Australia’s Hidden Homeless

Community-based approaches to asylum seeker homelessness

Hotham Mission Asylum Seeker Project  August 2010
Acknowledgements

Report authors
Nadine Liddy, Sarah Sanders, Caz Coleman

Photography by Mike Emmett, Redfish Bluefish Creative

Design by Claire Emmett, Redfish Bluefish Creative
www.redfishbluefish.com.au

Academic advisor Dr David Corlett

Advising Economist Dr Tony Ward, Milbur Pty Ltd


The report is the result of a research project undertaken by Hotham Mission Asylum Seeker Project in collaboration with the Victorian Council to Homeless Persons and Dr David Corlett, with assistance from HOST Consulting.

We acknowledge the generous contribution of the service providers and other individuals who agreed to share their knowledge and experiences of working with asylum seekers living in the community.

We gratefully acknowledge the financial support from the Truby and Florence Williams Charitable Trust which is managed by ANZ Trustees, without whom this research could not have been undertaken.
FORWARD

Victoria and Australia have a long and proud history of multiculturalism, compassion and social justice. Our history is not a series of events relegated to the past, but is something that lives and breathes in our communities on our streets and neighbourhoods. This history, as it embodies some of our most fundamental values, is very much a part of our present and future, and is at the heart of who we are as a harmonious and just society.

I believe that our cultural diversity makes us stronger, open and proud; I believe all people are equal; and I believe that we are collectively responsible for supporting and protecting the vulnerable among us.

Asylum seekers come to Australia from the most war-ravaged and oppressed countries around the world. Many have suffered destitution, persecution and extreme violence. They come to Australia in search of protection from those who would do them harm. Sadly, many arrive here and find only closed doors and impoverishment.

The research presented here by the Hotham Mission Asylum Seeker Project is based on 12 years of experience in providing housing support to asylum seekers in the Victorian community, and those recently released from detention. The findings illustrate that housing is an area of profound disadvantage for asylum seekers in the community.

Hotham Mission’s past and current work with asylum seekers and their research and recommendations provide a viable community-based housing model for the health and welfare of asylum seekers. Furthermore, this work speaks to Australian values in that it advocates for the care and support of children, minors and other vulnerable people.

Hotham Mission’s work is an opportunity for Australia to learn from the past in order to provide for a better, brighter future for our most vulnerable community members. By adequately supporting asylum seekers today, we provide them with the chance to give something back to their Australian community.

Let us not forget that some of our most prominent community members, such as the Governor of Victoria, Professor David de Kretser, arrived in Australia seeking a new life. Though asylum seekers may be vulnerable when they arrive, the strength they exhibited in surviving is the same strength that may propel them to great things in the future.

Our obligation is to care for them humanely.

George Lekakis AO
Chairperson
Victorian Multicultural Commission
Abbreviations

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<td>ASP</td>
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<td>Community Assistance and Support Program</td>
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<td>Supported Accommodation Assistance Program</td>
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Executive summary

The Hotham Mission Asylum Seeker Project (ASP), an Australian-based NGO, initiated this research to survey and investigate national and international models of housing provision for asylum seekers’ living in the community. The aim of the project was to develop best practice housing reception standards for asylum seekers in Victoria. The ASP envisages that these standards will be applicable to other Australian states and territories as well.

The majority of asylum seekers in Australia live lawfully in the community on bridging visas while they await resolution of their asylum claims. More than half of these asylum seekers have no access to a government-funded financial safety net or a sustained independent income. As this research demonstrates, many experience homelessness as a result.

In-depth interviews with agencies working with asylum seekers in Australia identified a critical lack of housing and support for asylum seekers, resulting in health and welfare disadvantage that can impede the process of resolving their immigration status.

The research found that the complex immigration status of asylum seekers throughout the process of applying for protection, combined with having to compete with Australian residents and citizens for government-funded housing, can result in multiple barriers to safe and secure housing for asylum seekers in Australia.

The exploration of international models of asylum housing in the UK, Sweden and Canada revealed that a domestic legislative framework governing housing for asylum seekers significantly enhances access to safe and secure housing. Housing reception standards and a national service delivery framework arise from such a legislative context in these countries.

Without such a framework, and given the exclusion of asylum seekers from the national strategic agenda for reducing homelessness in Australia, a robust service delivery framework for the provision of asylum housing is non-existent in this country.

This research shows that, consistent with Australia’s human rights obligations, Australia needs a more humanitarian response to homelessness experienced by asylum seekers living in the community and the factors that give rise to it. A model for a medium-term solution is proposed, with a focus on an integrated service delivery approach utilising existing expertise in the Australian context.

This model establishes that the economic cost of providing subsidised housing to asylum seekers is comparable to that of established programs in the national housing context, such as the former Supported Accommodation Assistance Program (SAAP).

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* Asylum seekers are people who have left their country of origin, have applied for recognition as refugees in another country, and are awaiting a decision on their application. Their application for refugee status is based on fear of persecution in their own country for reasons of race, religion, nationality, membership of a particular social group, or political opinion. In Australia, this means asylum seekers are Protection Visa applicants until their application has been finally determined by the Department of Immigration and Citizenship (DIAC) or the Refugee Review Tribunal (RRT). This report uses the term ‘asylum seeker’ to refer to a person who has applied for a protection visa and who may be at any stage in the determination or appeals process. This includes humanitarian appellants – persons who have not been found to be refugees AND who have appealed to the Minister for Immigration for humanitarian intervention, to allow them to remain in Australia on humanitarian grounds.
The authors conclude with eleven recommendations to the federal government. These are:

**In the immediate term:**

1. Expand the government-funded Community Assistance and Support Scheme (CAS) to include all asylum seekers at risk of homelessness, applying destitution eligibility criteria.

2. Restructure the CAS program to enable flexibility of service delivery, tailored to specific support needs (for example accommodation support only, income support only, or a combination of services required).

**In the medium term:**

3. Provide safe, secure and affordable housing to asylum seekers with multiple vulnerabilities, through access to subsidised, medium-term housing in Australia.

4. Provide subsidised housing consistent with the current Australian humanitarian and protection framework, where housing is one component of a range of supports and compliance structures within the refugee and humanitarian determination process.

5. Provide housing and housing support to asylum seekers within the current federal and state legislative framework, taking into account current asylum seeker entitlements and human rights.

6. Protect access to mainstream housing stock for Australian residents and citizens by employing a ‘portfolio’ approach to housing stock for asylum seekers. This approach would include government-funded transitional properties over which there are currently nomination rights for asylum seeker agencies, plus additional stock sourced from religious organisations and other non-government agencies.

7. Addressing recommendations 3, 4, 5, and 6, implement the model developed through this research as a twelve-month pilot in Victoria. This is a cost effective model for subsidised medium-term housing for community-based asylum seekers and includes the following features:

   a. Federal government funding administered through the state government, of $1.25 million for 100 properties over a twelve-month period, subject to securing adequate housing stock. This equates to less than $12 per night for shared housing, and $31 per night for accommodation for single asylum seekers with vulnerabilities.

   b. The utilisation of stock largely sourced from religious organisations and other NGO bodies, costed at 80% of market rental.

   c. Timely referral and access to subsidised housing, using existing Department of Immigration and Citizenship (DIAC) referral points.

   d. Housing subsidised at 25% of income.
e. Timeframes for review of tenancy, with clear eligibility and the potential for extension.

f. The integration of existing health, welfare and compliance structures funded by the DIAC alongside housing provision.

g. The engagement of expert tenancy management agencies to manage housing stock and tenancies.

h. The engagement of specialist asylum agencies for housing support where existing DIAC-funded programs do not already provide housing support.

i. An evaluation of the program.

8. Apply the program nationally once the evaluation is complete.

9. Conduct a national scoping study to determine the ongoing need for subsidised housing among community-based asylum seekers.

In the long term:

10. Include the provision of safe and secure housing for vulnerable community-based asylum seekers and humanitarian appellants in the federal government’s strategic agenda for reducing homelessness in Australia by 2020.

11. Introduce all necessary and appropriate legislation to give effect to protecting the rights of asylum seekers and humanitarian appellants to safe and secure accommodation, seeking advice from the Australian, state and territory Law Reform Commissions as necessary.
Introduction

The majority of asylum seekers in Australia live lawfully in the community on bridging visas while they wait for their asylum claims to be resolved. More than half of these asylum seekers have no access to a financial safety net. Many have no form of family or community support, and move constantly in and out of homelessness. There is currently very limited government-subsidised housing available to these asylum seekers, and as a consequence they are forced into abject poverty.

Housing is a fundamental human right, according to a number of human rights treaties to which Australia is a party. The International Covenant on Economic, Social and Cultural Rights recognises all persons’ right to appropriate and suitable health care, adequate food and housing. Australia is also a party to the UN Convention Relating to the Status of Refugees, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Elimination of Racial Discrimination, and is bound by the human rights principles contained in these instruments. The provisions of each of these treaties contain housing as a right.

Further, in 2002, the Australian government endorsed the United Nations High Commissioner for Refugees Executive Committee conclusions, which stated:

“Asylum seekers should have access to the appropriate governmental and non-governmental entities when they require assistance so that their basic support needs, including food, clothing, accommodation, and medical care are met.”

Despite these obligations and commitments, the housing needs of asylum seekers have been largely ignored in public policy debate on homelessness. The federal government’s current framework for addressing homelessness, The Road Home, sets the strategic agenda to 2020 for reducing homelessness in Australia. The Road Home was informed by the 2008 Green Paper on Homelessness, which sought to promote public discussion of homelessness, highlight the challenges faced by people who are homeless, and suggest ways forward. Critically, this Green Paper failed to include asylum seekers in the terms of reference. As a consequence, the Road Home strategy excludes asylum seekers from its scope.

This research project documents the ways in which asylum seekers are ignored by mainstream government responses to homelessness, and proposes a cost-effective model to accommodate asylum seekers for the duration of their asylum claim. In doing so, it provides a way to ensure that the Australian government upholds its commitment to human rights.

1.1 The impact of homelessness on asylum seekers

The impact of homelessness on the health and well-being of individuals is well known. The federal government has described those who are homeless or at risk of becoming homeless...
as ‘one of the most vulnerable and marginalised groups in our community’, stating that homelessness removes stability and connection in people’s lives,” and that the impact of ‘even brief periods of homelessness can be long-lasting’. It also notes that children are particularly vulnerable to the traumatic effects of homelessness, being ‘more likely to experience emotional and behavioural problems such as distress, depression, anger and aggression’.

Asylum seekers live with acute uncertainty and instability due to their unresolved immigration status. Many asylum seekers live without any secure form of income and rely on charity for all aspects of their lives. By definition, asylum seekers are seeking safety and protection in Australia, having fled persecution or organised violence in their country of origin. As such, some asylum seekers have experienced trauma or torture, which can contribute to complex mental health issues. Many experience high levels of anxiety. This is particularly pronounced for those who have no income or access to government-funded welfare services.

Hotham Mission’s research into Welfare Issues and Immigration Outcomes for Asylum Seekers on Bridging Visa E documented the relationship between seeking asylum and high levels of anxiety and other mental health issues. This research notes that:

> causes of anxiety [for asylum seekers] on the whole were due to uncertainty about both their present welfare needs and their future, in terms of their legal status in Australia, fear of return, as well as multiple other issues.

For asylum seekers, the experience of homelessness and long-term destitution not only has a detrimental impact on their health and welfare, but also hinders their capacity to satisfy the requirements of the protection application process. In addition, many asylum seeker support agencies, including the Hotham Mission Asylum Seeker Project, have found that long-term destitution can affect asylum seekers’ ability to accept the outcome of their application, especially if their claims are unsuccessful and they are required to return to their countries of origin.

The federal government acknowledged the impact of long-term destitution on asylum seekers’ health, welfare and immigration status resolution in 2006 when it implemented the Community Care Pilot. This Pilot aimed to provide basic health and welfare services to destitute asylum seekers. The first year of the pilot revealed a direct correlation between adequate health and welfare provision and improved immigration status outcomes:

> When health and welfare issues are stabilised, clients are better able to think clearly, exercise choice and participate in resolution of their immigration status.

In the longer term, for those asylum seekers who are granted protection visas, the hardship and cumulative health and welfare consequences of homelessness impede the process of settlement in Australia, including recovery from trauma. This has personal, social and economic costs that are ultimately borne not only by the individuals, but by government-funded settlement and welfare services and the broader community. Such costs may be avoided or mitigated if adequate housing, alongside existing support services, is provided to asylum seekers during their (immigration) status resolution process.

