

Closing the Revolving Door

12 months of stopping the cycle
between imprisonment
and homelessness



January 2020

About the project

What is the Closing the Revolving Door Project?

Justice Connect's Closing the Revolving Door Project (Project) was created by our Homeless Law program to holistically stop the cycle between imprisonment and homelessness. The Project achieves this by offering Victorian prisoners intensive legal representation and wrap-around supports to sustain housing and remove barriers to accessing safe, post-release housing.

In 12 months, 59 Victorians in prison have been provided with specialist legal help to maintain tenancies or resolve debts, with 87% of finalised legal matters being successfully resolved. This includes directly preventing 29 prisoners with complex needs from being evicted into homelessness, which represents a cost saving of around \$854,000 to the health, justice and welfare systems. Twenty three prisoners have also had over \$105,000 in housing debts waived, allowing them to focus on securing housing and community reintegration.

Stable housing with holistic supports is essential for prisoners

For people who have been in the justice system, homelessness is more common, more likely to reoccur and lasts longer. Research indicates that more than half of people exiting prison expect to be homeless on release. If former prisoners exit into homelessness, they are also twice as likely to return to prison within the first nine months of release. Given Victoria's current rate of recidivism sits at 44%, and with the cost of incarceration around \$116,000 per person every year, access to stable housing with supports is a critical component of tackling the state's growing and costly imprisonment rate.

Our most vulnerable communities are bearing the brunt of the revolving door between homelessness and incarceration. Over the past 5 years in Victoria, the prison population has seen a 50% increase in the number of women, and a 240% increase for Aboriginal and Torres Strait Islander women.

This is reflected in the Project's clients, with the majority identifying as having multiple and interconnected complexities. In particular, 78% had mental health issues, 64% had substance dependence issues, over half had experienced family violence and previous homelessness, and a third had previously been incarcerated.

Many of the Project's clients also had caring responsibilities, and maintaining housing was a crucial factor in keeping their children out of state care.



CLOSING THE REVOLVING DOOR PRISON PROJECT



Keeping prisoners housed through intensive legal representation

June 2018 - May 2019

Key Demographics

- 78% Had mental health issues
- 57% Had previously experienced homelessness
- 53% Had experienced family violence
- 12% Identified as Aboriginal or Torres Strait Islander



Legal Matters:



ADDRESSING HOUSING DEBTS HELPS PEOPLE EXIT PRISON INTO STABLE HOMES

Through our long-term work with people in prison, Justice Connect saw that housing debts to the Victorian Department of Health and Human Service (DHHS) were a significant barrier to housing on release. Prisoners with outstanding debts were not being offered public housing unless certain unmanageable repayment conditions were met.

Through the Roof: Informing Victorian Ombudsman's Recommendations

In 2016, the Victorian Ombudsman launched an 'Investigation into the management of maintenance claims against public housing tenants,' and in response, we made a detailed, evidence-based submission, *Through the Roof: Improving the Office of Housing's policies and processes for dealing with housing debts*. The Victorian Ombudsman made 18 recommendations in October 2017, which were all accepted by DHHS.

As a result of this investigation and Justice Connect's work in resolving housing debts for prisoners, we established a Bulk Housing Debt Project with DHHS to: (1) effectively and efficiently resolve the public housing debts of 16 women in custody at Dame Phyllis Frost Centre, and (2) inform systemic improvements in how DHHS handles these matters. This collaborative project has already resulted in over \$60,000 worth of housing debts being waived, particularly after DHHS determined the debts arose in the context of family violence or third-party criminal damage.

As in the broader Project, all of the prisoners helped with housing debts through this specialised model reported having complex vulnerabilities: 81% of

the clients had previously experienced homelessness and incarceration, and 94% reported a history of family violence.

Creating systemic changes to housing debt policies and practices

Justice Connect's involvement in the implementation of the Victorian Ombudsman's recommendations through the DHHS Public Housing User Advisory Group, along with the Bulk Housing Debt Project, has led to DHHS updating several key housing policies and practices. This includes new 'Public Housing Allocations operational guidelines' from January 2019, which mean that applicants for public housing will no longer be denied a tenancy offer or transfer due to an outstanding housing debt. This is a significant win for all Victorians, especially those in prison.

Through individual casework outcomes and systemic policy changes regarding housing debts, Victorian prisoners are now better positioned to access safe post-release housing.



Brett's story

Intensive legal representation ensures prisoner with complex vulnerabilities has a clean slate to access housing and reunite with his son

Brett*, who has long-term mental health issues and has previously experienced family violence, was referred to the Project by a Housing Pathways worker in prison, when DHHS requested he pay \$11,200 in compensation for maintenance at his recently vacated property.

The damage had been caused by unknown third parties when they squatted in his property during an earlier period of incarceration, and Brett was concerned that he was unfairly being held responsible for the related maintenance costs. Brett was particularly worried that he would not receive an offer of housing due to the debt, impacting directly on his chances of reuniting with his five year old son.

