

PUBLIC HOUSING INQUIRY SUBMISSION

Seniors Rights Victoria (SRV) is a free service that has been established to help prevent elder abuse and safeguard the rights, dignity and independence of older Victorians. SRV is led by the Council on the Ageing, in partnership with the Public Interest Law Clearing House, Eastern Community Legal Centre and Loddon Campaspe Community Legal Centre.

SRV provides a range of services in relation to elder abuse, including a telephone helpline, referrals, legal advice, advocacy and community education. SRV treats elder abuse as any act that causes harm to an older person that is carried out by someone they know or trust, such as a family member or friend. Elder abuse may be physical, social, financial, psychological or sexual. It can also include mistreatment and neglect.

SRV commenced operating as a service in April 2008. It has advised and assisted many older Victorians experiencing elder abuse. In many cases of elder abuse, older people require alternative housing as part of a broader response to their situation. This may be because they are living with the perpetrator of abuse and they need to flee. It might also arise from financially abusive circumstances where the older person has lost their home.

Detailed below are five case studies which SRV has identified as being key examples of how issues around elder abuse and public housing intersect. An analysis of the difficulties SRV has encountered in assisting older people in each study ensues.

Case study 1

Doris is a 75 year woman. She has limited English language skills. Her husband passed away last year. She has one child. She has no other family in Australia and no social supports. She didn't think she could cope living at home alone anymore because the house was so large. Her husband used to manage the finances and she wasn't very confident about money matters. She needed help with shopping and other daily needs.

Doris was very dependant on her daughter, Sally, for daily assistance. Sally suggested that Doris sell her home and come and live with her and her husband Dan. Sally promised her mum that she would look after her for the rest of her life. Doris thought that would be a great idea but suggested she see a lawyer first. Sally told her there was no need because she already had a lawyer. Doris said ok.

Doris put her house on the market and it finally sold. Doris then gave Sally the money to pay off her own mortgage. She then moved into Sally's home. At no time did Doris receive any legal or financial advice about what she had done. She trusted her daughter implicitly.

After a couple of months, Sally and her husband started becoming hostile to Doris, calling her names and telling her she was mad. Sally stopped providing Doris with meals and one day Dan told Doris she should look for alternative accommodation as he did not want her around anymore. He threatened that if she didn't move out he would put her in a nursing home. Doris didn't know what to do. She only had a small amount of money as the rest went into Sally's home. She knew she could no longer live there and she didn't want to remain there as she was scared of Dan. She is generally healthy and is not eligible for aged care.

Obstacles:

Doris was ineligible for public housing as her assets exceeded the \$1300 threshold for special housing needs. She had \$7,000 in the bank. Doris had no family and/or social supports to assist her to find private rental accommodation in her preferred area – close to her long-time GP.

Doris was eligible for respite care however was not eligible for residential low care in an aged care facility. Doris could not search for private rental properties as her English was poor and she was not confident getting around. She also only had \$7,000 and was on the age pension so she would have found it very difficult to secure (or afford) private rental. There was a long waiting list for access to assistance with alternative housing. Doris also required assistance to complete paperwork for public housing but the waiting list for public housing (general) were long and she needed to find alternative accommodation immediately. SRS placement was not suitable for Doris.

Case study 2

John had a house of his own which he built himself. John is 78 years old. He immigrated to Australia in the 60's and worked very hard in a factory to pay his house off. John did not finish primary school in his home country and he does not know how to read or write English. He was married, but his wife passed away. He has 3 children. One lives overseas and the other two are in Australia. One of John's children, Rana, has a gambling problem. John did not know this. One day Rana came to John's home and said she needed money. She asked him to sign a bank loan and she would pay it off. John said no, but Rana seemed so desperate that he finally agreed to it. There was someone with Rana that witnessed the document but John had never met him before. Rana promised to pay it back soon. Some time passed and then one day a Sheriff came to John's house and told him he had to leave because the loan was in arrears. John was on the pension and he did not have any money. He had no idea what was happening. John could not stop the sale of the house and he was forced to vacate. He had nowhere to go and there is no room at his other child's house for him to stay.