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2. Ibid, p. 23.
It is also important to note that the particular experience of the protection application process, combined with the effects of homelessness on asylum seekers, can mean that their needs differ from those of other homeless persons and often require specialist, targeted support.

1.2 The right to work and the impact of no income

Recently the Australian government extended work rights for asylum seekers.\(^{10}\) While these changes are important in principle and wholly supported by those working with asylum seekers, it is not anticipated they will have much, if any, impact on asylum seekers’ access to housing. This is due to:

- the short-term nature of Bridging Visas, which limit an employer’s opportunity to offer a permanent job;
- the complex mental health needs of many asylum seekers, which prevent them from engaging in paid employment;
- limited English language skills, unknown work history and lack of vocational references in Australia, which are significant barriers to finding employment, and
- significant difficulties experienced by asylum seekers seeking access to private rental stock, due to a lack of rental references but also due to racism and other forms of discrimination, regardless of employment status.

Without income, many asylum seekers are living under conditions of abject poverty and face immediate problems relating to homelessness, health and nutrition, as well as isolation and depression.\(^{11}\) Research shows that asylum seekers experience emotional trauma when they are unable to work. In particular, the erosion of a sense of identity and independence, feelings of shame at having to beg and accept handouts for their survival, and the inability to integrate socially and economically into Australian society can cause profound distress for many parents, especially men, who are unable to support their families.\(^{12}\)

\(^{10}\) In 1997, in a bid to reduce non-genuine applications for refugee status, the 45-Day Rule, a statutory rule, was brought in. It removed work rights and access to health care for refugee claimants who did not apply for protection within 45 days of their arrival in Australia. This rule was removed by the Rudd Government in July 2009 with the aim of providing asylum seekers access to a pathway to support themselves through the protection application process.


Project scope and definitions

This research project was designed to survey and investigate national and international models of housing provision for asylum seekers living in the community in order to develop best practice housing reception standards for asylum seekers in Victoria.

Asylum seekers are people who have left their country of origin, have applied for recognition as a refugee in another country, and are awaiting a decision on their application. Their applications for refugee status are based on fear of persecution in their own country for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

In the Australian context, this means asylum seekers are Protection Visa applicants until their application has been finally determined by the Department of Immigration and Citizenship (DIAC) or the Refugee Review Tribunal (RRT).

In Australia, there are two distinct groups of asylum seekers:

- those who arrive in an ‘authorised’ manner (e.g. with visitor or student visas), and who are generally allowed to remain in the community while their applications are processed; and
- those who arrive in an ‘unauthorised’ manner by plane or boat. This group of asylum seekers are detained in immigration detention centres either on mainland Australia or Christmas Island until they are granted a visa to remain in Australia or they leave the country, voluntarily or otherwise.

14 Mandatory detention applies to asylum seekers arriving in an unauthorised manner; therefore, this group is not included in the target research group. However, the research does have direct application to a Community Detention framework or a detention release model for those exiting detention on a Bridging Visa.
In 2009 there were 6200 applications for protection in Australia. Of this number, 2792 arrived by boat in an irregular manner, and just over half arrived by air. The ratio of air arrivals to boat arrivals has shifted in the past year compared to 2008, when there were 4770 applications for asylum lodged in Australia and 95 per cent of the applicants arrived by air. Historically, most asylum seekers have arrived by plane, with the exception of short-term increases in irregular maritime arrivals in 1977–78, 1989–98, 1999–2001 and 2009–10.

While asylum seekers are the main focus of this research, humanitarian appellants have been included in the scope of the study. A humanitarian appellant is a person who has not been found to be a refugee and who has appealed to the Minister for Immigration for humanitarian intervention to remain in Australia on humanitarian grounds. The number of people holding a Bridging Visa awaiting the outcome of a request for the Minister to intervene in December 2009 was around 1700. Humanitarian appellants have been included in the research in response to significant concern expressed from research participants about the levels of homelessness for this group.

This report uses the term ‘asylum seeker’ to refer to a person who has applied for a protection visa and who may be at any stage in the determination or appeals process. This includes humanitarian appellants.
3.1 Aims

The aims of the project are:
1. To survey domestic models of housing reception for asylum seekers by investigating housing pathways for newly arrived asylum seekers, and difficulties asylum seekers encounter in meeting their housing requirements.
2. To survey international models of housing reception for asylum seekers by investigating:
   • housing reception models in different countries (e.g. cluster, hostel, individual housing, shared, etc.)
   • sources of funding for reception housing for asylum seekers
   • standards of care and models of best practice in asylum seeker housing
   • management/tendering agreements for asylum seeker housing
   • geographic influence of asylum seeker housing placement
   • role of government and community in asylum seeker reception housing
   • statistical data on length of stay, demographics, stage of asylum application
   • health and well-being assessment in the provision of safe and secure housing for asylum seekers.
3. To develop best practice housing reception standards by reference to existing domestic and international housing reception standards.
4. To produce a report with recommendations relating to:
   • the development of a reception housing model, including type and location of housing, management and partnership options, length of stay options, mainstream transition options and;
   • the development of a set of housing reception standards based on health and well-being indicators, aligned with existing community care programs available in Victoria.
5. To determine the cost of providing reception housing and housing support for asylum seekers in Victoria.
6. To inform future policy and implementation of housing provision and housing support for asylum seekers.

3.2 Project methodology

This is a qualitative research project using the following methodology:
• Literature review.
• Individual interviews with key housing and support agencies providing housing to asylum seekers in Victoria, New South Wales, Queensland, Western Australia, South Australia.\(^{19}\)
• Individual interviews and site visits with the government and non-government sectors in the United Kingdom, Sweden and Canada.\(^{20}\) These countries were identified through the literature review as having established asylum seeker housing reception models.

\(^{19}\) Refer to Appendix 1 for a list of agencies interviewed.
\(^{20}\) Refer to Appendix 1 for a list of agencies visited.
Consistent with the project aims, research questions were designed to explore the following areas:

- Housing models – exploring housing type, profile of asylum seekers in the context of the refugee status determination process, advantages and disadvantages of existing models
- Outcomes – exploring the influence of housing provision on settlement or return outcomes
- Standards of care – exploring generic housing/support standards
- Service/program statistics – length of stay, number of asylum seekers accommodated
- Funding – exploring budget, funding model and rationale for government funding of housing for asylum seekers
- Management/tendering – exploring tendering arrangements, contractual requirements and tenancy/lease agreements
- Geographical influence – exploring factors determining location of housing
- Role of government and community sectors – exploring partnerships in service delivery
- Challenges – exploring particular challenges in the provision of housing/support for asylum seekers.
With 6200 asylum applications lodged in 2009, 1700 outstanding ministerial humanitarian requests as of December 2009, and a number of protection applicants not yet determined after 12 months of lodgement, there are between 8000 and 10,000 asylum seekers living in the community awaiting a final determination of their protection application or humanitarian request.21

Across Australia, many of these asylum seekers are accommodated by family or friends for the duration of their asylum claim. A small number of asylum seekers who are able to find employment face significant difficulties in accessing private rental stock due to their lack of rental references, but also due to racism and discrimination. Those who are unable to rent private properties and those who have no access to government-funded safety nets face homelessness. For this group, there are currently the following two options:

(i) Government-funded crisis accommodation and transitional housing

The Commonwealth Crisis Accommodation Program (CAP) provides capital funding to the states to provide housing for people who are homeless or in crisis. CAP accommodation is temporary, for a period of up to six weeks. Agencies reported that a small number of asylum seekers are able to access CAP-funded accommodation.

Commonwealth and state funding is also used to deliver transitional housing programs, which provide accommodation for up to 18 months to people who are homeless or at risk of homelessness. This type of housing generally requires a source of income, to ensure that residents have an exit option after a designated period of time. As asylum seekers have limited or no secure income, the most common exit strategy, private rental, is not an available option. For asylum seekers, a further barrier to entry to transitional housing is agencies’ general lack of understanding of the refugee determination process in Australia, including asylum seekers’ circumstances and entitlements.

(ii) Housing provided by non-government agencies that work specifically with asylum seekers

The majority of homeless asylum seekers are housed by non-government-funded agencies managed by specialist asylum seeker agencies and church groups. Most of these agencies are not registered under the various state government housing Acts, which means they are unable to receive any government funding and they fall outside any regulatory codes. These specialist asylum housing agencies and church groups generally utilise accommodation provided by private donors.

In most cases, lack of resources results in this form of housing being delivered in an ad hoc way. Without uniform standards of delivery there are no clear eligibility criteria and agencies are not compelled to apply tenancy legislation, mainstream standards or guidelines for service delivery.


Figures quoted in the ‘Questions taken on notice’, 9 February 2010, reveal that there are 5400 Bridging Visa E holders and 24,530 Bridging Visa A holders who have been in Australia between one and five years. While not all of these Bridging Visa holders would be protection applicants, a significant proportion of these overall figures would include protection applicants from previous years whose immigration status has not yet been determined. Parliament of Australia, Question taken on notice, Additional Budget Estimates Hearing, 9 February 2010, Immigration and Citizenship Portfolio (134) Program 3.1: Border Management http://aph.gov.au/senate/committee/legcon_ctte/estimates/adjd_0910/idac/134_spo.pdf
Many of the agencies consulted were providing additional support beyond housing. The provision of support alongside housing was consistently noted as critical for this client group. However, due to limited resources a number of agencies played the dual role of property manager and casework (or housing) support, which was considered problematic, particularly when evicting clients.

The national consultations revealed overwhelming support for the development of a more robust and secure response to housing for asylum seekers in the community.
Key challenges of the current asylum housing context in Australia

5.1 Government-funded crisis accommodation and transitional housing

Lack of housing stock
The shortage of housing is a critical issue facing all agencies working in the homelessness sector in Australia. An unprecedented demand for housing stock to address the growing population of homeless persons has put strains on government-funded housing agencies, with all reporting long waiting lists for their housing.

Specialist homelessness services cannot meet the demand for their services ... 74 per cent of [homeless people] surveyed had at some time been refused crisis or transitional accommodation by a service provider; in 58 per cent of cases this was due to lack of beds.22

Current economic conditions have resulted in an increase in waiting lists for government-subsidised housing. The global financial crisis has also meant that a greater number of asylum seekers need housing assistance, as families are less likely to be able to accommodate asylum seekers in their homes, and asylum seekers with work rights may be unable to find employment in order to pay for private rental.

As a research participant from a government-funded transitional housing program noted:

The current lack of housing supply is a huge issue. We have lost a number of transitional housing properties – we did have around 350, we now have around 320.

Restricted access to housing
Government-subsidised transitional housing programs do not provide permanent housing, and therefore require clients to have a plan in place for their housing when the tenancy finishes. For asylum seekers, the primary difficulty with this requirement is lack of an income. More than half of asylum seekers have no access to a financial safety net, and have limited ability to earn an income. Even if an asylum seeker has some form of income through the Asylum Seeker Assistance Scheme (ASAS), or the Community Assistance and Support Program (CAS), these programs can be short-term. This affects an asylum seeker’s ability to move out of any housing that is provided during the visa determination process. It also affects their ability to contribute to rental and utility costs. So while asylum seekers are technically eligible for transitional housing, the lack of exit options for this group often prevent them from utilising it.

As one transitional housing agency commented:

I know through other agencies who were trying to get asylum seekers into their transitional properties they said a blanket ‘no’ because of a lack of income ... I know other transitional

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22 Australian Government, The Road Home, Chapter 4.
Another factor affecting asylum seekers’ access to housing is a lack of understanding of their situation on the part of transitional housing providers. Research supports this view:

Specifically, there was concern that [mainstream] housing assistance service providers had limited knowledge of visa conditions and their relationship to housing circumstances. Other areas of limited knowledge included: cultural, torture and trauma and language associated needs. Low knowledge of client backgrounds and needs contributed to exclusion from housing assistance services ... refugees and asylum seekers were uneasy about accessing some housing assistance services, and service providers were anxious about accepting this group into the service. Poor understanding of the client group was evident in eligibility criteria and assessment methods for some housing assistance services, which were judgmental of visa conditions and restricted access for specific visa categories.23

In cases where asylum seekers are placed in a transitional property, it is usually because an agency understands their particular circumstances and is willing to provide accommodation despite their lack of a clear exit plan. In most circumstances, the housing agency subsidises this housing through internal funding arrangements.

Despite the issues relating to a shortage of housing stock and difficulties related to exit strategies, there is general support from those consulted for housing asylum seekers within the transitional supported accommodation model. The Homeless World Cup pilot was cited by research participants as an example of good practice.

