

information sheet

THE HOMESWEST DOMESTIC VIOLENCE POLICY

A group of community agencies and individuals came together in November 1997 to look at Homeswest's Domestic Violence policy and practices. The Domestic Violence Working Group (DVWG) prepared a submission that was subsequently endorsed by the Housing Advisory Committee.

Following a number of meetings between the DVWG and Homeswest, Shelter WA entered into an agreement to coordinate the re-writing of the Domestic Violence Policy.

Following endorsement by the Homeswest Board, a copy of the new Domestic Violence Policy was tabled at the Housing Advisory Committee meeting on 26 May 1999.

What follows is a description of the key areas of change and some information about the issues that Homeswest and the DVWG were unable to agree on.

Key Areas of Change

Preamble

- Includes a more detailed definition of Domestic Violence which draws information from the Domestic Violence Prevention Unit, the Domestic Violence Council and the Family and Domestic Violence Taskforce.

Eligibility

- Domestic Violence applicants will now be given **prima facie priority** (that is, they are automatically granted priority status) and will be assessed according to standard eligibility criteria.

- The new policy requires Homeswest officers to give consideration to **flexible repayment arrangements and suspending of prior debt until property settlement has been finalised.**
- Decisions for Domestic Violence applications are to take no longer than **2 working days.**

Assessment Criteria

- This has been extended to acknowledge that **written evidence is not always appropriate or possible.**
- It is also now recognised that **possession of a restraining order is not always a guarantee of safety and does not negate the need for assistance.**

Assistance Provided to Applicants

- If the applicant wishes Homeswest will ring other regions across the state to find suitable and available accommodation.
- The policy also states that a referral to Crisis Accommodation agencies should occur as a temporary measure only.

Privacy and Confidentiality

- While the previous policy provided applicants with **the option of being interviewed by a female officer or a particular officer known to them**, this is now included as the **desired process to be adopted** by Homeswest officers.
- In the case of a pre arranged interview, Homeswest will supply information regarding the availability of local child care facilities.

Training of Homeswest Officers

- The new policy emphasises the importance of Homeswest Assessing Officers attending training in understanding issues relating to Domestic Violence and cultural awareness. This is reflected in the inclusion of the words **mandatory and on going**.
- In addition, the issues covered in training has been extended to **include sensitivity and confidentiality issues; understanding cultural issues as they relate to domestic violence; and links to policy**.

Applicants Owning or Joint Owners of Private Property

- Applicants are now **required to offer evidence of progress towards a sale of the property within six months after being housed**. However, if there are delays with Family Court proceedings, the matter will not be pursued until they are dealt with by the Court so as not to place the applicant in further risk.

Applicants with Joint Tenancies

- **The applicant with the daily care and control of the children will be regarded by Homeswest as the legal tenant.** Note that the tenancy situation may be reversed if the other party gains daily care of the children at a later date; and a tenant who remains in the family accommodation after the family has moved out, may be required to move out or transfer due to under-occupancy.
- Homeswest will not undertake to obtain police assistance to remove the perpetrator if the perpetrator is not a legal tenant. This will have to be done by the legal tenant or a support agency.

Outstanding Issues

The dedication and hard work of all those involved has resulted in a number of significant changes to the policy. However, there are two key areas around which agreement could not be reached.

- The first relates to the requirement to report damage to the police. While the Homeswest Tenancy Agreement states that tenants must report damage to Homeswest within 3 days it is not stated that the tenant is further required to report

the damage to the police. Under s38 of the Residential Tenancy Act the tenant has no obligation to report criminal damage to the police. The DVWG argued strongly that it is the responsibility of Homeswest as the landlord, to report the damage to the police.

- The second issue that remained unresolved was whether domestic violence is defined as a crime. In accordance with definitions adopted by the Family and Domestic Violence Taskforce WA, the DVWG argued that the definition should include reference to the fact that domestic violence is a crime.

After numerous discussions, it was clear that agreement could not be reached on these issues which may need to be pursued through other mechanisms.

Like all policies, this one was presented to the Homeswest Board for approval. On this occasion, the Board requested a change to the clause relating to the time frame for priority allocations. The DVWGs position is that the clause should state that allocations will occur within 6-8 weeks with a guideline stating that applicants will be advised if there is to be an extension of the timeframe. However, following the Board's request, this clause has now been amended to exclude any reference to the timeframe. The clause now states: *An allocation made on a priority basis, will be made as quickly as possible depending upon the special needs of the applicant.*

For Further Information:

- Contact your local Homeswest office to get a copy of the new policy.
- Contact the Women's Refuge Group on 9227 1642.
- Contact Shelter WA on 9325 6660.