The Project's specialised lawyers advised Brett about his rights and options, and negotiated with DHHS to have the debt reviewed. Through this intensive advocacy, DHHS was satisfied that the property damage had been caused by third parties and agreed to waive the entire debt. During our engagement with DHHS, it became apparent Brett also had a rent arrears debt of \$1579. Through the Project's legal intervention, Brett's rent was recalculated based on the DHHS temporary absence policy, resulting in the rent arrears being reduced by over \$500.

Brett expressed his relief at this outcome, and through the Project's partnership pathways, was linked into post release housing services, allowing him to focus on reconnecting with his son.

**All client names have been changed in this report*





"A big huge thanks to the team, really appreciate everything you have done to help me get my life back on track."

Robyn* - Former client

"Access to strong advocacy is important for vulnerable members of the community, in particular in relation to securing stable housing. The Closing the Revolving Door Project provides an important legal service to assist people in prison to access housing upon release and address other related tenancy matters."

Perri Burns - Senior Associate and Pro Bono Team Leader, Corrs Chambers Westgarth

"Since the Project has entered the corrections space, it has assisted numerous women to sustain their tenancies so vulnerable women do not enter homelessness upon their release from custody. Justice Connect lawyers, administrators and social workers deliver the Project with passion, attention to detail, and empathy, and work with other essential services where possible to provide wrap-around support to women in custody. The Closing the Revolving Door Project is essential in the Corrections Space to ensure that people in custody receive equal opportunity access to housing and legal services."

Sarah Sheppard - Housing Outreach Officer, Women's Housing Limited

Ruby's story

Aboriginal woman with history of state care, homelessness and incarceration avoids eviction into post-release homelessness

Ruby* is an Aboriginal woman who lost both parents by the time she was 12 years old. From this young age she entered a cycle of state care, homelessness and incarceration. The trauma and grief Ruby experienced also led to substance dependence issues.

After years of cycling between couch surfing, sleeping rough and prison, Ruby had managed to secure transitional community housing, which she described as "the best thing to happen to her". The housing provided security and was instrumental to reducing her offending and substance dependence. However, Ruby relapsed when her father-figure uncle passed away, including suffering mental health issues and disengaging from support services.

When Ruby was referred to the Project by a specialist housing worker, she had been incarcerated at Dame Phyllis Frost Centre, and had received a 'no specified reason' Notice to Vacate for failing to engage with her supports, which was a requirement of her housing. The Notice to Vacate was due to expire two months before her release date, and she was fearful of exiting into homelessness.

After helping Ruby to understand her legal and human rights, the Project's lawyers intensively negotiated with the community housing provider to withdraw the Notice to Vacate, which included facilitating post-release engagement strategies. Through this process, it became clear that Ruby was required to make an updated housing application, and the Project's lawyers worked closely with her support worker to make sure this was successfully lodged.

Due to the Project's strong, wrap-around advocacy, the community housing provider agreed not to enforce the Notice to Vacate, which ensured that Ruby was released back into her home with vital post-release supports. This fresh start has given Ruby the confidence and stability to prioritise her continued health recovery and reconnect with her community.





"Access to housing upon release is one of the biggest concerns for women in prison. The Closing the Revolving Door Project provides a fabulous service to help keep women in prison housed, so that they can exit prison with a roof over their head. The lawyers go above and beyond to get the best outcomes for women, and ensure that women are assisted to stay housed."

**Kylie Kot - Orientation Coordinator,
Dame Phyllis Frost Centre**

"I wish to sincerely and wholeheartedly thank you for your representation and your support of myself and Trish* over the last one and a half years. You have shown amazing empathy and gone beyond your normal obligations to genuinely assist us both.

In times of real crisis and turmoil you have been there. For this I say a heartfelt thank you. It means so much to us... I would recommend you as a lawyer to any person who needs a knowledgeable, professional, exceptionally capable and caring advocate."

Steve* - Former client

"The specialised legal help offered by Justice Connect ensures that marginalised people are provided with intensive and holistic legal representation to stay housed, avoid homelessness and increase their chances of reintegration, thus reducing the impact on the broader community."

**Carol Nikakis - Former CEO, Victorian Association for
the Care and Resettlement of Offenders**



FUTURE DIRECTIONS

The Project continues to prioritise preventing homelessness for prisoners and removing barriers to housing post-release, with an increased focus on delivering impactful, integrated services when Victorians exit prison.

Given the high rates of prisoners exiting into homelessness, Justice Connect is currently scoping further opportunities to provide best-practice help post-release. This involves deepening our partnerships with other specialist legal and non-legal services to better understand the key needs of Victorians when they are released.

This work includes:

- Research into the legal and non-legal needs of prisoners post release, and the gaps in service provision in Victoria
- Investigating best-practice models of post-release support in Victoria, Australia-wide and internationally.
- Consulting with Victorian prisoners, specialist post-release support services, and other key stakeholders to identify the primary legal and non-legal needs on release.

Informed by this evidence-base, Justice Connect will explore a best-practice model of holistic legal service provision, aiming to impactfully meet the post-release needs of prisoners.





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