This pilot began in 2008. Asylum seekers from the Homeless World Cup, held in Victoria, were given access to transitional properties supplied by HomeGround Services, funded through the Victorian Department of Human Services. Rent was subsidised at 25 per cent of an ASAS income, and because it was a transitional housing model, tenants were not required to provide a bond or rent in advance. Hotham Mission ASP was contracted to provide the case management (including housing support) and most of the 30 cases moved through the determination process within one year. The project is ongoing, pending a decision on a final eight cases.

Those interviewed also support a transitional model of housing for asylum seekers because it is seen as a good introduction to the private rental market, should an asylum seeker gain permanent residency:

I think that whole model of transitional supported accommodation works well because it is a way for people to learn about the context of signing leases and contracts. It is almost like a practice for people and the support agency have an understanding of where people are coming from so they guide people through that process. They still need to sign a lease but it is like a practice model – this is how you pay your rent – and there is more leniency towards how that goes. And the person who stays in the house will have a support worker and that makes a big difference.

Transitional accommodation is considered particularly appropriate for asylum seekers due to their transitional status while awaiting resolution of their asylum application. Upon final determination of a person’s protection or humanitarian status in Australia, he or she will either leave the country, or may become eligible for settlement support that will change his or her ability to access other forms of accommodation.24

Many research participants commented that this transitional context is unique to asylum seekers and poses a particular challenge in the provision of health and welfare support. That is, while safety and security are paramount in the provision of housing for asylum seekers, the support context must include the possibility of asylum seekers returning to their country of origin.

**Crisis accommodation**

Housing asylum seekers in crisis accommodation is generally considered less than ideal and in most cases inappropriate. Homeless asylum seekers’ housing needs are not short-term, as they are a consequence of their lack of entitlements while they await their immigration outcome. Even if asylum seekers have access to crisis accommodation, they become homeless at the end of the crisis support period (usually up to six weeks), as they are unable to utilise transitional housing. Until their claim is resolved, they are also unable to do anything about the factors that led to their destitution.

Housing asylum seekers in crisis accommodation is also considered to be inappropriate for asylum seekers due to the mix of clients in the sector. Clients with mental health and/or alcohol and other drugs issues are over-represented in mainstream crisis accommodation. Alcohol and other substance abuse issues are not generally common among asylum seekers, and the experience of trauma and possibly torture alongside the challenges of cultural dislocation can lead to asylum seekers feeling isolated or fearful within a crisis accommodation setting.

Asylum seekers are often overwhelmed by the challenges of orienting themselves to Australian life. Their unfamiliarity with the service system and Australian culture makes them especially vulnerable to exploitation by unregulated crisis accommodation facilities and unscrupulous tenants residing there. Associated issues such as violence, racial intimidation and abuse or theft can further traumatisate asylum seekers with vulnerabilities.

Agencies reported that the issue of safety is especially critical for asylum seekers. Asylum seekers are by definition fleeing persecution or conflict and their lives are acutely insecure, as they seek safety and protection in Australia. Furthermore, a number of asylum seekers have experienced torture and trauma, and feelings or experiences of being unsafe can be exacerbated by these memories. As one agency commented:

> We have a client now who we rescued out of [a crisis accommodation facility] – he was literally in foetal position in this awful place, surrounded by people who were obviously high.

Women and children are particularly disadvantaged in rooming house style accommodation, which may be the only alternative for asylum seekers due to the difficulty of access to other forms of crisis accommodation. Specifically, there is the risk that children will be exposed to...
exploitation, violence, racial abuse, or alcohol and other drugs issues – significant concerns for parents trying to keep their families safe. One agency reported that it is not uncommon for asylum seekers to choose to sleep in a park rather than stay in a crisis accommodation service.

5.2 Housing provided by non-government funded agencies that work specifically with asylum seekers

Most states in Australia have agencies that work exclusively with asylum seekers, and which provide housing to asylum seekers who, while living lawfully in the community, are at high risk of homelessness. These agencies receive no government funding and rely on donations and financial support from philanthropic organisations and religious groups. Many agencies also rely on a volunteer base for a range of supports for asylum seekers living in their properties.

There is no common framework for these agencies’ housing service delivery. Further, formal tenancy arrangements are rarely used. These agencies generally house asylum seekers in their own housing stock, which is usually donated or on ‘loan’ by private citizens or religious communities. It often involves a combination of single houses, generally accommodating asylum seeker families, and rooming-style accommodation where groups of single male or female asylum seekers live in their own rooms, with shared facilities.

Despite the success of these agencies in providing housing with no secure form of funding or policy framework, a number of issues of concern arose in relation to this style of housing provision.

Housing stock

As with the government-funded housing sector, asylum seeker agencies find securing housing stock an enormous challenge. None of the agencies consulted has enough stock to respond to the demand for housing.

The main providers of housing for asylum seekers in each state rely on housing stock donated to them by religious groups or private donors for no or little rental return. Despite the generosity of the donors, securing and managing donor housing stock in this way raises a number of challenges. The chief difficulty is the insecurity of the housing stock. As donors of houses can withdraw the property at any time, asylum seekers have no guarantee that their housing will be ongoing. This also affects management’s ability to comply with the relevant state legislation.

It can sometimes also be difficult for asylum seeker agencies to ensure that properties are maintained and repaired, due to donors’ unwillingness to spend money on the property. This raises ethical issues about housing asylum seekers in donated housing that is not maintained to an acceptable standard. One agency providing accommodation exclusively to asylum seekers noted:

[W]e are taking accommodation that may not have safe electricity, may have a leaking roof, as we don’t have a lot of choice. In an ideal world, there would be accommodation that is absolutely secure, so a woman can lock doors and windows, a fenced area for children.
to play. What we often find is that the accommodation ... may not be fully equipped, functioning or secure, particularly for young children.

Two agencies reported that the involvement of the housing donor (often a religious community) in the lives of asylum seekers can be problematic. There are often difficulties relating to asylum seekers’ rights to privacy, and their feelings of obligation to the donor community. This challenge can also extend to management of tenancies, where evictions can be blocked by a donor who may have formed a relationship with a person or family, regardless of eligibility for rent-free housing.

Not surprisingly, the cost to a non-government-funded agency of maintaining the provision of housing is onerous. As the majority of asylum seekers housed by the agencies consulted do not have any income and do not pay rent, many houses are fully subsidised. One asylum housing agency estimates that it receives $1 million per year in pro bono housing costs and spends a further $215,000 per year paying direct rental, utility and housing support costs. These costs are met through fundraising and donations from philanthropic sources.

Providing support as well as housing
Asylum seeker agencies identified casework support as a critical component of their housing services. Casework support provides opportunities to identify potential safety or vulnerability concerns at an early stage. The form and level of casework provision varies enormously across agencies. Some asylum seeker housing services provide 24-hour casework support for their clients. Others do not provide any formal casework support, but live close by and provide informal daily support to the asylum seekers living in their houses. Some agencies provide support from volunteers to asylum seekers living in their housing. Opinions differ about the appropriate level of support, with some agencies believing that it is important to have a support worker on site.

Acknowledging the varying levels of housing needs among asylum seekers, most agencies provide some level of support. This is consistent with government-funded housing provision, where the widely held practice is that tenancy management is separate from casework and housing support, which are provided by another agency.

Typically housing support includes orientation to the local area, access to services and community organisations, and assistance with shopping and understanding bonds, leases, and other issues such as the use and monitoring of electricity and gas. It is common for houses at the bottom end of the rental market to be poorly insulated and have no built-in heating or cooling. As a result, agencies reported cases of asylum seekers using high levels of electricity and gas for which they were unable to pay, especially if they were unemployed. Some agencies provide assistance and advocacy in areas such as financial planning, and support in relation to physical and mental health issues.

Most agencies providing accommodation to asylum seekers perform both casework and property management roles. Agencies report that often these two roles conflict. Relationships that are built within the context of support often make the day-to-day management of housing agreements very difficult. This is particularly evident when an asylum seeker agency needs
to evict a client from one of their properties, as the same person cannot effectively provide support and advocacy to someone whom he or she is evicting. As one research participant said:

*I can tell you nothing destroys a relationship more than an eviction. In the face of an eviction, what clients need is for someone to advocate for them, and we can’t advocate for them if we are the ones evicting them.*

Further, the skills required for the two roles are very different, and it is uncommon for workers to have both the legal/tenancy background required for property management and the welfare/community development background required for casework.

Managing housing

**Lease agreements**

There is no uniformity in the way legal agreements are used by agencies housing asylum seekers and a range of views about whether leases should be used when housing asylum seekers. Most asylum seeker agencies do not use leases but have ‘house rules’ or agreements that asylum seekers sign. While informal housing arrangements provide flexibility in relation to length of stay, the use of house rules, which have no legal effect, can also create problems if a client refuses to leave.

*We have one client who is refusing to leave our housing. He is belligerent. Part of the sticking point is that we don’t have any formal agreement with him, he just moved in … Generally clients just move in – they don’t sign anything. So it has been pretty soft. That has worked for most clients. But for some clients it gets ugly, and previously a management committee member had to dump possessions and change locks.*

Some agencies believe that it may be inappropriate to require asylum seekers to sign a lease. Often asylum seekers are unfamiliar with the legal context of tenancies, and their ability to understand the legal obligations contained in a lease agreement may be significantly compromised by their experiences of trauma. Furthermore, due to negative experiences with bureaucracies in the countries from which they have escaped, some asylum seekers are anxious about legal documents and reluctant to sign them in a context of immigration uncertainty.

One service consulted uses leases for all housing provided to asylum seekers, even where asylum seeker clients have no income and do not pay any rent. In the lease agreement, rent was set at a proportion of income (often 25 per cent), allowing for rent flexibility as circumstances change.

Where leases are used, they are generally in place (i) to provide some protection to asylum seekers, (ii) to help move asylum seekers from properties if the need arises, and (iii) as an educative tool in preparing asylum seekers for living in Australia should their protection application be successful.

In cases where leases are used, it is unclear what legal effect they have for asylum seekers. The largest asylum housing agency in Australia, Hotham Mission ASP, has been unable to secure confident legal advice on the status of asylum seekers under the Victorian Residential Tenancy
Act, due to the policy vacuum that asylum seekers often fall into as a result of their immigration status. This brings into question the adequate protection of asylum seekers’ rights as tenants.

**Evictions**

For most asylum seekers, access to private rental properties is restricted due to their limited financial income, discrimination, and their lack of references and credit history in Australia. This lack of private housing options has a significant impact on agencies that house asylum seekers, because workers sometimes feel they cannot evict asylum seekers. This is true even where there is unacceptable behaviour, including violence, because agencies know that asylum seekers have no other options. This creates a constant tension within many agencies between the need to set minimum standards that ensure a safe environment for all, and the knowledge that the person being evicted will become homeless. In most instances, this is a significant factor in not evicting some asylum seekers who otherwise would be asked to leave.

As one research participant noted:

> It’s not like a normal housing situation – if you don’t follow the rules, out you go … You are limited in the way you deal with those tenancies by lack of other options, and the relationship you build up over time in a charitable way; to then attempt to do tenancy management is difficult.

Evictions are particularly difficult for agencies that rely heavily on volunteers, and that operate within a friendship and support model. Volunteers and staff, even with training in the area of personal and professional boundaries, can form a close relationship with the asylum seekers with whom they are working. In some instances, such relationships may include the asylum seeker visiting their home. If asylum seekers are evicted, they may appear at a volunteer’s house seeking assistance or accommodation.

**Length of stay**

The length of stay for asylum seekers in accommodation provided by asylum seeker agencies varies. Recognising the lack of clarity regarding an asylum seeker’s immigration pathway, some agencies commit to housing and support for the duration of the asylum application process, which may be as short as six months or as long as six years or more.

Some agencies ask asylum seekers who find employment to leave their accommodation to make way for other asylum seekers who have no income. For other agencies, employment is not seen as a trigger for exit, as work is often short-term and thus not a sustainable source of income.

Even if an asylum seeker gains permanent residency, some agencies allow clients to remain in accommodation for some time and give them several months to make the transition into alternative housing. This approach is generally informed by a service’s philosophical perspective on supporting asylum seekers and an understanding of their particular circumstances, including complex trauma issues and the destitution experienced by a number of asylum seekers. These experiences are often considered as warranting more flexible eligibility criteria and therefore more flexible expectations about exiting the property or program.
Policies and procedures
Housing agencies that operate within a larger organisation are more likely to have policies and procedures that relate to the general work of the organisation, and to apply these to their work with asylum seekers. These policies typically cover areas such as occupational health and safety, eligibility guidelines and casework management. Some services document their expectations of clients in welcome booklets, which are given to all asylum seekers housed by the service. Other services have documented guidelines that guide their practice.

