



Enquiry into the Provision of Social Housing in the ACT

Humanitarian Entrants in the ACT

November 2011

1. Summary

This submission is focused on the needs and experiences of refugees and asylum seekers. The submission covers the:

- need for social housing for newly arrived refugees and asylum seekers
- Refugee Transitional Housing Program
- accessibility of social housing
- private housing sector

The submission also provides a description of the different pathways by which refugees arrive in the ACT and the housing issues relevant to each group as context for the reader, in section 7.

Recommendations are as below.

Recommendation One –Strategic planning: ACT Government ensures that the needs of humanitarian entrants are included in the planning and allocation of social housing.

Recommendation Two –Refugee Transitional Housing Program: ACT Government continues the commitment to the Refugee Transitional Housing Program (RTHP) in the long term and explores options aimed at enabling (1) Better stability in the supply of houses to RTHP (2) Extension of the transitional period to 12 months and (3) increased access for asylum seekers.

Recommendation Three –Asylum Seekers: ACT Government ensures (1) clear policy statement regarding the eligibility of asylum seekers to apply for ACT housing (2) assessment of asylum seekers residency requirements commences from when a person arrives in the ACT rather than on the grant of their visa.

Recommendation Four – Access to Public Housing: ACT Housing (1) reviews processes for assessment of priority needs and the supply of housing available for priority use (2) waives the six month residency requirement for humanitarian entrants.

Recommendation Five –Navigating the System: ACT Housing (1) reviews staff resourcing (2) introduce regular updates to applicants about progress on waiting lists.

Recommendation Six –Safe and Secure Tenancy: ACT Housing invests more heavily in community development programs to support greater safety and well being in public housing estates.

Recommendation Seven –Emergency Accommodation and Community Housing: Government and community expand the amount and diversity of emergency accommodation available and continue investment in community housing.

Recommendation Eight –Private Sector: ACT Government actively supports community sector efforts to engage the private sector in the provision of affordable housing.

2. Introduction

The issue of affordable housing is one of the greatest barriers to refugee settlement in the ACT. In many ways the ACT is a very suitable location for refugee settlement being a multicultural community with good services and peaceful environment. The ACT has strong refugee support groups and is, in general, a welcoming community. However, the shortage, or indeed complete lack of, affordable housing on the private rental market provide real barriers to the private rental market. Whilst a lack of affordable housing is an issue in many capital cities in Australia, Canberra has one of the least affordable rental markets in the country.

About one hundred and fifty to two hundred new entrants under Australia's Humanitarian Program arrive in the ACT each year. Over the last three years the majority of new entrants have been from Afghanistan, Iraq, Burma and Sri Lanka. There have also been new arrivals from a variety of other countries. Most people in this group have sought safety in Australia from war, persecution and/or torture. There are also about sixty asylum seekers in the community. See section 7 for more detail.

Companion House Assisting Survivors of Torture and Trauma is a non government organisation which works with people who have sought safety in Australia from torture, persecution and war related trauma. The agency is funded by both the Commonwealth and ACT Governments and provides a wide range of medical, counselling and community development services. We have engaged with policy makers in the Commonwealth and Territory Governments and relevant departmental staff about housing issues for newly arrived people over many years.

ACT Government responded very constructively in 2007 with introduction of the the Refugee Transitional Housing Program (RTHP). The RTHP provides humanitarian entrants with 6 months of transitional housing in properties due for sale or development. The program is aimed at newly arrive people, in their first six months of arrival in Australia. The program is currently a collaborative partnership between ACT Housing, Companion House and the Migrant and Refugee Settlement Service (MARSS).

3. Need for Social Housing

a) Refugee Experience

Humanitarian entrants and asylum seekers usually arrive in Canberra with no resources behind them, often after many years of deprivation and the loss of possessions, employment, and finances. Most refugees have spent many years without access to housing living for many years in refugee camps, displaced in urban environments or living in detention centres. A high proportion had their own homes destroyed as part of the process of war and persecution.

We include the following case study as an insight into the refugee experience.

Case Study part one

Rose and Saw fled their village in Burma, not long after the birth of their first child after several attacks on their village which culminated in the village being overtaken by military troops. A number of people in the village died in the attack, including the couple's paternal grandfather. The couple's farmland and animals were forcibly appropriated by military troops and they were threatened with death in a mock execution if they did not hand over their house also. Their younger brother was tortured and then murdered by troops as an example to the village because he was suspected of having allegiances to the opposition.