Obstacles:

Office of Housing (OoH) stated that the client would need to be homeless (literally) before he would be eligible for early housing. It was also stated that in his area, the early housing waiting list was 5+ years and the general housing waiting list was 20+ years. Alternative housing services were unable to assist due to their long waiting list however did provide assistance with financial support for a bond for private rental. John was not eligible for residential aged care. The only option available to him was private rental. He could not speak English and no services in the area could do ongoing casework with him. John struggled finding private housing because he was on the pension and he did not have enough money for a bond. The private rental market was also very tight and other applicants who were employed were given priority over him. John was homeless for some time.

NB: At December 2009, DHS waitlist figures state that there are currently 38,781 people waiting for public housing statewide.

Case study 3

Beth lives in her own home with her son Stan. Beth is 77 years old and Stan is in his mid 40's. Beth's husband died many years ago. Stan does not pay Beth any rent. Stan has been diagnosed as having schizophrenia. He has a drug addiction and is unemployed. Stan is abusive towards Beth. He often screams at her, calling her a lot of names. He controls what she does in the house, for example, he tells her she has to keep the blinds closed and he won't let her watch television when she likes. Sometimes Stan also hits Beth and threatens to kill her dog. Despite all this, Beth feels responsible for Stan and loves him because he is her child. She has asked him to leave many times but he refuses. Beth does not want to take an intervention order out against Stan but really wants him to find alternative housing, like public housing, so she can live a life free from abuse and yet still preserve some kind of relationship with her son.

Obstacles:

Stan did not have a case manager and therefore no assistance was available to him to obtain alternative housing such as a public housing unit. No other services were involved and all agencies contacted by Beth told her that her son needs to call for himself to get help. In any event, due to public housing shortages Stan would not have been able to secure a public housing unit for some time.

Case study 4:

Joan lives in a unit owned by her son. She is 65 years old. She has had a hard life and suffers from anxiety. She pays her son rent every week. She would like to live a quiet life but her son is always coming around and letting himself in. He demands that she cook for him and do other chores. Her son has an alcohol problem and sometimes comes to the unit very drunk and abusive. One day Joan decided to change the locks and she asked him to also call her before he came around. He then told her she needed to leave and he gave her one month's notice. Joan has \$11,000 in the bank.

Obstacles:

Joan was not eligible for public housing as her assets exceeded the \$1300 threshold for special housing needs. Private rental properties were out of her reach financially and she was not eligible for community or residential aged care services. Alternative housing agencies that covered her area were located 2-3 suburbs away and she was not confident to negotiate public transport.

Case study 5

Paula lives in public housing. She is 87 years old. She lives amongst some people much younger than her. Some of these people take drugs and are very aggressive. They have asked her for money before. Paula is scared of them. One day when Paula was walking to her unit some of these people approached her demanding money. She refused and they pushed her to the ground. She broke her hip. Although DHS said they investigated the matter, the people involved in the incident still live near her. She lives her life in fear.

Obstacles:

Most dedicated older persons housing estates have an age-eligibility of over 55 years. Older tenants are therefore forced to co-locate with much younger tenants - some with very different interests. Many younger tenants in housing estates have drug, alcohol and/or gambling addictions and/or mental health issues which can and do result in unpredictable behaviour. Many do not have their own support networks other than other tenants.

The Office of Housing (OoH) often reacts to these common abusive situations by issuing a breach to a tenant which notifies them that their behaviour has caused them to breach the Residential Tenancies Act. This process does not evict tenants but acts as a warning. If an intervention order is taken out against the abuser, the tenant living in fear often will not contact police if the same behaviour occurs due to fear of further abuse. Also, police often do not respond to public housing estate disputes due to the general frequency of calls.

On-site security is not provided across all public housing estates. Alternative security on OoH estates are a drive-by in a car by a contracted security firm. They are often not in area at times of disputes.

Paula is currently on the OoH waitlist for a transfer.

NB: At December 2009, DHS waitlist figures state that there are currently 9408 people waiting for public housing transfers statewide.