However, many services lack documented policies and procedures. Typically these services are those that operate without leases and that commit to housing asylum seekers for the duration of their asylum claim.

Shared accommodation
Many agencies consulted consider it inappropriate to house a number of asylum seekers in the same premises. Asylum seekers who have experienced trauma may have a psychological need for their own space, where they can feel some measure of safety and control. Cultural and religious differences are also seen as an issue with shared housing. Asylum seekers with depression and other mental health needs also are not ideally suited to sharing a house. Housing single women with single men in shared accommodation is seen as inappropriate, as is housing families in shared accommodation.

However, a number of agencies are forced to provide shared accommodation. In most instances shared accommodation is provided to single males in larger houses where some level of privacy can be maintained. A significant advantage of shared accommodation is that it is less expensive. Caseworkers who have a number of clients in the one property have noted other advantages. Depending on the mix, asylum seekers sharing a house can provide important support to each other, as they are all going through the same process. This is most likely to happen if the men come from similar cultural and/or ethnic backgrounds. Considering the cultural mix within a shared house was seen as critical, especially when housing asylum seekers from war zones.

One agency also noted that there can be conflict when housing is shared between asylum seekers who have an income, and therefore pay a small amount of rent, and others who are living in the same property rent-free due to lack of income. Differing access to financial resources may make some asylum seekers vulnerable to exploitation. Agencies reported that shared housing requires additional support to monitor collaboration and potential conflict, where clients can be affected by immigration status decisions or other life events on an ongoing basis.

Shared housing is not considered appropriate for women with children. This significantly reduces the options available to them, making them especially vulnerable to exploitation in the private rental market if they have access to it at all. Women with children commonly are forced to pay above market rates for substandard accommodation due to their limited choices and desperate need to provide shelter for their families.
Strategies to address current gaps in Australia

Those consulted identified the following as possible responses to current gaps or barriers to safe, secure and affordable housing for asylum seekers:

6.1 More housing for asylum seekers in Australia

- Housing for asylum seekers should be government-funded and expanded.
- Housing should be safe and secure, particularly for women and children.
- Housing should be close to basic amenities such as public transport, schools, shops and places of worship.

6.2 Supported housing

- Asylum seekers housed in government-subsided housing should also receive housing support. Tenancy management and support should be provided by different agencies because the roles conflict.
- Where an asylum seeker has a caseworker (e.g. CAS clients), housing support should be incorporated into the casework role.
- Housing, tenancy and casework support should be provided by appropriately trained professionals.
- Levels of support should be flexible according to an asylum seeker’s support needs.

6.3 Transitional housing

- Housing should be transitional, with casework/housing support focused on achieving independent living in the community once asylum seekers gain an income, or gain permanent residency.
- Exceptional circumstances could apply where transitional timeframes are extended.

6.4 Designated asylum seeker housing

- Housing should be asylum seeker-specific to avoid competition with Australian residents and citizens, and provide security of housing stock.

6.5 Housing asylum seekers in shared accommodation

- A flexible array of different kinds of housing could exist to address particular vulnerabilities such as mental health and family dynamics.
• Cluster housing could be provided to enhance opportunities for peer support and communal living.

6.6 Rental subsidy

• A combination of government-subsidised housing and rental support payments could exist to address both short- and medium-term housing needs.
• A rental subsidy could be introduced to maximise tenant choice in relation to geographic area of residence (within reason).

6.7 Excess government housing stock

• Underutilised buildings or sites could be considered for asylum housing.

6.8 Broaden ‘vulnerability’ criteria for current programs

• Current government-funded income programs should be expanded to provide an opportunity for destitute asylum seekers to secure safe and secure housing in the community.
International consultations

Following the national consultations, the research team conducted consultations in the United Kingdom, Sweden and Canada. These countries were identified as having established models for the provision of safe, secure and affordable housing for asylum seekers, and in each of these countries, housing for asylum seekers is government-funded.

Questions for the international consultations were designed to elicit information regarding the models of housing provision for asylum seekers. The research team visited several sites and services in each country, including London, Glasgow and Leeds in the UK, Flen and Hedemora in Sweden and Toronto in Canada. The team conducted consultations with representatives from the government and non-government sectors and visited housing facilities in most locations.

No models investigated in the international consultations were determined to be directly applicable to the Victorian context. This is largely due to the comparatively high numbers of asylum seekers living in the community in Sweden, Canada and the UK, and the legislative framework within which housing is provided to asylum seekers.

Notwithstanding the differences between the countries visited and the Victorian context, aspects of various overseas housing models investigated through the international consultations have informed the model for safe, secure and affordable housing provision for asylum seekers in Victoria outlined in Chapter 9.

Findings from the international consultations are detailed below.

7.1 Government-funded housing for asylum seekers

In each country visited, housing and support for asylum seekers is government-funded. This is largely due to high numbers of asylum seekers and legislative imperatives to address destitution. Total numbers of asylum seekers in the UK, Sweden, and Canada are significantly higher than in Australia. In 2009, the United Kingdom received 29,800 new asylum claims, Sweden a total of 24,200 and Canada, 33,300. Australia, by contrast, received 6200 asylum applications in 2009.

In the UK and Sweden, asylum seeker housing is funded and managed through each country’s immigration department (the UK Border Agency and the Swedish Migration Board, respectively). In Canada, housing for asylum seekers is funded by the Immigration Department but delivered by city (local) governments through the shelter and transitional/affordable housing programs (equivalent to the Australian crisis and transitional housing systems).

Some services and support are available to everyone and others will depend on your income. The UK Border Agency will assess your circumstances and needs. If you are not able to support yourself and your family while we are considering your application, you may apply to us for money and somewhere to live. If you meet the requirements to receive support, you will be given suitable housing and (you can) collect money from a post office near where you live. The money will enable you to buy essential things such as food, clothing and toiletries. If you do not require accommodation but need money for essential things, or you need accommodation but not money, we will be able to give you this partial support.26

We give you support on certain conditions, and you must sign an agreement to say you will obey those conditions. If you don't, we may stop your support.27

In each country, housing for asylum seekers (alongside support and a subsistence/living allowance) is funded at all stages of the refugee determination process,28 although in Canada, the majority of this funding is targeted to accommodation at initial stages of the determination process.

The Migration Board will offer you temporary accommodation while you wait for the outcome of your asylum case. This means that you must move to the location where the Board has a place available. You may also choose to arrange your own accommodation, for example with friends or relatives. The majority of the temporary accommodation provided by the Migration Board is in normal blocks of flats on average housing estates in medium and small towns across Sweden. If you are single, you must be prepared to share the flat with other single asylum seekers.29

Accommodation at the initial stages of the asylum process (generally no more than three to six weeks) is ‘full board’ hostel accommodation (in Canada asylum seekers also receive a basic living allowance), where asylum seekers can obtain assistance to complete an application for housing for the duration of their refugee determination process. In Canada, asylum seekers are given assistance to apply for welfare benefits and can access private rental during this time.30

Beyond initial accommodation, housing in the UK is provided only to eligible asylum seekers, according to destitution criteria.31 In Sweden there is no eligibility criteria for access

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28 In the UK, the level of accommodation and support for asylum seekers without dependents under the age of 18 is diminished when appeal rights are exhausted and return is pending.
30 Asylum seekers in Canada are generally eligible for full (government-funded) welfare benefits.
to government-funded housing; however, as in the UK, eligibility for ongoing housing is dependent on the person meeting responsibilities detailed in a housing/support agreement with the government. In both the UK and Sweden, housing beyond initial accommodation is generally shared accommodation, in two- or three-bedroom houses or flats, and is provided rent-free, with subsidised utilities.

Government-funded medium-term housing for asylum seekers in Canada is generally provided through transitional housing programs. While asylum seekers may use mainstream government-funded housing services (both crisis and transitional), there are also a number of specialist asylum seeker housing services providing both crisis and transitional accommodation. There is currently a commitment from the City of Toronto to fund specialist asylum seeker-specific housing as part of a broader recognition that this population group is particularly at risk of homelessness and destitution.

Canada's medium-term or transitional housing model is very similar to (government-funded) transitional housing programs currently operating in Victoria, with industry standards and service delivery guidelines. Accommodation is similar to the Australian rooming house model, where large houses have been renovated and converted to a number of flats, usually with a shared bathroom, living room and kitchen.

### 7.2 Rationale and legislative context

All those consulted, across the government and non-government sectors, commented that governments have both a legal and moral responsibility to provide housing for asylum seekers, as a fundamental human right and as a critical measure to prevent what would be massive destitution and social cohesion problems. In the UK and Sweden, where asylum seekers are ineligible for welfare entitlements and therefore have no income security, governments consider it their legal and moral responsibility to provide housing and financial support in order to minimise destitution among this population group.

As a signatory to the 1951 Convention, the government has a responsibility to ensure that people are mentally as strong as possible to consider their future in or outside Sweden … if you’ve signed the Convention, then you have a responsibility not just to provide protection when and if this is determined, but during the determination process … you need to give people a decent life while you are processing their claim … and the lowest level is providing food and bed. Knowing you have food and a bed provides some level of security and safety...

In all countries visited, housing provision for asylum seekers is mandated by domestic legislation, including specific asylum support legislation and broader welfare and homelessness legislation. In addition, Sweden and the UK operate in accordance with European human rights law and European Union Minimum Reception Standards for asylum seekers. In all countries, the rationale for government provision of housing and support to asylum seekers includes obligations under the 1951 Convention Relating to the Status of Refugees, as well as domestic legal and moral imperatives to prevent and address destitution among the population, including asylum seekers, and in particular, children under the age of 18.
The City of Toronto confirms that residence in Toronto establishes a person’s eligibility for City services.

It is in no one’s interest to have part of a local population so marginalised, for whatever reason, as to have no access to public services.

Members of the Toronto Public Service value the contributions made by all residents, and we believe that the diversity among Torontonians has strengthened this city.

In the UK and Sweden, the provision of housing to asylum seekers is also considered to serve an important monitoring or compliance function, as well as minimising engagement in illegal employment.

Safeguarding the possibility for fleeing people to seek protection in Sweden is an important and integral part of the work for human rights. People who need and seek protection must know that they are welcome here, in accordance with Swedish laws and the conventions to which Sweden is a signatory.

In Australia, there is no legislative framework within which to mandate housing for asylum seekers, and indeed, no legislative imperative to facilitate asylum seekers’ access to government-funded housing programs. It is not within the scope of this research project to explore legislative reform for asylum seeker housing in Australia, although it is an issue that does need to be investigated in detail. It is clear that housing provision can occur in the short to medium term in the absence of robust legislative changes, by implementing programs that mirror current government-funded housing services.

7.3 Dispersal approach

Both Sweden and the UK use a dispersal approach to housing asylum seekers. This is a direct response to the high numbers of arrivals in Stockholm, London and the south-eastern region of the UK, and a perceived need to manage social cohesion issues resulting from the concentration of asylum seekers in a few geographical areas. Eligible asylum seekers are offered housing on a ‘no-choice’ basis and transferred to accommodation across the country. This dispersal approach is facilitated in part through agreements between the national government and regional or local authorities. In the UK, local authorities in geographical areas with declining or low populations have often been particularly willing to accept and provide support to asylum seekers. For example, in Scotland, the Glasgow City Council welcomes asylum seekers (and refugees) as a solution to a declining population.

If you are homeless or without money to buy food (we call this ‘destitute’) you may qualify for housing provided by us. If you do, we will give you somewhere to live in a place where suitable housing is available. You will not be able to choose where this is. We will provide transport to take you there.
While the dispersal approach may be effective in managing the concentration of high numbers of asylum seekers in major cities, it can be very isolating for some asylum seekers located in small towns. Some may not have access to the support they need. Additionally, a number of those consulted (in both government and non-government agencies) commented that some local authorities are disgruntled with the dispersal approach, as child welfare and other legislation requires them to provide support to asylum seekers but there is inadequate funding to do so. Representatives from both the UK and Swedish immigration departments commented that the viability of the dispersal approach relies on active engagement of the local authorities in regional areas.

The dispersal approach has merit where there are high numbers of asylum seekers. However, while it may indeed be a viable model in Australia (subject to the provision of adequate support), this research does not propose a comprehensive dispersal approach in the medium term, given the low numbers of asylum seekers living in the community and the capacity of major cities and regional areas to absorb community-based asylum seekers.

