

Submission from the Church of All Nations
Fairer, Safer Housing: Residential Tenancies Act Review
Regulation of property conditions in the rental market

4 August 2016

This submission is a response to the Victorian Government review of the Residential Tenancies Act 1997 (RTA) and the Fairer Safer Housing plan to ensure people across the state of Victoria have access to safe, affordable and secure housing.

This submission is focussed on a group of public housing properties known collectively as “The Carlton Estate”. The individual property addresses are: 478 Drummond Street, 522 Drummond Street, 480 Lygon Street, 510 Lygon Street and 530 Lygon Street. There are additional blocks in 20 Elgin Street, 38 Elgin Street, 140 Palmerston Street and 495 Cardigan Street.

This submission specifically comments upon “landlords’ obligations to ensure rental properties are safe, secure and liveable.”

INTRODUCTION

All residents have a right to feel safe and secure in their home and a systemic sense of insecurity can have repercussions not only on emotional wellbeing, but on the physical, social and psychological health of particular communities, many of whom have come from diverse and sometimes challenging backgrounds. The Church of All Nations strongly believes that no individuals, families or social groups should be expected to experience continued stressors like feeling unsafe, due to circumstance.

In 2015, research on security issues in the Carlton Estate was commissioned by the Church of All Nations (CAN) following a period of increased informal reports from residents regarding their sense of safety and security on the estate. Families, particularly members of the Women’s Program, were raising concerns about their own safety and the safety of their families and approached the church to provide some kind of representation to their concerns. The church wanted to provide a more formal avenue for residents to express their concerns and capture the major issues being faced at the present time. The views expressed are their own.

FINDINGS:

Drug Presence

Most participants stated that the biggest ‘problem’ or threat to their security was the concentration of drug dealing in their building or on the estate. Participants identified three buildings on the estate that were known for housing a significant number of drug dealers; the most ‘notorious’ being 478 Drummond Street, followed by 522 Drummond Street. Other buildings on the estate, 480 and 530 Lygon Street were frequently referred to as the ‘quieter’ or ‘safer’ buildings.¹²

Most participants said they were able to identify where suspected drug dealers lived and how many alleged drug dealers were on their floor and possibly in their building. For example, one participant stated, “There would have to be at minimum ten to 15 in my building.” Another participant claimed, “There are two drug dealers on the 16th floor. At one point in our building there was an empty flat. People came at night. Everyone knew there were drug dealers there”.

¹ In a follow-up interview one month after the initial data collection period, one participant stated: “No, 480 is not safe anymore. It was then, but it’s not anymore. They [drug dealers] come to my building now.”

² There were no residents who currently lived in 510 or 530 Lygon Street in the sample group although some residents had previously lived in these buildings.

Participants identified the presence of what they believed to be was drug activity in a variety of different ways. For example by:

- a lot of people coming and going from one flat
- continuous banging of doors at all times of night
- needles and packaging for needles left lying around
- water cups left lying around
- fire hydrants and hoses tampered with for water
- people knocking on the door asking for water
- people sleeping in the lift, foyer and corridor or loitering around these areas of their building
- the physical presentation of people they assume to be drug dealers/consumers

Drug presence was also identified through direct witness accounts. Over half of the participants had directly witnessed someone taking drugs intravenously in their building. A participant reported, "Once I saw three people doing drugs on the stairs - three men with a big dog. I was scared but I didn't want to show them I was scared so I continued walking up the stairs. One of them spoke to me. He looked at me and said, "You're used to it, yeah? You should be used to it by now."

Most participants acknowledged feeling threatened by the alleged presence of drugs and drug dealers in their building. The greater majority of interviewees described themselves as being distressed by the close proximity of alleged drug activity to their home and more guarded in their interactions with suspected drug consumers.

Participants, particularly those living in buildings thought to have a higher concentration of drug dealing, also expressed a belief that, whilst there had always been a drug presence on the estate, drug activity was increasing or becoming more visible. A few participants also attributed the greater visibility of drugs and drug culture to the consumption of different, more harmful drugs such as ice.

