with personal crises, such as ill health, bereavement or the loss of a job; and being heard. These are essential components of any new homelessness legislation, yet they need to be regulated to ensure that employment and economic participation is not the key priority area. It is essential that social inclusion processes be multifaceted and reflects the diversity of our youth community.

New legislation needs to acknowledge the structural issues of homelessness (poverty, trauma, domestic violence, family disconnection) and ensure that early intervention strategies are a key priority for service provision. The new legislation needs to ensure that eligibility criteria do not excluded the most vulnerable groups and individuals within our community and does not put "blame" on the survivors of systemic disadvantage.

¹ Gillard, J. (2008a, 28 February). *Speech: Social innovation, social impact: A new Australian agenda*. Canberra.

The SAA Act 1994, provides an excellent human rights and social justice platform from which any new legislation on homelessness should be based and built upon.

2.1.2 Empowerment and Strengths Based Practice Principles

It is essential that any new legislation on homelessness have at its core the rights of young people, and people in general, to be the authority in their own lives. New legislation needs to provide a platform to create a legislative culture, service delivery and management systems that moves towards mobilizing and promoting informed decision making by young people who experience homelessness, support structures and collaborative, seamless and localized approaches that realistically address the systemic issues that impact on homelessness and social exclusion for young people within Australia. The principles of 'rights based approaches' and empowering young people through capacity building strategies that celebrate and capitalise their strengths need to be embedded into legislation and regulatory practices. The new legislation needs to govern service systems to ensure they work with young people in a way that promotes their skills, knowledge and resilience and creates a culture and environment that celebrates young people and their participation.

2.1.3 Whole of Community Response to homelessness

The White Paper on Homelessness – The Road Home indicated that the new federal direction in terms of homelessness is to break down the service system and community silos and ensure that "homelessness is everyone business". This position opens up and broadens the legislative platform to govern multi- levels institutions within our community. It is essential, as such, that legislation is built on Social Justice Principles so that economic rationalisation and profit margins do not exclude homeless people from receiving appropriate support. This is particularly important with the push (in the White Paper) to develop stronger partnerships with the Corporate sector and to see a "no wrong door" approach into homelessness support, through greater responsibilities by mainstream services in responding to homelessness.

The legislation needs to ensure that ALL systems and institutions – including Government, non-government, community and Corporate – are regulated with the same legislation, accountability and transparency.

Historical community perceptions also need to be addressed; in terms of the mistrust young people have towards Mainstream services and the service level they receive from these systems. Young people have taught us that exclusionary practices and policies, and policies that make it difficult for young people to access appropriate financial and personal support (eg Living Away from Home Allowance criteria and 'burden of proof' processes) place huge barriers to young people accessing mainstream services. Resources would need to be provided to ensure that ALL workers within mainstream services receive adequate training to build their capacity to be able to respond effectively to issues of homelessness & the systemic underlying issues.

2.2 The scope of any legislation with respect to related government initiatives in the areas of social inclusion and rights.

Any new legislation on homelessness, particularly in relation to the broad range of agencies, bodies and institutions it would govern would need to be separate to any existing government initiatives. There would need to be links to government initiatives in the areas of social inclusion and rights, yet it would also need to be broader than these initiatives alone.

2.3 The role of the legislation in improving the quality of services for people who are homeless or at risk of homelessness.

The existing legislation, the Supported Accommodation Act 1994, and the Performance Monitoring Framework regulatory practices implemented by SAAP and DoCS funded services in the community sector have ensured that quality service provision has been provided to all people accessing the SAAP service system. What needs to be recognised is the comprehensive and effective work that has been achieved by Specialist Homelessness Services, under difficult funding and resource limitations, in the past and that we should be building on these successes and service quality.

Obviously, if the political push is for 'homelessness to be everyone's business' then further legislation is required to ensure that Government and Corporate services are governed by the same legislation and regulations as community and non-government services, with the same accountability and transparency.

Accreditation may be a positive avenue, yet it is highly resource intensive and can at times create a "status quo" platform, through the setting of **minimum** standards as opposed to continuous quality improvement.

2.4 The effectiveness of existing legislation and regulations governing homelessness services in Australia and overseas.

Existing legislation needs to be comprehensively evaluated, not just Australian legislation but also International legislative approaches in addressing homelessness. Currently Australia appears to be looking at both UK and USA policies and homelessness approaches. It is essential that we do not take these approaches and legislation at face value, but critique them against firm evaluation, based on outcomes not just economic outputs.

2.4.1 The Supported Accommodation Act 1994

The Supported Accommodation Act 1994 is the existing legislation that has governed the Specialist Homelessness Service sector since its inception. This Act is an important piece of human rights based legislation and needs to be heavily incorporated into any new legislation governing homelessness. The social justice principles on which it is based ensures that

homeless young people have been provided with not only basic human rights but also quality service provision and tailored support programs.

It will be essential that new legislation follows these principles, particularly considering the broad range of sectors, systems and institutions this legislation will govern. Any new legislation needs to be more than a Housing or 'rooflessness' Act, it needs to ensure the rights of homeless people are being protected from and by all levels and systems responsible for addressing homelessness in Australia.

The other positive aspect of the Supported Accommodation Act 1994 is that it provides a clear national definition of 'homelessness and inadequate housing'. It will be essential that any new legislation continues with this national definition, so that we are all working from the same policy stance and the same understanding of the real issues.

2.5 The applicability of existing legislation and regulatory models used in other community service systems, such as disability services, aged care and child care, to the homelessness sector.

As noted previously Accreditation and service standards are positive approaches to ensuring quality service provision. The Specialist Homelessness Service sector has been governed by service standards for years and have achieved successful outcomes in terms of quality service provision through these standards.

Any new development of new service standards – that will govern all levels of service systems responsible for responding to homelessness – will need to be developed in full and comprehensive consultation with community and non-government service systems. These services have the knowledge and experience in the homelessness sector – they know what has worked and what hasn't, the barriers, the constraints and the opportunities and strengths of this work.

Comprehensive evaluation of existing accreditation and regulatory models needs to be undertaken, across all levels of the process. Accreditation can be extensively resource intensive and as such would need to be funded correctly to achieve effective outcomes. That being said, accreditation, with minimum standards, does not necessarily equate to quality service provision or the protection of human rights, social inclusion or social justice.

3.0 Concluding Comments

The development of new legislation governing the ever expanding homelessness sector would need to be based on principles of social justice and human rights. The existing legislation, the Supported Accommodation Act 1994 provides a strong human rights framework from which to build on and strengthen.

Ensuring that all service systems (including government, corporate, non-government, community) are governed equally, accountably and transparently, with effective and

comprehensive reporting requirements will need to be an essential goal of any new legislation on homelessness. Ongoing and timely consultation, with community services with experience and knowledge of the sector, needs to occur. This consultation process needs to move past just the metropolitan areas to incorporate regional and rural service systems, to ensure the legislative stance is reflective of all individuals and communities needs.

Due to YP Space MNC's extensive history and experience in working within the youth homelessness sector in a rural/regional area, we would be pleased to provide any further information on the issues impacting on the young people who experience homelessness within our region, and on the policy issues that impact on our service delivery structure and practice.

YP Space MNC is also a member of the Youth Accommodation Association (YAA -NSW Peak Body) and while we have provided our own submission, we were involved in the consultation process implemented by YAA, and also support the submission and policy stance lodged by YAA.

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Manager

Wednesday, 12 August 2009