7.4 Supported housing

In each of the countries visited, support is provided to eligible asylum seekers through specific programs, alongside government-funded housing. Recognising the particular vulnerabilities and needs of asylum seekers, both government and non-government agencies acknowledged the importance of support as well as accommodation. In the UK, this support component is contracted out to the non-government sector. In Sweden it is provided through Reception Centres, which are funded by the Swedish Migration Board to provide both the housing and support components. In Canada both support and housing are provided through established housing support programs.

While the support component varied, in all countries visited the government and non-government sectors recognised the importance of asylum seekers receiving, at minimum, a subsistence (financial) allowance, housing and orientation to the local area, information and referral to other services, and access to some language classes. In the UK and Sweden, eligibility for the allowance and for support more generally is linked to the refugee determination stage (e.g. first stage and appeals) and compliance with this process.

If you do not have your own savings or income, you can apply to the Migration Board to receive a daily allowance. This is a certain amount of money per day which is intended to cover the absolute necessities.

The size of the daily allowance to which you are entitled will depend on your family circumstances and how you live. It may be reduced if you do not cooperate with the investigation of your asylum application. You receive a bank card which you use to withdraw your money.38

Both specialist asylum seeker agencies and transitional housing programs currently provide some level of support to asylum seekers in Australia, in recognition of the complex and particular needs of this population group. However, this support is currently not funded by the

federal or state governments. Support attached to housing is a critical component of any future service delivery in Australia.

7.5 Additional entitlements for children under 18 years of age

Additional entitlements are generally available to families with children under 18 years of age, in recognition of children's particular vulnerabilities. These entitlements are generally legislated through domestic law, including, as in the UK, asylum-specific legislation. Countries have different support levels for children. In Sweden and the UK, for example, children have access to schools or pre-schools and health care until return.

The Aliens Act states that we must pay particular attention to the child's interests. All children, [who] are able and willing, have the right to be heard.

Although asylum-seeking children and young people seeking asylum are not required to attend school, the municipality in which they are living must offer them education on the same terms as the rest of the population in the municipality. This applies to pre-school, elementary and upper secondary.39

In the UK, families with children under 18 years of age who are at the final stage of their asylum claim (that is, when appeal rights are exhausted and return may be imminent) are entitled to receive ongoing support under section 94(5) of the Immigration and Asylum Act 1999, until they receive a final decision. Other asylum seekers must apply for support at this final stage under section 4. Under section 4, the financial allowance is reduced and only accessible through a voucher system, and some asylum seekers must move to new accommodation, often of a lower standard.

In Sweden and the UK, where refugee claims are unsuccessful, immigration policy stipulates that children are to be detained only as a last resort. In Sweden, where return is imminent, children may be detained for a period of 24 hours, and for no more than 48 hours.

The existing housing system for asylum seekers in Australia does not provide for additional entitlements for families with children under 18 years of age. While children may attend pre-school and schools, Australia does not have a legislative framework within which families with children enjoy priority.

While Australia does have provision for financial support for children at the primary and review stages of the protection application process, through the Asylum Seeker Assistance Scheme (ASAS), this support is not available for further judicial appeals or requests to the Minister for Immigration for humanitarian intervention. In a recent study undertaken by Hotham Mission Asylum Seeker Project, in-depth interviews revealed a high incidence of severe material deprivation among the families of persons requesting humanitarian intervention. Most asylum seeker parents lacked the income necessary to feed and house their children to the standards set out in international instruments such as the Convention on the Rights of the Child. These children also had limited access to health care and normal childhood leisure activities.40
The implementation of the housing model proposed by this research will significantly benefit families with children who are facing homelessness and destitution.

### 7.6 Housing, monitoring and compliance

In the UK and Sweden, the provision of housing and support is subject to clients’ compliance with certain requirements. Asylum seekers enter into an agreement with the government and their eligibility for housing and support is affected if obligations are not upheld. Obligations include residing at the accommodation provided by the government, notifying the government of any changes in circumstances, engaging in counselling or programs to assist with return to the country of origin, and in Sweden, participating in government-funded ‘activities’ such as language classes or vocational training. Many people who took part in the consultations in Sweden and the UK commented that the provision of housing was critical for keeping track of asylum seekers. As one staff member said, ‘If we didn’t provide housing, how would we know where they were?’

> If you meet the requirements to receive asylum support, we will give you a document known as an asylum support agreement, which sets out the terms of your support. You should read this document carefully. You will be asked to sign it to confirm that you understand what you are required to do while you are receiving support and will keep to those conditions. If you break the conditions, your support may be stopped temporarily or permanently.

The withdrawal of housing as an incentive to return to the country of origin is used in all three countries. In the UK and Sweden, housing and financial support are diminished once asylum seekers’ appeal rights are exhausted. In the UK, this limited support is prescribed by legislation, with asylum seekers forced to apply for ‘section 4’ support. As noted above, under section 4 of the Immigration and Asylum Act 1999, the subsistence allowance is reduced and only available through a voucher. Furthermore, accommodation is often located in a different area. Such accommodation was consistently criticised as substandard. Some community agencies in the UK raised concerns about diminished support being used by government as a coercive measure to facilitate removal and commented that lower levels of support under section 4 have a detrimental effect on asylum seekers’ mental health. However, as noted above, children at each site were considered a priority group for ongoing support until removal or return.

The research team observed that the removal of housing as a coercive measure in the countries visited is not a useful strategy. The high numbers of failed asylum seekers who remain in the community in the UK, Sweden and Canada would suggest that the removal of essential supports does not facilitate return. Furthermore, removal of essential services such as housing for children can have a detrimental affect on health and welfare. As identified by the Community Care Pilot review quoted in the introduction to this research, there is a direct correlation between adequate health and welfare provision and improved immigration status outcomes. Homelessness impedes, rather than enhances, acceptance of an immigration decision.

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41 UK Border Agency, http://www.ukba.homeoffice.gov.uk/asylum/support/agreement/ Further details regarding conditions of support are provided at this webpage.
7.7 Housing stock

Across all sites, housing stock is sourced through private landlords or large housing corporations, private donors, subsidised mortgage arrangements with the state, and social housing associations. In all countries visited, there is currently sufficient housing stock to meet demand, and this is supported by the dispersal approach in the UK and Sweden. The dispersal approach places asylum seekers in locations where housing is available. In Sweden, housing is only sourced through private landlords and the rental market (where the Swedish Migration Board signs leases with individual landlords), and in the UK, housing is largely sourced through a small number of private housing corporations. In Canada, asylum seekers have access to a range of government-funded social housing programs designed to address destitution and homelessness.

This is significantly different from the Australian context, where sourcing appropriate and affordable housing stock is a significant challenge for government-funded and asylum seeker-specific agencies, as well as for the mainstream population. Australia is currently facing a rental crisis in most capital cities, and asylum seekers face additional barriers in this system.

7.8 Funding and management

In all countries visited, funding models are based on ‘bed per head’ rather than ‘beds per facility’, mitigating excess expenditure when demand for beds is low. This allows for fluctuations in on-shore arrivals. However, while this may be economically effective, a common theme articulated by both government and non-government representatives in the UK was that this commercial focus gave priority to profit over quality and client well-being. In some regions, asylum seekers were required to move properties regularly in order to achieve contractual quotas. Many agencies noted that this can be very disruptive, and particularly detrimental for those asylum seekers experiencing mental health issues.

This economic imperative underpinning asylum seeker housing provision was also evident in Sweden. It was reported that some asylum seekers were required to move housing multiple times in relatively short timeframes, often into overcrowded properties, in order to minimise vacancies.

Any model developed within an Australian context should ensure that the desire for cost-effective management of rental accommodation does not result in frequent movement for clients or overcrowding.

7.9 Housing standards

Standards for providing housing to asylum seekers are in place in the UK and Canada and are being developed in Sweden. In Canada, standards are based on existing social or public housing
programs and monitored by reference to contractual obligations. In the UK, private providers are required to uphold standards detailed in contracts, while not-for-profit providers generally operate according to both social housing standards and those set out in contracts. For example, the Glasgow City Council utilises its community housing standards and service delivery models to provide housing and support to asylum seekers. It was noted by many research participants in the UK that housing standards vary according to stages of the refugee determination process, and accommodation provided at the final stages of the determination process under section 4 of the Immigration and Asylum Act 1999, is often substandard.

In the UK, many agencies reported a lack of government monitoring of the accommodation provided to asylum seekers by private companies. Those agencies contracted to deliver the housing support component repeatedly commented that almost all formal housing complaints submitted by asylum seekers were directed to private providers.

In Sweden, accommodation for single asylum seekers was relatively overcrowded, including, for example, up to four people living in a one-bedroom apartment.

In Australia, given the lack of government-funded or subsidised housing for asylum seekers, there are no specific standards for accommodating asylum seekers. However, well established accommodation standards do exist, through a robust housing and homelessness social service system, and are supported by accreditation processes and established program management.

### 7.10 Partnership approach

A collaborative approach to the provision of housing and support to asylum seekers was particularly evident in Scotland. All those consulted in Scotland highlighted the importance of collaboration among both government and non-government services in achieving good outcomes for asylum seekers.

A number of networks exist in Scotland to support both service delivery and policy/advocacy work on asylum seeker issues and a number of innovative approaches to supporting asylum seekers were evident. For example, the only voluntary returns program funded by the UK government is currently delivered in Glasgow as a partnership project between the Scottish Refugee Council, the UK Border Agency and the Glasgow City Council.

Partnership is considered crucial to the delivery of housing to asylum seekers in Australia and consistently results in innovative service delivery. Such partnerships include those between state and federal governments, government and non-government organisations, and across the non-government housing and broader welfare sector.
Australia's Hidden Homeless
Hotham Mission ASP
Summary of project findings

These findings have been developed through consolidation of the national and international research and directly inform the model for housing asylum seekers detailed in Section 9.

1. The lack of access to safe, secure and affordable housing for asylum seekers is a significant gap in (i) the transitional housing/homelessness service system, (ii) the specialist asylum seeker services, and (iii) government-funded asylum seeker programs.

   Australia, in particular Victoria, currently has a robust housing/homelessness system encompassing legislation, service standards and protocols, accreditation, tendering and management, which provides crisis and transitional housing for those who are homeless or at risk of homelessness.

   Australia also provides, as part of its refugee status determination system, a number of programs targeting asylum seekers with multiple vulnerabilities (the CAS and ASAS programs) and has recently granted work rights. While these programs provide income support, information, referral and some casework support, they do not provide access to safe, secure and affordable housing or housing support.42

   There are currently a number of specialist asylum seeker agencies with expertise in providing housing and support to asylum seekers living in the community. This housing provision, however, is not sustainable as it relies on philanthropic and volunteer support and unstable housing stock, and operates outside any housing standards or guidelines.

2. Consistent with Australia’s human rights obligations, Australia needs a more humanitarian response to homelessness experienced by asylum seekers living in the community and the factors that give rise to it.

3. Australia needs a framework to facilitate asylum seekers’ access to the current transitional or supported housing/homelessness service system. While asylum seekers are not specifically defined as ineligible for services within the provisions of the homelessness legislation, they are commonly not offered housing because of their lack of stable income, subsequent limited exit options, and often limited understanding by many mainstream services of the complexities of the refugee status determination process and asylum seeker entitlements.

4. The relatively low numbers of asylum seekers of lawful status living in the Australian community, and the lack of concentration of large numbers of asylum seekers in specific geographical areas, allow secure, safe and affordable housing provision to be incorporated into the existing housing and homelessness system.

42 With limited financial resources and eligibility criteria, the CAS program is unable to provide safe and secure housing beyond a small private rental and bond provision.
5. The design of medium-term housing programs for asylum seekers should reflect the transitional nature of the protection application process in Australia. This means it should neither be situated within a settlement services framework, nor create a context of social isolation. Asylum seekers must be able to achieve social and financial integration within the Australia community for the time in which they remain in Australia.

6. Due to the particular needs of asylum seekers, it is important that support – which at a minimum includes orientation, housing, information and referral – is provided alongside housing. This should be provided by specialist asylum support agencies that have the knowledge and experience to work with this population group.

7. A proposed model should ensure a smooth transition, once immigration status has been resolved, between housing for asylum seekers and the settlement services system or the processes involved in return. This will minimise the impact on asylum seekers and the pressure on the settlement services system.

8. There is generally excellent collaboration within the non-government sector in Victoria towards a partnership approach to housing provision for asylum seekers. An excellent example of collaborative, successful partnership to deliver housing and support services to asylum seekers is exhibited in the Victorian-based Homeless World Cup project.