Drug Hotspots and Security Blind spots

Participants reported avoiding certain areas in the building because of the risk of encountering drug dealers or drug activity. For instance, in shared laundries they stated that they were very cautious and refrained from using the facility after 7pm. The laundry, they stated, is not fitted with any security cameras and whilst you must have a key to enter the facility, the lock is frequently tampered with so that anyone can enter and use the facility.

Most participants also stated they avoided using the stairwells in their building because of the risk of stumbling upon drug activity. Some participants reported that they had witnessed drug taking in the stairwell and subsequently avoided it, whilst others claimed they had always avoided the stairwell because of its reputation for being a hot spot for drug activity. The stairwell, like the laundry, was viewed as being a less than secure area. Most participants believed that the stairwell was fitted with security cameras on the first floor only, leaving the other floors without surveillance.

Verbal heard were, that whilst the stairwell was meant to be accessible from the inside of the building only, the lock was frequently tampered with so that it could be accessed from outside the building. Participants from buildings where the stairwell leads out to a secure basement car park also claimed that their stairwell was frequently accessible to those who wanted to use it for drug activity.

The basement in the Elgin Street building (housing the rubbish disposal unit) was also cited as not secure and an unsafe place. One participant stated, “I don’t go down to the shoot. I wouldn’t go down there at night. My neighbour takes my rubbish down for me. He thinks it’s unsafe

The early hours of the morning were also viewed by participants as high risk times and times of increased drug activity. Whilst the estate has a security presence provided by a for profit contractor, from 7pm until 3am, there are no security guards employed outside of these times. All of the participants interviewed believed that the estate required a greater security presence at night and particularly in the early hours of the morning. One participant stated, “What is the point of security? Most crime occurs at 4am!” Another participant, had her flat burgled and occupied for several days whilst she was away on a holiday

Participants living in 38 Elgin Street and 522 Drummond Street also expressed a firm belief that the absence of security doors on their apartments placed them at greater risk. They described feeling more exposed when they opened the door in their new apartment and were less likely to answer the door to unknown visitors.

Violent and Intimidating Behaviour

Participants also noted an increase in violent and intimidating behaviour in their buildings and on the estate. Most participants attributed this to the drug activity in the flats, which they said, brought a large number of visitors to the estate. For example, one participant stated, “Wherever the sellers are, that’s the building they’ll hit and they’ll hang around”. Another participant claimed: “Yesterday and today – so many people come for drugs to my floor!”

In addition to this, participants identified an increase in what was described as ‘gang-like behaviour’, mainly involving groups of men, lingering around the foyers and bases of certain buildings and intimidating those on their way in and out. One participant stated, “Sometimes we want to go out but if they are there we don’t go out. Sometimes they are sitting on the stairs. They swear when they see someone. They make strange sounds. Sometimes they wait for someone to open the door”. Another participant similarly stated, “My daughter was getting very intimidated by them. She felt threatened by them. They bullied her all the time”.

Numerous participants described being verbally and physically threatened by other residents and/or visitors in their building.

Several participants also mentioned the frequent presence of squatters or strangers sleeping in the vacant flats, the corridors, foyers and, in one instance, the lift of their buildings. One participant stated, “One day we had squatters in the corridor of our building and my daughter was too scared to leave. She said, “Mum, what am I going to do? How am I going to leave”, whilst another participant claimed, “Once I found someone sleeping outside my window. I was too afraid to come out”.

Participants recounted several stabbings that had recently occurred in theirs and other buildings on the estate. Several of these stabbings had been reported in the media (one of which occurred in the Elgin Street Block, was fatal), but several others were not reported.

Events of this nature contributed to participants’ sense that they were unsecure and unsafe in their buildings. Several participants commented further that the lack of accurate information, and speculation, in regards to these events compounded their feelings of fear and insecurity.

Most participants appreciated the significant police response on day-to-day issues on the estate³, they also viewed the concentration of police on the estate or in their building as indicative of the proliferation of crime or level of risk at that present time.

Impact of security issues on participants' lives and feelings of safety

Most participants recounted feeling a heightened level of fear as a result of the security issues at the estate. More than half of the participants rated their feelings of safety in their flat and in their building as being moderate to low (edging towards not at all safe). Whereas most participants reported feeling safer in their flats and buildings during the day, their sense of safety was not considerably higher during the night. Participants in the 480 building reported the greatest feelings of safety⁴, whereas residents in the 478 and the 522 building reported the lowest feelings of safety, with several stating that they felt, 'not at all safe.'