Rose and Saw fled to a refugee camp on the Thai-Burma border where they waited for peace to return their region. Their murdered brother's wife Sky and her two young infants came with them. However, civilians in the region were not safe to return after many years. As a result the family spent 16 years in the camp. The camp was attacked several times by military troops. One year their house was burnt to the ground in such an attack and they had to move to a new camp. The camp could not have any permanent dwellings under the law of their host country Thailand and the family spent many years in small and temporary huts.

After the birth of their third child Rose and Saw applied for resettlement in Australia. After 16 years of camp life they arrived in Canberra. Soon after, Saw's sister Sky also arrived with her three teenage children.

b) Rebuilding Lives in Canberra

To rebuild their lives in Canberra people need a safe and affordable place to live. The importance of housing to refugees is well researched and documented in the relevant literature from both Australia and other resettlement countries. Housing problems place considerable strain on newly arrived people, compromising people's recovery from torture and trauma and their ability to rebuild shattered lives.

Social housing and other public policy measures are very important in ensuring the successful settlement and independence of people from a refugee background. The lack of affordable housing in the ACT can be a real problem for refugees and asylum seekers. This is particularly the case for newly arrived people who usually arrive with no resources at all and are reliant on Centrelink benefits for their first months at least. It is very hard to find affordable housing in the private rental market on a low income, often even

impossible, and families have remained in very crowded and difficult circumstances waiting to find suitable accommodation in their first year or more.

Of course, the lack of affordable private rental accommodation also affects people from refugee backgrounds and asylum seekers who have been in Canberra longer term. The majority of these groups remain on low incomes for some years and many struggle hard to find affordable and secure places to live. Without secure and affordable places to live people cannot settle in Australia over the long term and commonly experience family fragmentation, distress and long term financial hardship. In those newly arrived communities who have primarily accessed the private market we have observed families experiencing severe financial hardship and issues of family fragmentation due to overcrowding, financial disputes and inappropriate housing.

Case Study Part Two

Rose and Saw's family arrived in Canberra with a strong determination to rebuild their lives and establish themselves in Canberra. In the family's first six months, they lived in a Refugee Transitional Housing Program (RTHP) house in North Canberra. However, after six months the house was needed for redevelopment and the family moved out into private rental accommodation. The family was able to lodge an application with ACT Housing only at this point as they needed to serve a six month residency period before their application would be accepted.

As a result the family then moved into the private rental market. They found a two bedroom flat in the North side of Canberra. The flat cost them 48% of their income each fortnight. In the meantime, Sky and her three children arrived in Canberra also. She could not access the RTHP as there were no houses available. Sky was very worried about the private rental market and elected to stay with Rose and Saw whilst she saved some money and applied for ACT Housing. Saw and Rose were also finding their rental payments hard to meet and were pleased to have some financial relief with the arrival of extra household members.

The eight members of the household lived in the flat together for some time and worked hard at learning English, finding employment and saving a little money. The family members found their biggest challenge was finding adequate space to study, getting ready for school in the morning and accommodating the needs of the family's teenagers. After a year both families were finding the strain of their communal living very hard. Tension was mounting between the children and young people and the parents were exhausted. Two of the teenage boys started to fight and stay out of the house until very late at night.

Both families were placed on a high needs list for public housing which would probably take another year or so.

Recommendation one: ACT Government ensures that the needs of humanitarian entrants are included in the planning and allocation of social housing.

4. Refugee Transitional Housing Program

The Refugee Transitional Housing Program (RTHP) provides transitional housing for six months to newly arrived people in their first six months in Canberra. The program uses houses which are due to be redeveloped or sold. Offshore arrivals and asylum seekers in the community all have access to the program. Asylum seekers in community detention are not eligible as their housing is paid for by the Commonwealth until their claims for asylum are processed.

The RTHP has provided a welcome relief for many families and individuals from the stress of Canberra's housing market and the issues described in previous sections and case examples. Although properties are often old and ready for sale or redevelopment, most houses have been appropriate and often family friendly with gardens and close to shops and transport.

This very helpful and successful program currently has three main areas which need attention.

- i. **Supply and Demand:** Firstly, the demand for transitional housing and the availability of houses for redevelopment or sale do not always match. This discrepancy in supply and demand can be frustrating. At times the flow of houses has been very slow and in fact the program has rarely reached the program's target of 16 houses in operation. There are usually 6-10 houses at any given time. At other times new arrivals have not been able to fill houses offered. Any changes to the program which make matching demand and supply easier would be very useful. For example, an allocation of permanent RTHP houses to the program could alleviate some of this issue.
- ii. **Six Month Transition:** Secondly, newly arrived people need to meet the requirements of 6 months residence in the ACT before being able to lodge an application for ACT Housing. There is then no pathway from transitional housing to ACT housing for those most vulnerable entrants. They must rely on the private rental market in their first year of settlement which can be very problematic for those people on low incomes. The 6 months transition is also difficult for asylum seekers who very rarely have their cases resolved within 6 months.
- iii. **Asylum Seekers Access:** Asylum seekers are currently allocated a smaller proportion of the RTHP than this actual population size. This decision is based on the ability of organizations, MARSS and Companion House, to carry out tenancy management and exit planning unfunded. In comparison, offshore arrivals, have access to Commonwealth funded housing support whilst in the RTHP through MARSS. A small expansion of the number of houses allocated to asylum seekers would be possible if these functions were funded or if volunteers were funded to provide them.