9. Any model developed for the provision of safe, secure and affordable housing for asylum seekers should be consistent with the current government policy on housing and the homelessness service system, in particular, *The Road Home*. 
This model seeks to address the existing barriers to safe, secure, affordable housing for asylum seekers living lawfully in the community in Australia, using Victoria as a trial location. In the long term, asylum seekers should be considered as part of The Road Home national strategy for reducing homelessness. This project proposes a model for housing asylum seekers in the medium term.

The development of this model has been informed by findings from the national and international consultations, and consultations with the government-funded housing sector in Victoria.

9.1 Aims

This housing model aims to:

• provide safe, secure and affordable housing to eligible asylum seekers through access to subsidised housing
• address destitution and improve health and well-being for asylum seekers, thereby:
  o increasing the capacity of successful applicants to settle quickly in Australia and access independent housing, OR
  o increasing the compliance rate of asylum seekers and humanitarian appellants on a return pathway
• address key concerns for housing agencies in providing housing for asylum seekers – in particular, exit options/strategies and limited housing stock
• provide housing and housing support to asylum seekers within the current federal and state legislative context of (i) asylum seeker entitlements, (ii) supported housing, and (iii) human rights
• respond to gaps in existing support programs for vulnerable asylum seekers (i.e. CAS and ASAS)\(^43\)
• combine the strengths of current programs and services, including the housing sector, DIAC-funded programs, and asylum seeker support agencies, as well as the broader international protection framework.

9.2 Description

This pilot model proposes that DIAC funding is made available (through the Victorian Department of Human Services) to provide supported transitional accommodation for eligible asylum seekers.

This model is a partnership between:

1. a ‘lead’ housing agency with expertise in the provision of transitional housing responsible for the delivery of all tenancy related services and

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\(^43\) The Asylum Seeker Assistance Scheme (ASAS) provides limited income support to eligible asylum seekers. The Community Assistance Support Program (CAS) provides health and welfare support to eligible asylum seekers. Both are funded by DIAC and administered through the Australian Red Cross. See [http://www.immi.gov.au/media/fact-sheets/61asylum.htm](http://www.immi.gov.au/media/fact-sheets/61asylum.htm)
2. a specialist asylum support agency responsible for providing housing support.

9.3 Key elements

Key elements of this model are that:

• the provision of medium-term supported housing for asylum seekers situated within the Victorian Transitional Housing Management (THM) program. This program provides medium-term accommodation, where residents enter into a tenancy or occupancy agreement that is subject to the provisions of the Residential Tenancies Act 1997 (Vic).

This model is based on transitional housing, not crisis accommodation or permanent public housing. As such, this research has not relied on refugee settlement services as a model for provision of housing for asylum seekers, but instead explored the transitional housing model applied to homelessness in Victoria. While many of the services provided to newly arrived refugees are relevant to asylum seekers, the transitional nature of seeking asylum requires a different approach.

A ‘transitional’ tenancy/occupancy can be between three and 18 months. It is therefore designed to assist asylum seekers in obtaining stable accommodation and to assist their transition into independent housing or their return, within designated timeframes.

• it is innovative, integrated, and builds on the strengths of existing structures and systems, i.e. the mainstream housing and homelessness service system and programs supporting asylum seekers living in the community (e.g. CAS and ASAS). The implementation of this model could occur with limited or no additional pressure on the system. This model proposes an innovative response to the existing shortage of housing stock while at the same time not redirecting or limiting resources from other persons requiring housing assistance.

• it is cost-effective, consistent with existing supported housing funding models.

• it is funded by DIAC and administered through the Victorian State Government Department of Housing, capitalising on existing infrastructure and expertise at the state level, including:
  o housing providers and asylum seeker support agencies
  o transitional housing models which operate within the Residential Tenancies Act 1997 (Vic)
  o state government infrastructure relating to accreditation, training, standards and guidelines
  o existing housing stock sourced through a ‘portfolio’ partnership model.

• it is consistent with the current Australian humanitarian and protection framework, where housing is one component of a range of other supports and structures within the refugee determination process.

• it is consistent with current Australian government policy on housing and homelessness. This model targets a population group which is at particular risk of homelessness,
addressing the ‘structural drivers’ of homelessness for asylum seekers, such as the shortage of affordable housing, and presents an opportunity to ‘prevent homelessness or intervene before it becomes an entrenched way of life’.44 As a prevention and early intervention approach, this model ensures that asylum seekers ‘have access to the right support before reaching crisis point’.45

9.4 Target group

This model is targeted to all asylum seekers on bridging visas who are living lawfully in the community in Victoria and who meet the eligibility criteria for housing.

9.5 Eligibility

It is proposed that the CAS program be expanded to include asylum seekers who are at risk of homelessness. As such, asylum seekers eligible for CAS or ASAS and who are at risk of homelessness will be eligible for housing. CAS clients will receive housing support through the casework support provided as part of the program. ASAS clients will receive housing support from a specialist asylum support agency.

Asylum seekers may exit and re-enter the program providing they meet the destitution eligibility criteria. Housing eligibility criteria will be developed to guide program delivery. Consideration will be given to assessment of particular vulnerabilities or support needs, as is currently conducted in the operation of the CAS and ASAS programs.

44 Australian Government, The Road Home, p. 29.
9.6 Referral process

Referrals into the program would be managed by DIAC. The following diagram provides an overview of the referral process.

![Referral process diagram]

9.7 Length of support

The length of stay for an asylum seeker in transitional housing would be between three and 18 months, which is consistent with the timeframes for other vulnerable groups (e.g. young people).46

Once asylum seekers have their claims resolved, they will no longer be eligible for this model of housing. It is anticipated that the majority of asylum seekers will exit their housing within 18 months.

Eligibility review would occur at six and twelve months, based on income level, networks, alternative affordable housing, health issues, compliance with tenancy agreement, etc.

A ‘buffer zone’ for removal of housing will be established as part of the development of program policies and procedures. For example, once clients are determined ineligible for housing, they will be given a period of time within which to secure alternative housing. During this time, the asylum seekers’ housing support workers (or caseworkers for CAS clients) will actively explore and assist them with exit options.

Where asylum seekers or humanitarian appellants are at the end of their determination process and have an unsuccessful result, they will be provided with support to prepare for return, or support and referral to voluntary returns programs.

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9.8 Funding model and management arrangements

This is a subsidised rent model, where client financial contributions are means-tested. Rent is subsided by DIAC according to eligibility criteria.\(^{47}\)

All asylum seekers who access housing under this model will receive housing support, which will be funded from the overall program budget. For CAS clients, the guidelines could be amended to show that housing support is part of the CAS casework role. For all other asylum seekers eligible for housing, the housing support role could be outsourced to a specialist asylum seeker organisation.

It is important to note that there is a distinct difference between housing support and tenancy obligations of the housing provider.\(^{48}\)

Management arrangements for the program include the following:

- DIAC provides funding to the state government department, which then enters into a contract with a specialist, registered housing provider that is the ‘lead provider’ for delivery of the program.
- This housing agency is required to enter into a partnership (subcontract) with a community agency with asylum expertise (or CAS/ASAS service provider) to provide the support component of the program.
- Housing quality is monitored under existing state legislation and should include inspections and financial penalties for breach of standards.
- All aspects of tenancy are managed by the lead housing provider within legislative frameworks.

Utilities

Asylum seekers should be granted a concession rate where income levels are reflective of the eligibility criteria. All asylum seekers housed under the model will continue to be eligible for the Victorian Department of Human Services Utility Relief Scheme, which provides assistance for people who are unable to pay their utility bills due to a temporary financial crisis.

9.9 Program policies and procedures

Policies and procedures to inform program delivery would be developed by reference to existing, relevant policies and procedures (e.g. CAS, ASAS, SAAP), including:

- Reporting obligations and responsibilities and exchange of information between housing provider, housing support workers and DIAC. This would include circumstances where asylum seekers are not living at the agreed location.
- Development of program-specific forms, including, inter alia:
  - intake and assessment
  - application for housing and/or support
  - client consent/information release
  - tenancy/occupancy agreement.

\(^{47}\) Formula for assessment/eligibility to be developed utilising those existing in housing sector or CAS/ASAS) based on, e.g., 20% of income with client responsibility for utilities. This would be managed by the housing support agency.

\(^{48}\) See below for an overview of role and responsibilities.
Roles and responsibilities

**Department of Immigration and Citizenship (DIAC)**

DIAC would be responsible for the following:

- Informing asylum seekers of the housing support program and providing avenues for referral to the accommodation support program
- Conducting assessment and determining eligibility for housing support
- Referring eligible asylum seekers to the specialist asylum support agency,
- Liaising with specialist asylum agency and housing support workers regarding review of housing support eligibility at six- and twelve-month intervals.

**Housing provider (THM)**

The Housing provider will be responsible for all aspects of tenancy management, consistent with current responsibilities within the Transitional Housing Management Program, as described in the Homelessness Assistance Program Guidelines and Conditions of Funding 2006–09 (Office of Housing, Department of Human Services).

**Specialist agency/housing support worker**

The housing support needs of asylum seekers differ from those of other groups in the Australian community. Commonly, asylum seekers are unfamiliar with Australian systems and experience particular vulnerabilities due to their unresolved immigration status. Housing support should include assistance with general tenancy issues such as bonds and leases. For some asylum seekers, living in a house in Australia may be the first time they have had to use and manage electricity and gas, and housing support should include help with the use and monitoring of electricity and gas.

It is anticipated that a housing support worker would have a caseload of approximately 30 clients. The roles and responsibilities of the specialist housing support agency include:

- Providing an induction pack to the client, containing specified items such as the occupancy agreement and details of support
- Providing an orientation for the client to the property, including access to public transport, places of worship, schools, shops
- Providing general housing support, including facilitating house meetings as required, explaining and providing assistance with utilities and phone
- Providing advocacy and support in relation to eviction, rent in arrears, etc.
- Notifying DIAC within one day after the asylum seeker is met and takes up occupancy, or notifying DIAC if the asylum seeker fails to arrive on the specified date and time
- Providing referral to appropriate legal and other support services
- Where refugee status claim is successful, facilitating referral and transition into IHSS or other services for ongoing support, as applicable
- Where a claim is unsuccessful, facilitating return counselling (provision of counselling or referral to voluntary returns program).
The Office of Housing, Victorian Department of Human Services

The Office of Housing will be responsible for:

- Entering into a head lease with various church groups and other private donors for the use of their properties to house asylum seekers
- Entering into a contract with a THM to manage the properties it leases for the purposes of housing asylum seekers
- Ensuring that standards of service delivery are met
- All other responsibilities consistent with the funding of transitional housing.

9.10 Exit strategies and housing stock

The lack of exit options for asylum seekers due to lack of income, demand for existing housing stock, and the exclusion of asylum seekers from funding models are the three main factors that influence mainstream housing services’ capacity to accommodate asylum seekers.

Exit strategies

While an exit strategy may not be achievable for those asylum seekers who have no income, this model proposes the following to address the issue of limited exit strategies:

- Six- and twelve-month formal review of eligibility criteria conducted by DIAC and ongoing assessment of eligibility by housing support worker.49
- Provision of assistance, via the housing support worker – e.g. familiarity with the program, organisation and local area; understanding of tenancy; referral to support agencies; access to private rental property; and/or exit from the program if no longer eligible.
- Recommendation for funding for Private Rental Assistance Program (PRAP) targeting asylum seekers who gain permanent residency but who are ineligible for Humanitarian Settlement Support. This will help them to establish tenancy in privately owned rental accommodation. Assistance would include an information service to help locate suitable accommodation; financial assistance to tenants with respect to security bonds and rent in advance; and the inclusion of a bond guarantee scheme, which guarantees payments to landlords in the event of a claim against a bond.
- Recommendation that asylum seekers be eligible for the Victorian Department of Human Services Office of Housing Bond Loan Scheme, which provides an interest-free loan for bonds for private rental options.
- An allowance for the effective date of new applications for public housing to be backdated to the date the asylum seeker first accessed transitional housing, so that public housing becomes a possible exit option.
- Asylum seekers leaving transitional housing, if eligible, can apply for private rental properties through the National Rental Affordability Scheme (NRAS), which provides properties to be rented at 20% lower than market rates.