One participant, who currently lives below suspected drug dealers, said, 'We're scared, especially for our kids. Our children are afraid to go to the toilet by themselves during the day! Not just my kids. My kids have friends on the same floor. The kids run when they hear a noise – 11 years old and scared!' Another participant stated: "My kids, they are anxious. They're saying: It's not safe anymore. We have to move house!"

A majority of participants (particularly those in buildings deemed to be at higher risk) also described adjusting or curtailing their movements and activities in response to the risks that were present on the estate. In most cases, this meant remaining in their flats at night or at other inconvenient times when they assessed the environment as unsafe. Minimising certain activities contributed to a decline in lifestyle and freedom for the participants.

The reputation of certain blocks also led to some participants being excluded from particular social experiences. Several participants from flats with greater crime and drug activity reported that their friends would not visit them at their home. Many also stated that most of their children's friends were not permitted to play in their building so their children usually played in the estate grounds and in other families' flats. As one participant said, "All the children are afraid to visit our building. Their parents will not let them play in our building. You can't blame them, I guess". One participant described how the security problems in her building had culminated in her daughter leaving home prematurely.

Reporting Concerns

While participants stated they had often reported their concerns to staff and attendees at *Church of All Nations* programs, rarely were any other appropriate external authorities, such as police and the Housing Office, advised of the incidents.

Further to this, almost half the participants stated they would not contact the police or the Housing Office to report a crime or concern. In some cases, this reluctance was attributed to a mistrust of these agencies, and/or a belief that you did not interfere in "other people's business". One participant reported, "If there's police here I just think that people, like me, jump to the defence", whilst another stated, "I wouldn't call the

³One participant stated, "They're putting more police on the estate. That makes me feel safer".

⁴In a follow-up interview one participant from 480 Lygon Street noted a significant decrease in her feelings of safety due to arrival of a suspected drug dealer on her floor whom she alleged had threatened to kill one of her neighbours.

police unless something was happening to my grandkids, otherwise no. What goes on between neighbours is their business”.

In most cases, however, participants felt that reporting to these agencies would expose them to greater risk. One participant who did not hold a fear of reporting explained, “They probably get frightened there might be some backlash or something. If someone finds out they’ve said something, what’s going to happen to them?”

In addition to the fear of being identified, many participants held the belief that there was no point reporting crime because little would eventuate from it. Several participants reported that they had lodged complaints with the Housing Office or made reports to the police, only to be told their reports did not contain enough evidence or weight for the matters to be pursued

Whilst several participants noted having a positive and constructive relationship with the Police Community Liaison Officer at the estate, most participants indicated a preference for reporting concerning or critical incidents to security. All participants displayed openness to contacting security (if they were in attendance) and several participants who stated that they were too afraid to contact the police, had made anonymous calls to security at some point. One participant reported, “Once I called security, I didn’t give them my name. I said only that the dealers were in flat number ...on the 16th floor”, whilst another stated, “The security they are alright. I know for a fact they will come”.

A few participants noted positive outcomes from their engagements with *Neighbourhood Watch*, stating, “We attend our *Neighbourhood Watch*. That helps. They’re aware of what’s going on. They tell us what’s been happening on the estate in the last seven days”. One participant explained how her contact with *Neighbourhood Watch* had prompted her to start documenting her experiences and concerns. She stated, “I wasn’t going to say anything about it but that’s when I did the letter and I told them that I was abused. I never used to report these things but I’ve started doing it and it’s helped a lot. Well, then they’re aware of it, what’s going on.” Several other participants, however, recounted instances in which they had attended *Neighbourhood Watch* meetings but had left feeling discouraged.

Many participants, disillusioned with the avenues for redress, felt that their situation could only be improved if they moved into private accommodation outside the estate or to another ‘safer’ building on the estate. Approximately a quarter of participants interviewed reported that they had commenced the application process for transferring to another building on the estate. As a result, some were relinquishing brand new architecturally designed apartments to move to safer high-rise apartments on the estate. As one participant said, “I want to move out. If they don’t give me another flat on the estate I will go private. I won’t have money to eat because I can’t stay here. Many people have moved, many people want to move but can’t.”