Recommendation Two: ACT Government continues the commitment to the Refugee Transitional Housing Program (RTHP) in the long term and explores options aimed at enabling (1) Better stability in the supply of houses to RTHP (2) Extension of the transitional period to 12 months and (3) strategies to increase access for asylum seekers.

5. Accessibility of Social Housing

ACT Housing has often been responsive to the problems of newly arrived families and we recognise the commitment of many ACT Housing staff. Nonetheless, many people have been homeless, in financial hardship or waiting in overcrowded distressing circumstances for significant periods.

In this section we discuss asylum seeker access to public housing, priority housing access, navigation of the housing system and emergency and community housing.

a) Asylum Seeker Access

Asylum seekers access to ACT public housing has long been an issue of discussion between the community sector and ACT Government. At some times ACT Housing has used hardship provisions to ensure that asylum seekers are able to lodge applications. At other times asylum seekers have not been able to lodge any application for assessment on the basis of residency status. Whilst policy makers have stated that asylum seekers should have access to the application process, there is a general lack of clarity about eligibility requirements.

We also note that assessment of an asylum seeker's residency status has recently changed. Asylum seekers used to be assessed as having been a resident of the ACT from the time they moved into the ACT community. However, this has now changed and ACT Housing uses the date that an asylum seeker is granted a permanent visa as the date from when their residency begins. Many asylum seekers have been resident in the ACT for some years at this point.

Recommendation Three: ACT Government ensures (1) clear policy statement regarding the eligibility of asylum seekers to apply for ACT Housing (2) assessment of asylum seekers residency requirements commences from when a person arrives in the ACT rather than on the grant of their permanent visa.

b) Residency Requirements and Access to Priority Housing

Public Housing in the ACT is called upon to remedy the lack of affordable rental accommodation in the ACT. The prioritization of people who need housing the most urgently becomes a central, and rather difficult, task in the face of high demand.

Humanitarian entrants are asked to serve a six month waiting period before making any application to ACT Housing. The first year of settlement is one of the most vulnerable periods for newly arrived people as can be seen from Case Study One in this submission. With the six month waiting period and subsequent waiting lists refugees are left in housing stress at their most vulnerable stage of settlement.

In addition, priority processes have become increasingly slow. In the experience of Companion House, no applicant is assessed to be a priority case initially. Priority assessment is made through the

Multidisciplinary Panel. The panel itself seems a sound mechanism for assessing priority needs. However, it does not meet frequently and there is a backlog of cases creating delays of many months.

We have had highly vulnerable people who successfully gained priority status. However, we also have had highly vulnerable women and children on a high needs list who have not been assessed as priority. This may simply be an illustration of overwhelming demand. However, the system needs review and there needs to be recognition that priority cases do not always make it on to the priority list, leaving people at risk.

The case study below is a very recent case which was not assessed to be a priority case.

Case Study Two

Katie and her young daughter had arrived from Africa some years ago. Katie's daughter was seven years old and Katie was also 5 months pregnant. She had separated from her husband who had subsequently moved interstate. She had been living with her husband's extended family, but was unable to continue to do so due to violence and harassment. She and her daughter became homeless.

Katie slept in her car with her young daughter from some weeks. Care and Protection became aware of her daughter's lack of accommodation and Katie was at risk of losing custody as a result of homelessness. There was no emergency accommodation available in Canberra but eventually a religious institution in Queanbeyan was able to offer a room temporarily. The child's school and support networks were severely disrupted. Katie remained on a High Needs Waiting list through this process.

In addition, we also note real difficulties and long time lags in the process for priority transfer. Sadly, we work with a number of people from trauma backgrounds each year who experience racial abuse and harassment and are in urgent need of a transfer. We have recently seen people in very difficult situations living with constant harassment whilst they wait for a transfer. A recent case study is detailed below.

Case Study Three

Betty was a single mother of two children, aged one and three years. She was also caring for her small primary aged nephews. She was relieved and overjoyed to receive an allocation from ACT Housing in an outer suburb of Canberra. The house had a garden and was close to shops and the bus stop. She made friends with her immediate neighbor, although as she did not speak much English, they did not socialise much.