49 Factors making a person ineligible would include reaching the income threshold, choosing to opt out of the program, the availability of alternative housing options such as staying with family or friends, the end of the refugee determination process, or notice to leave the country.
Housing stock
Currently, asylum seeker agencies in Victoria have nomination rights over a small number of transitional properties managed by THMs. This model proposes that these properties be supplemented by a number of church properties leased by the Office of Housing, which would then be allocated to a THM to manage. Nomination rights to these properties would be given to asylum seeker-specific agencies and CAS support workers.

Over the past year the Hotham Mission Asylum Seeker Project has housed asylum seekers in 30 properties located across Victoria, utilising donated properties at no or low cost to the agency. With the prospect of a rental return, it is anticipated there could be significantly more houses owned by church groups that may also be made available for this pilot.

Funding will be made available as part of the overall program budget to employ a part-time housing liaison officer to facilitate the growth of the housing stock portfolio for the pilot. This position would be for two days per week over a six-month period.
Model costing

The project proposes that a pilot be funded, providing transitional housing and housing support for 100 properties. The pilot, including the provision of experienced property management and support services, will cost DIAC:

- significantly less than market rent
- less than $12 a day to house asylum seekers in group housing
- $31 per day to house in single dwellings asylum seekers who have vulnerabilities.

While the proposed project differs considerably from SAAP housing programs, an Appendix surveys cost evidence from Supported Accommodation Assistance Program (SAAP) in 2007–08 to give an alternative benchmark.

10.1. Cost summary

Table 1 shows the estimated costs of the model, for three different properties in Melbourne. These costs are calculated on a weekly basis, with references to the assumptions in the right-hand column.

In addition to these weekly costs, standard practice with the Transitional Housing Program in Melbourne is to allow a capital cost of $5200 for the initial furniture and equipment for a new property for rent. THM agreements subsequently allow $2000 per year to maintain and replace such furniture and equipment, which is not included in this costing because it relates to a twelve-month pilot.

<table>
<thead>
<tr>
<th>Table 1 Weekly costs of housing proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Element</strong></td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Market rent per week</td>
</tr>
<tr>
<td>Basic rent proposal</td>
</tr>
<tr>
<td>Property management</td>
</tr>
<tr>
<td>Housing support</td>
</tr>
</tbody>
</table>
As well as comparing these figures with market rents, an alternative test is to compare them with available data on other housing support programs. The above totals (excluding any contribution from tenants) suggest daily per person rates of between $41 and $22.

The Appendix discusses the best available benchmark data in this area – from the former Supported Accommodation Assistance program (SAAP). The analysis there indicates that the average SAAP cost for providing accommodation (including housing support services) is $40 per day per client who accesses accommodation support under SAAP. This benchmark also indicates that the housing model proposed by Hotham ASP delivers an attractive result.
10.2. Costs of property provision

To assess what are typical rental costs, this project gained access to the accounts for 2008–09 for an inner Melbourne three-bedroom flat. The flat, built around 1970, has a current council valuation (January 2008) of $490,000, comprising $225,000 site value and $265,000 improvements.

Table 2 shows the detailed expenses for this flat in 2008–09.

Table 2 Income and Expenses for inner Melbourne flat, 2008-09

<table>
<thead>
<tr>
<th>Gross rentals</th>
<th>$20,056</th>
<th>4.1% of capital value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenses Agent’s fees</td>
<td>$1584</td>
<td></td>
</tr>
<tr>
<td>Expenses Minor repairs</td>
<td>$1317</td>
<td></td>
</tr>
<tr>
<td>Expenses Allowance for periodic repairs</td>
<td>$1000</td>
<td></td>
</tr>
<tr>
<td>Expenses Landlord’s contents insurance</td>
<td>$167</td>
<td></td>
</tr>
<tr>
<td>Expenses Council rates</td>
<td>$884</td>
<td></td>
</tr>
<tr>
<td>Expenses Water charges</td>
<td>$533</td>
<td></td>
</tr>
<tr>
<td>Expenses Body corporate</td>
<td>$2,112</td>
<td></td>
</tr>
<tr>
<td>Total expenses</td>
<td>$7598</td>
<td></td>
</tr>
<tr>
<td>Net income</td>
<td>$12,458</td>
<td>2.5% of capital value</td>
</tr>
<tr>
<td>Expenses excluding agent’s fees</td>
<td>$6014</td>
<td>30.0% of gross rental</td>
</tr>
<tr>
<td>Net income, excluding agent’s fees</td>
<td>$14,042</td>
<td>2.9% of capital value</td>
</tr>
</tbody>
</table>

Source: Private landlord, data made available for this study. The ‘allowance for periodic repairs’ covers items such as internal painting and replacement of carpets, undertaken every 5–7 years. The body corporate fees cover insurance and maintenance of the building structure, and maintenance of the property. For private houses, such items are paid directly by the landlord.

Table 2 is an illustrative example of revenues and expenses for an inner Melbourne rental property. The final lines exclude agent’s fees for managing the property – such costs would be met in the Hotham ASP model by the THM manager, and funded separately. Excluding such costs, direct outgoings for the flat are 30% of gross rental. The net return on investment (excluding agent’s fees) for the landlord is therefore 70% of the gross return, or in this case some 2.9% of the capital value.

While this is one specific example, it is understood that many rental properties have similar financial structures. In broad terms, one-third of gross income goes in expenses, with two-thirds representing the net return on investment.
Hotham ASP is aware of properties that could be available for the pilot program, where owners are also not looking to make a market investment return but do wish to receive funding to cover maintenance, repairs and maintaining the value of the property. The model proposes that these are provided to DIAC (via leases with the Victorian Department of Human Services) on one of two approaches:

- A rent set at 80% of the market rate. For probity purposes, this would require a sworn valuation of market rent for each property, which would be the basis of the 80% agreement between DIAC and the property owner.
- Alternatively, using the above data, the rental agreement between DIAC and the property owner could be based on 3.3% of council valuation of the property, giving a similar discount to the gross market rent as the first alternative.

These two approaches would give a similar weekly rent between DIAC and the property owner. In each case, the approach gives a clear and standard process which takes account of the specific circumstances of each property.

The rent set at 80% of the market rent approach is used to calculate the figures in Table 1 above.

### 10.3. Experience and costs in Transitional Housing Management

The proposed Hotham Asylum Seeker Model, to be trialled in the pilot project, is in many ways similar to the Transitional Housing Management program currently under way in Victoria. It is therefore useful to outline some of the THM experience, in both the profile of people using the service and the costs involved. Information and data for this purpose have been kindly provided by HomeGround THM project group.

A recent review of the HomeGround transitional housing services gathered data on clients of the service between 1 July 2007 and 30 June 2008. This found that slightly more than 70% of households were single people (comprising 46% who lived alone, and 25% in shared housing); families represented 25% of transitional clients and couples 4%. These proportions are broadly consistent with the general homeless population, which indicates that 69% of SAAP support periods were provided to single adults, 27% to families and 3% to couples without children.

In 2006, HomeGround Services had previously commissioned a demographic analysis of transitional housing clients. This analysed 1049 tenancies, spanning from 2000 to 2006, and found that 61% of tenancies were headed by women; 73% were single-person households and 21% were sole-parent families.

Looking at the length of stay for transitional housing tenants, both the longer-term demographic analysis and the recent study found the average stay was about one year. 26% of tenants stayed 2–9 months, 32% stayed 9–12 months, and 24% stayed 12–24 months. A small proportion (8%) of tenants stayed less than two months, and 10% stayed longer than 24 months. Families stayed slightly longer (about two months) on average, than singles.
This demographic and length of stay information suggests that THM clients have many similarities with asylum seekers. In particular, it allows some reconciliation between the numbers of households, the number of properties and the total number of people assisted. This is shown in Table 3.

### Table 3  THM clients – household profiles

<table>
<thead>
<tr>
<th>Family units</th>
<th>People per property</th>
<th>Number of properties</th>
<th>Number of people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single, living separately</td>
<td>1</td>
<td>161</td>
<td>161</td>
</tr>
<tr>
<td>Single, living in joint accommodation</td>
<td>2.5</td>
<td>35</td>
<td>88</td>
</tr>
<tr>
<td>Families, living as one unit</td>
<td>2.5</td>
<td>88</td>
<td>219</td>
</tr>
<tr>
<td>Couples, living as one unit</td>
<td>2</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td></td>
<td>298</td>
<td>495</td>
</tr>
</tbody>
</table>

*Source: above HomeGround THM percentage data, applied to the 350 household units assisted in 2008–09*

The HomeGround financial data for 2008–09 also provides a good indicator of the staffing commitments required, and associated costs. Table 4 gives the expenses funded by the Victorian Department of Human Services for the THM program. HomeGround runs a total of 330 THM units.

### Table 4  HomeGround expenses and ratios, 2008-09

<table>
<thead>
<tr>
<th>Staffing costs</th>
<th>No of staff</th>
<th>Total cost</th>
<th>Average salary cost</th>
<th>Number per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager</td>
<td>1</td>
<td>$96,000</td>
<td>$96,000</td>
<td></td>
</tr>
<tr>
<td>Tenancy and property</td>
<td>7.6</td>
<td>$552,432</td>
<td>$72,688</td>
<td>43.4</td>
</tr>
<tr>
<td>TAW crisis</td>
<td>0.65</td>
<td>$47,250</td>
<td>$72,692</td>
<td></td>
</tr>
<tr>
<td>Support (IT, financial)</td>
<td>0.75</td>
<td>$56,761</td>
<td>$75,682</td>
<td></td>
</tr>
<tr>
<td>Vehicles</td>
<td>4.2</td>
<td>$58,107</td>
<td>$13,835</td>
<td>78.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$810,549</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Source: data provided by HomeGround, for 2008–09 financial year. The average salary figures include all salary on-costs, such as superannuation, leave loadings, etc.*
The total HomeGround THM staffing expenditure of $810,000 equates to $2456 for each of the 330 THM household units supported. This is $47 a week, or $6.75 a day.

In addition to these staffing resources, the THM program also includes funding for furniture and equipment. Homeground receives $5500 for initial set up of a new unit, and $2100 per year for maintenance and replacement in subsequent years.

10.4. Housing support services

In addition to the THM property manager function, the proposed Hotham pilot project includes a housing support function to help clients adjust to their new housing and to prepare them for eventual transition out of the project.

Based on current Hotham ASP experience, and an average twelve months in the system, it is expected that a housing support worker will spend one day per month with new household clients for the first three months, and then half a day a month for the remaining nine months. This produces an average of 7.5 days per client per annum – and a housing support worker working 250 days a year will be able to assist 33 clients.

The above HomeGround figures give the all-up salary cost of a tenancy/property worker at $75,000. Adding to this $15,000 for car expenses, and $10,000 for office support, the full cost of a housing support worker is $100,000. With an average of 33 clients per housing support worker, this implies a cost of $3000 per client per year – or $60 per client per week.
Conclusion

This research project documents the ways in which asylum seekers are largely ignored in mainstream government responses to homelessness. It also highlights the challenges associated with providing housing to asylum seekers by NGOs outside a regulated service delivery housing framework.

The majority of asylum seekers in Australia live lawfully in the community on bridging visas while they wait for their asylum claims to be resolved. More than half these asylum seekers have no access to a government-funded financial safety net or sustained independent income source. Many experience homelessness as a result. Even for those who do receive financial support from one of two government-funded programs focusing on asylum seekers, the money they receive is well below the cost for private rental in many Australian states. This can result in individuals or families living in unsafe and insecure accommodation for the duration of their protection application process.

Not only are asylum seekers excluded from the national strategic agenda on homelessness, but there is a severe shortage of low-income housing, both independent and government-subsidised. This combination has led to very few avenues for asylum seekers to obtain safe and secure housing, even when they have a sustained income. The unfunded and unregulated provision of housing to asylum seekers across Australia by non-government funded agencies can result in serious safety issues for both clients and staff of these agencies.

Investigation in the UK, Sweden and Canada revealed a range of housing and health and welfare support provided to asylum seekers throughout the determination process, as well as a range of standards of practice. All three countries experienced significant numbers of asylum seekers, and have enacted legislation mandating a range of entitlements, including housing, for asylum seekers.

In Australia, the number of asylum seekers living in the community and those requiring subsidised or supported housing are far below those in the countries visited overseas. As such, the research drew attention to the current models of housing service delivery, using Victoria as an example. Consultation with those working in the sector revealed that the transitional housing model in Victoria is ideally suited to asylum seekers, so long as specialist support is provided alongside housing.