Suggested Measures to Address Security Issues

All of the participants stipulated that a higher level of security was required on the estate. They offered numerous suggestions on how the security issues could be dealt with. None of these suggestions was independently checked for cost or viability. The most frequent being an around-the-clock presence of security guards on every foyer.

Several other participants, however, stated that they were uncomfortable with the idea of such intensive surveillance, but would be willing to live with it for the sake of others. One participant stated:

“Apart from security doors I don’t see what could be done, unless you vet everyone who comes in and have security guards at the front door like they do at Collingwood and Richmond. I won’t really like

that. I mean, it feels like a jail now. But that's only my opinion. I'm sure older people would love it. I mean I'd put up with it. I haven't really got that much to hide."

Participants also suggested the placement of security cameras on the corridors of each floor, particularly in known drug hotspots, such as the laundry and the stairwell. Currently, only the first floor of the stairwell in each building has security cameras installed. Participants also recommended audio recording in the lifts as many verbal threats are made in the lift that are often not captured by visual recording devices.

Most participants, however, viewed these measures as largely inadequate as they were likely to be frequently tampered with and vandalised. Several participants stated they would like a higher police presence on the estate and in their building. They noted: "When they come and check it is good. They stay away [the drug buyers] when the police are around."

A solution to this would be to enable residents to use the bottom floor and one flat next to the lifts higher up in the building – open it up to become a communal space. If there is an area for a flow of residents to congregate and socialise – then there is less chance of an unwanted intruder to enter.

A large majority of participants living in the 37 Elgin Street building and 222 Drummond Street also stressed the need for security doors to be installed on every flat. They relayed the important role this security measure had played in their previous homes on the estate and were adamant that the security measures (such as swipe cards for every floor) that existed in their new building did not offer the same level of protection they gained from security doors

In addition to higher levels of security, participants stressed the need for the Housing Office to develop better vetting processes so that people displaying drug addictions and criminal behaviour were not placed next to families or more vulnerable people.

Conclusion

Residents at the Carlton Estate identified the major threat to their safety as the concentration of drug activity in their building and on the estate. They identified two buildings in which significant levels of drug activity had raised concerns; the most notorious being 478 Drummond Street, followed by 522 Drummond Street. Residents living in these buildings, and in other buildings, recalled seeing and hearing indicators of what they thought was drug taking and drug dealing on a regular basis.

Over half the residents interviewed had directly witnessed someone taking drugs intravenously in their building. Drug activity was frequently observed in shared areas of the buildings without adequate security, such as the laundry and the stairwell. Consequently, residents tended to avoid these spaces altogether or at riskier times such as night time. Residents believed that drug activity often peaked in the early hours of the morning when there was no security presence (after 3am). They therefore felt a greater sense of risk at these times.

Residents noted an increase in theft and violent and intimidating behaviour in their buildings and on the estate. They also identified an increasing number of what they thought were drug-affected individuals frequenting certain buildings. This led them to believe that the concentration of drug activity in their building and on the estate was increasing.

Residents reported frequently feeling intimidated and threatened by groups of mainly men who often lingered outside buildings and in the foyers. What their intentions were is unknown. Numerous residents reported that they had been directly threatened and/or abused by neighbours, who they suspected were dealers and/or visitors who came to the estate. The fear they felt as a result of these incidents was

compounded by the presence of police at the estate, which they viewed as indicative of the concentration of crime on the estate.

Residents often felt that they were in the dark about events that occurred on the estate, which then affected their immediate feeling of safety.

As a result of the above-mentioned incidents, residents reported a significant increase in their feelings of insecurity in their buildings and on the estate. Their feelings of being unsafe were often coupled with increased levels of stress and anxiety, a reduction in health and loss of sleep. Residents also reported that they frequently curtailed their movements in an effort to avoid risk, which in some cases led to a more isolated and sedentary existence.

A large proportion of the incidents recounted by residents had not been reported to the police or Housing Office. Nearly half the residents indicated that they would not report to these authorities, the largest barrier to reporting being their fear that this would expose them to repercussions. There was also a perception that reporting does not usually lead to any consequences for the perpetrator or positive outcomes/change.