After several weeks she started to have regular visits from a group of young men who shouted racial abuse at her and her children. As the weeks went by the group gained in confidence and their harassment grew worse. They started to spend afternoons in her front garden, smoking and drinking. They threw rocks at the house and threatened to abduct her young children. Betty was terrified of the group and this seemed to encourage them to harass her more. Betty applied for a transfer and was put on a standard transfer list.

Recommendation Four: ACT Government⁽¹⁾ reviews processes for assessment of priority needs and the supply of housing available for priority use ⁽²⁾ waives the six month residency requirement for humanitarian entrants.

c) Navigating the housing system

To access public housing, people need a significant amount of support from volunteers and support agencies to navigate the housing system and then will often spend long periods on waiting lists. Many ACT Housing staff are extremely helpful and we note the real commitment the organization has shown to housing vulnerable people. However, we also need to note that it has become increasingly difficult to track the progress of applications and calls to staff in ACT Housing have recently regularly gone unanswered.

It appears that ACT Housing staff may be overwhelmed and perhaps under resourced to perform under the current pressures. It would be particularly helpful if written updates were regularly sent to applicants so they can keep track of their application, as there is currently no easy mechanism to achieve this.

Recommendation Five: ACT Housing (1) review staff resourcing (2) introduce regular written updates to applicants about progress on waiting lists.

d) Stable and safe tenancy

Many people who have been housed in ACT public housing are happy in their homes. However, staff at Companion House also regularly hear concerns from some clients, particularly from some women with children who also have a trauma background, about the safety of their housing areas and neighbourhoods. We believe that more investment should be made in community development programs to support and enhance the safety and well being of public housing tenants.

Recommendation Six: ACT Housing invests more heavily in community development programs to support greater safety and well being in public housing estates.

e) Emergency Accommodation and Community Housing

Emergency accommodation is an important element of social housing. First Point has been a very useful central point of contact for support people. However, there still remains a shortage of available emergency accommodation in the ACT which then of course increases the pressure on priority housing and the social housing system as a whole. Emergency housing is particularly hard to source for women with older boys.

We also note that Government investment in the community housing sector has been very useful. Affordable housing initiatives, transitional housing and youth programs such as the Our Space program for 15-21 year olds have played an important role for many.

Recommendation Seven: Government and community expand the amount and diversity of emergency accommodation available and continue investment in community housing.

6. Private Housing Sector

The lack of affordable housing on the private rental market underpins much of the demand for social housing from humanitarian entrants. Any strategic directions ACT Government has or will adopt to increase the amount of affordable housing on the Canberra market is an important part of any analysis.

We also note the efforts of the Migrant and Refugee Settlement Service (MARSS) have made to engage the private rental sector in the provision of rental properties to humanitarian entrants below market price. MARSS have set out to form partnerships with real estate agents and the ACT Real Estate Institute to achieve this aim.

Recommendation Eight: ACT Government actively supports community sectors efforts to engage the private sector in the provision of affordable housing.

7. Pathways of Arrival

An important background to an understanding of housing issues for humanitarian entrants into the ACT is a grasp on the main pathways by which refugees enter the ACT and their housing needs. These are summarised below.

A. Mainstream Refugee Program: Refugees under this part of the humanitarian program have their travel paid for by the Australian Government and receive six –twelve months of settlement support from contractors responsible for the delivery of the Humanitarian Settlement Scheme (HSS). The HSS is administered by the Commonwealth Department of Immigration and Citizenship. The HSS includes support with on arrival housing. In the ACT the responsible contractor is the Migrant and Refugee Settlement Service (MARSS)

B. Special Humanitarian Program (SHP): People who arrive under the SHP Program have been “proposed” by a member of the Australian community. A proposer pays the cost of airfares and has primary responsibility for providing settlement support for the first six months. However, there has been increasing recognition of the pressure this place on proposers (most of whom are actually refugee entrants themselves) from the Commonwealth Government. As a result, HSS contractors were funded by the Department Of Immigration to provide some settlement support to SHPs, particularly in the area of housing, from late 2005. Once again in the ACT the responsible contractor is MARSS.

D. Asylum seekers in the community: Asylum seekers in the community have their application for refugee status assessed whilst they live in the community. There have been growing numbers in this group, about sixty people at any given time. They are not eligible for HSS services and some will have Medicare and work rights whilst others have not. In recent years some people from this group have been able to apply for public housing but there has not been a clear policy direction about if asylum seekers are able to apply or not.

C. Community detention: People in community detention in the ACT are funded to live in the community by the Commonwealth, until their migration status is resolved. They are not eligible for social housing programs as DIAC is responsible for their accommodation.