The model developed by this project is an integrated cost effective service delivery model with partnership between the federal government, state government and established housing and asylum service delivery agencies. It utilises the expertise and robust standards of care that currently exist in the housing and asylum sector. The aim of the model is delivery of subsidised medium-term housing to eligible asylum seekers living in the community, in a way that places as little pressure as possible on the existing subsidised housing stock for Australian residents.
This research proposes a clear set of recommendations to the federal government, aimed at achieving a more humanitarian response to homelessness experienced by asylum seekers living in the community and to the factors that give rise to it. The model proposed is cost-effective, with a per bed price of approximately $31.30 for a single asylum seeker living alone, and less than $12 per day for asylum seekers living in shared housing.

As a nation that prides itself on its commitment to human rights and to the implementation of laws and policies that reflect that commitment, Australia has an obligation to mitigate the disadvantage to people who have left their country of origin and are seeking protection from persecution. Access to safe and secure housing is a fundamental component of that obligation.
Recommendations

The authors conclude with eleven recommendations to the federal government. These are:

**In the immediate term:**

1. Expand the government-funded Community Assistance and Support Scheme (CAS) to include all asylum seekers at risk of homelessness, applying destitution eligibility criteria.

2. Restructure the CAS program to enable flexibility of service delivery, tailored to specific support needs (for example accommodation support only, income support only, or a combination of services required).

**In the medium term:**

3. Provide safe, secure and affordable housing to asylum seekers with multiple vulnerabilities, through access to subsidised, medium-term housing in Australia.

4. Provide subsidised housing consistent with the current Australian humanitarian and protection framework, where housing is one component of a range of supports and compliance structures within the refugee and humanitarian determination process.

5. Provide housing and housing support to asylum seekers within the current federal and state legislative framework, taking into account current asylum seeker entitlements and human rights.

6. Protect access to mainstream housing stock for Australian residents and citizens by employing a ‘portfolio’ approach to housing stock for asylum seekers. This approach would include government-funded transitional properties over which there are currently nomination rights for asylum seeker agencies, plus additional stock sourced from religious organisations and other NGO agencies.

7. Addressing recommendations 3, 4, 5, and 6, implement the model developed through this research as a twelve-month pilot in Victoria. This is a cost effective model for subsidised medium-term housing for community-based asylum seekers and includes the following features:

   a. Federal government funding administered through the state government, of $1.25 million for 100 properties over a twelve-month period, subject to securing adequate housing stock. This equates to less than $12 per night for shared housing, and $31 per
night for accommodation for single asylum seekers with vulnerabilities.
b. The utilisation of stock largely sourced from religious organisations and other NGO bodies, costed at 80% of market rental.
c. Timely referral and access to subsidised housing, using existing Department of Immigration and Citizenship (DIAC) referral points.
d. Housing subsidised at 25% of income.
e. Timeframes for review of tenancy, with clear eligibility and the potential for extension.
f. The integration of existing health, welfare and compliance structures funded by DIAC alongside housing provision.
g. The engagement of expert tenancy management agencies to manage housing stock and tenancies.
h. The engagement of specialist asylum agencies for housing support where existing DIAC-funded programs do not already provide housing support.
i. An evaluation of the program

8. Apply the program nationally once the evaluation is complete.

9. Conduct a national scoping study to determine the ongoing need for subsidised housing among community-based asylum seekers.

**In the long term:**

10. Include the provision of safe and secure housing for vulnerable community-based asylum seekers and humanitarian appellants in the federal government’s strategic agenda for reducing homelessness in Australia by 2020.

11. Introduce all necessary and appropriate legislation to give effect to protecting the rights of asylum seekers and humanitarian appellants to safe and secure accommodation, seeking advice from the Australian, state and territory Law Reform Commissions as necessary.
References

Australian Government, Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), *A national quality framework to support quality services for people experiencing homelessness: a discussion paper*, 2010.

Australian Government, Department of Immigration and Citizenship, *Annual Report 2008–09*


Thompson Goodall Associates *Transitional Housing Management Program: Strategic directions for HomeGround Services July 2009*

UNHCR Executive Committee Conclusion No. 93 - 2002: *Conclusion on reception of asylum-seekers in the context of individual asylum systems No. 93 (LIII) – 2002* EXCOM Conclusions, 8 October 2002
http://www.unhcr.org/3dafdd344.html

http://www.unhcr.org/4ba7341a9.html


Appendices

Appendix 1: Consultations

National Consultations were conducted in August–September 2009 with the following agencies:

- VIC – Asylum Seeker Resource Centre, Baptcare, Brigidine Asylum Seeker Project, HomeGround Services, International Red Cross, Hotham Mission Asylum Seeker Project
- NSW – Asylum Seekers Centre, Bridge for Asylum Seekers, House of Welcome, St Vincent de Paul Society, Jesuit Refugee Services, Uniting Church in Australia Parramatta Mission, International Red Cross
- WA – CARAD, Multicultural Services Centre of WA, Uniting Church in Australia WA
- QLD – Community Queensland, St Vincent de Paul Society
- SA – International Red Cross, Portway Housing, Unitingcare Wesley, Bowden Brompton Community Group Inc.

International consultations were conducted in October 2009 in the United Kingdom, Sweden and Canada, with the following agencies:

- United Kingdom
  - UK Border Agency – London and Scotland
  - British Refugee Council – London and Leeds
  - Scottish Refugee Council – Glasgow
  - Citizens for Sanctuary – London
  - Safe Haven – Sheffield
  - Glasgow City Council – Glasgow
  - YMCA – Glasgow
  - Scottish Government – Glasgow

- Sweden
  - Swedish Migration Board, Department of Justice – Stockholm, Masta, Flen, Skovde, Hedomora
  - FARR – Swedish Network of Asylum and Refugee Support Groups
  - Chaplain, Marsta Detention Centre
Table 1 in the costings section of the report suggests that the cost of providing housing and other support services for asylum seekers will vary depending on the size of households and properties.

On the indicative figures in Table 1:
- A one-person household may have a weekly cost of $264 (i.e. $35 per person per night),
- A two-person household may have a weekly cost of $341 (i.e. $25 per person per night), and
- A three-person household may have a weekly cost of $418 (i.e. $20 per person per night).

Actual results will vary considerably, depending on where the accommodation is located and the size of particular households. Nonetheless, it is useful to compare these figures with other available data.

The best comparative data are from the Supported Accommodation and Assistance Programs delivered across Australia. Some $383 million was spent on SAAP programs in 2007–08, and this provides a strong statistical base for assessing reasonable cost levels.

The below analysis indicates that the average SAAP cost for providing accommodation is $40 per day for each client who accesses the accommodation support under SAAP. This benchmark indicates that the housing model proposed by Hotham ASP delivers an attractive result.
Good data are available on the costs of support services, including accommodation, across Australia from the annual Report on Government Services published by the Productivity Commission. The 2010 edition was published in January this year, with Chapter 15 detailing Protection and Support Services, and sections 15.8 to 15.11 discussing statistics for the Supported Accommodation and Assistance Programs (SAAP).

### Table A1  Key Performance Statistics, Supported Accommodation and Assistance Programs

<table>
<thead>
<tr>
<th></th>
<th>Unit</th>
<th>NSW</th>
<th>Vic</th>
<th>Qld</th>
<th>WA</th>
<th>SA</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total recurrent cost, 2007–08</td>
<td>$m</td>
<td>118.1</td>
<td>90.5</td>
<td>67.1</td>
<td>36.8</td>
<td>33.5</td>
<td>383.9</td>
</tr>
<tr>
<td>Number of clients assisted</td>
<td></td>
<td>37,700</td>
<td>36,600</td>
<td>20,400</td>
<td>10,900</td>
<td>13,000</td>
<td>125,600</td>
</tr>
<tr>
<td>Number of support days</td>
<td>'000</td>
<td>4343</td>
<td>3021</td>
<td>1579</td>
<td>994</td>
<td>1544</td>
<td>12,523</td>
</tr>
<tr>
<td>Average number of support days per client</td>
<td>115</td>
<td>83</td>
<td>77</td>
<td>91</td>
<td>119</td>
<td>102</td>
<td></td>
</tr>
<tr>
<td>Average cost per support day</td>
<td>$</td>
<td>27</td>
<td>30</td>
<td>42</td>
<td>37</td>
<td>22</td>
<td>31</td>
</tr>
</tbody>
</table>
Table A2 shows more differences between SAAP programs across the states. Comparing New South Wales and Victoria, a higher proportion of clients receive housing assistance north of the Murray, while more clients in Victoria receive financial and employment assistance. Access to both of these types of assistance is at high levels in Queensland.

The Productivity Commission data do not give cost breakdowns for the different types of assistance under SAAP, either in total or for the per day data. Indeed, the per day data can be complicated by the fact that some forms of assistance, such as housing, are likely to have a fairly standard daily rate, while others may have fairly set averages per support period, regardless of how long a support period is.

**Statistical Analysis**

Nonetheless, it is possible to estimate the costs of housing by comparing the variations between the states on cost figures and usage of services. Regression analysis can be used to see which services drive the greatest variations in costs.

Two separate regression analyses were run, to give two estimates of likely costs per day of housing support and other assistance. One worked from the total costs of SAAP (the first line in Table A1), the other analysed the costs per day (the last row in Table A1).
Both analyses (technical details are given below) found that housing (including housing-related support costs) was the biggest single cost in SAAP assistance, with financial support as the second major item. The other assistance programs contributed significantly less to the overall costs. On average:
- Accommodation costs are some $40 per day for each client receiving that service.
- Financial assistance costs some $5–9 per day for each client receiving that service.

The analysis of the per day costs indicates that some assistance measures do have costs that vary little with the length of the support period. As noted above, such variations do not appear to apply to the housing costs.

This analysis provides very strong statistical support for average accommodation costs being some $40 per client per day in the SAAP programs.

**Technical analysis**

Two separate regression analyses were run, to give two estimates of likely costs per day of housing support and other assistance. One worked from the total costs of SAAP (the first line in Table A1), the other analysed the costs per day (the last row in Table A1).

Both analyses show strong effects from housing costs and financial assistance, but very little effect from the other assistance services.

For the total costs regression, the final estimated equation was:

Total cost for each state = $2.3 million + $2764 for each support period including accommodation + $640 for each support period including financial assistance.

All variables were statistically significant, and the equation explained 99.9% of the variation in total cost patterns between the states. On average across the states, this means that 84% of total SAAP costs were spent on accommodation, 12% on financial assistance and the remaining 4% on all other services.

For the five major states, the overall average of SAAP costs per support day is $27. With 84% of this spent on housing, this equates to $40 per day for the 57% of clients who receive housing support. The 12% of total costs spent on financial assistance equates to $9 per day for the 37% receiving this support. The remaining services average $1 per day per client.

Similar results came from the regression analysis using the costs per day data. This also shows a high explanatory result (the R² figure is 99.7%, showing the equation explained nearly all of the variation in per day cost patterns between the states). The equation shows an average accommodation cost per day of $40 for support periods including accommodation, with other costs much less: financial assistance averaging $3.50 a day and other assistance $0.60 a day. There was, however, a strong scale factor, as outlined above, as some services may have fairly set averages per support period, regardless of how long a support period is. Because of this, a state with longer average support periods will have lower per day costs for such services. The results for the accommodation costs and for the scale factor were statistically significant.
However, the results for other services and financial assistance were not statistically significant, suggesting these services were affected by the scale factor. Including the scale factor in the averages, the averages for these services would increase to perhaps $5–8 for financial assistance and $1–3 for all other services.

The two different regression analyses produced very similar results, shown in Table 3

<table>
<thead>
<tr>
<th>Table A3: Results from regression analysis</th>
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<tr>
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<td></td>
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<tr>
<td>From total costs analysis</td>
</tr>
<tr>
<td>Accommodation costs (for those receiving housing)</td>
</tr>
<tr>
<td>Financial assistance (for those receiving this)</td>
</tr>
<tr>
<td>Other services (amounts of assistance vary considerably depending on usage of different services)</td>
</tr>
</tbody>
</table>

The results of any regression analysis are only an estimate of actual cost patterns. They should be checked for their explanatory power (excellent in both cases here), their statistical significance (very strong for the housing costs estimate in both approaches) and how reasonable they appear (the ‘reality check’). The similar results for two different approaches support the findings.
The Hotham Mission Asylum Seeker Project works with asylum seekers who are lawfully awaiting an outcome on their refugee or humanitarian protection claim, but who face homelessness and destitution without community support.

Address: 2/579 Queensberry St North Melbourne VIC 3051 Australia
Tel 03 9326 8343 Fax: 03 9326 7470
Copies of this report are available on our website: http://asp.hothammission.org.au/