Residents concurred that the level of security at the estate was inadequate. They emphasized the need for a greater presence of security guards and 24-hour security surveillance. Residents from 222 Drummond Street and 38 Elgin Street were insistent on the need for security doors on their apartments. The implementation of security models that existed at other commission flats was also discussed with an emphasis on placing security guards in the foyer of every building and the screening of visitors who wished to enter the building.

Other steps to improve the immediate safety of residents on the estate include introducing greater security measures such as increased security surveillance and security doors could serve to address certain environmental dangers, until more community-based responses are in place.

Higher-level security surveillance and screening is not optimal for various lifestyle reasons. It must be considered as a viable short-term response to crime and harassment/intimidation to be trialled say, for a six months period. Such a trial could include placing security guards in the base of every building and providing 24-hour security surveillance, as participants suggested. This could act as a powerful deterrent to drug dealers and consumers whilst also limiting their accessibility to the building.

Residents, as the research indicates, are more likely to report to security guards than the police and the housing commission and consequently, the placement of security guards on every floor would increase the reporting of critical incidents (thus providing better data on the security issues in the building) whilst also offering reassurance and greater protection for estate residents.

The installation of security doors to apartments in 222 Drummond Street and 38 Elgin Street should also be considered. Security doors have been a major part of the residents self-identified daily safety practices, giving them the ability to screen visitors, hear certain sounds, assess risk, all whilst still maintaining some level of liveability in high-density environment. The design oversight in failing to incorporate security doors in the new apartment complexes has led to a heightened sense of insecurity for residents within their own homes and a greater sense of social isolation in that it is restricting their everyday forms of sociability.

While we recognise that this is a small sample of residents on the Carlton Estate, we also understand that the issues that they identify are realistic and based on true experiences. They outline an honest and general picture of what life is like on the Carlton Estate. It is unfair that people are expected to accept a prevailing sentiment of not being heard and to resign themselves to appalling living conditions and feeling powerless. These concerns need to be addressed and warrant further action.

A Way Forward

- The concerns of residents outlined in the above report, suggests the need to consider appropriate structures to deal with everyday security issues at the Carlton Estate. Broader questions for consideration revolve around the need to build a stronger community on the Estate and overcome an enduring culture of social disturbance, violence, and threats to ordinary residents and their families.
- There is no easy solution to this problem and certainly no obvious measures that can be implemented by the government, the Office of Housing or the police. Efforts to develop a strategy that constructively addresses the issues at hand must include immediate consultative processes that are responsive and effective.
- These consultative processes could be accomplished through the implementation of ‘place management’ at the Carlton Estate. By offering a ‘bottom-up’ approach to consultation that includes all stakeholders involved in the estate and simultaneously coordinating community activities(including Neighbourhood Watch and community safety endeavours). The capacity of residents can be built by involving them in managing their own place. Service providers will work together within the community to manage communal spaces.
- The establishment of place management at the estate would also be instrumental in bringing key stakeholders into the consultation process and establishing stronger ongoing partnerships with all interested parties such as public and private residents, Australian Unity, community service organisations, police, the DHHS (Office of Housing), City of Melbourne, and small business proprietors.
- Measures, such as the coordination of community consultation through place management have been successfully employed to promote greater community investment and responsiveness at other housing estates such as Atherton Gardens in Fitzroy.
- It is imperative that effective and specific processes be developed and implemented to give residents safe opportunities to make their concerns known to authorities. Residents’ concerns should be given the opportunity to be heard via a “block committee” and ongoing support by services be given to assist meaningful input into management and placement of residents.
- It is submitted that consideration should be given to the trial of a cost-saving Pilot “Capacity Building Block” that identifies residents who are committed to living in a safe, secure and peaceful property, free of illicit substances, violence and vandalism. In accordance with Consumer Victoria’s definition of discrimination, and having acknowledged that this action would not be discriminatory in practise; identified residents could then be located in one building, with wrap-around support services that promote employment and training, community participation and self-reliance with the ultimate goals being to break the poverty cycle and improve residents’ quality of life on the Carlton Estate.

Rosemary Carter (Reverend)
UCA Minister and Interim Executive Officer

Anne Yii
Women's Program Coordinator