

Additional comments by the Australian Greens

1.1 The Australian Greens believe that housing is a human right and that access to secure, affordable and appropriate housing is a crucial determinant in health and well-being. Australia's current approach to housing as a commodity has resulted in an increase in the need for social housing.

1.2 The Explanatory Memorandum states the bill engages with Article 11.1 of the International Covenant on Economic, Social and Cultural Rights, stating that everyone has the right to an adequate standard of living for himself and his family, including... housing... and that 'appropriate steps' be taken to 'ensure the realization of this right'.¹

1.3 When questioned about whether this bill, as it stands, engages with Article 11.1, a number of witnesses expressed concern that this bill was not an 'appropriate' step towards the realisation of housing as a human right:

1.4 Ms Amity Durham, Deputy Secretary, Strategy and Planning, Department of Health and Human Services, Victoria:

...it is fair to say it is an enormous challenge and requires both levels of government to work together on demand and supply side solutions. Obviously, 'appropriate' means within what is possible from a funding perspective for both sides of government, but we do believe the way this bill has been framed is not appropriate, because of the level of uncertainty it puts on the future funding stream and Commonwealth funding, which puts some of those services at risk and therefore undermines those objectives of ensuring the realisation of the right to housing.²

1.5 Mr Jeff Fiedler, National Development Worker, Housing for the Aged Action Group Inc.:

We don't believe the bill does work to that end in the sense that believe there does need to be a comprehensive national strategy and a national approach to this issue. If it is going to be dealt with effectively it does need to bring together all the levers of government at both the Commonwealth and state level; it needs to incorporate all of the various departments that impact on the availability of affordable housing for people generally. What we're really seeing with the current policy levers is a dramatic worsening of the situation. Our recent research in New South Wales shows a 54 per cent increase in five years of older people who are paying unaffordable rents in the private rental market. This is an escalation from 21,000 people to 33,000 over a five-year period. So, while this bill is fundamentally about the agreements over supply of funding for services, we believe that, because

1 Explanatory Memorandum, p.16

2 Ms Amity Durham, Deputy Secretary, Strategy and Planning, Department of Health and Human Services, Victoria, *Proof Committee Hansard*, 29 January 2018, p. 11.

of its reference to the requirement to have housing and homelessness plans, there does need to be a joint approach.³

1.6 Ms Jenny Smith, Chair, Homelessness Australia:

We spoke earlier about how housing is a very sensible way to turn off the tap to our prisons, to assist people dealing with health problems and to lower psychiatric conditions in our community. It's not possible to participate economically and it is usually disastrous for our social participation as well. We're not going to see any progress on that until we have a joined approach in this country. As it is currently drafted, the bill does not contribute to that.⁴

1.7 Associate Professor Lisa Wood:

...No, the bill in its current form cannot really make significant inroads to that. And I would hate to think that it becomes like 'no child living in poverty' and other kinds of motherhood statements that we've had over the years in politics, from all sides of the fence, that I don't see that we can achieve for all Australians, and particularly for the most vulnerable Australians, with the bill as it currently stands and with the level of investment that is currently behind it.⁵

1.8 Mr Adrian Pisarski, Executive Officer, National Shelter:

It certainly is a step to help people into housing, but I don't think it's sufficient or adequate. I'd prefer to put it in those terms. I think it tries to fulfil an obligation that Australia has signed up to in terms of its international obligations, but it fails to meet it.⁶

1.9 Mr Michael Myers, Managing Director, National Affordable Housing Consortium:

Australia is a very well housed country in the main, but I think housing equality becomes even more of a stark contrast. So the answer is: if this agreement could show us that, in five or 10 years time these wait list times and key indicators of need and housing poverty were being reversed and we were making positive progress, rather than just slowing down how badly we're doing, then I think it could deliver that. In its current form it doesn't give me any confidence that we know that things are going to be better in 10 years time. Anywhere in this agreement does it say that we will be a better housed nation in 10 years time? I think that the human rights charter

3 Mr Jeff Fiedler, National Development Worker, Housing for the Aged Action Group Inc., *Proof Committee Hansard*, 29 January 2018, p. 17.

4 Ms Jenny Smith, Chair, Homelessness Australia, *Proof Committee Hansard*, 29 January 2018, p. 26.

5 Associate Professor Lisa Wood, *Proof Committee Hansard*, 29 January 2018, p. 26.

6 Mr Adrian Pisarski, Executive Officer, National Shelter, *Proof Committee Hansard*, 29 January 2018, p. 46.

is saying that governments must make reasonable efforts to make progress. We've got to be making progress, and we're a rich country and we can afford to make the progress. We're going to spend \$1.5 billion a year, but we're still not saying that we're making progress, because it doesn't tell us who's going to benefit, how many or when, or whether we're generally improving. So, it is not clear to me that it can meet those requirements.⁷

1.10 A number of submissions called for a national strategic plan on housing. This is imperative as the Commonwealth has power over a number of external factors that ultimately affect housing and the housing plans of states and territories. If implemented, the following recommendations would assist to promote housing as a human right.

Recommendation 1

1.11 The government should develop a national strategic plan and re-establish a body similar to the abolished National Housing Supply Council.

1.12 A number of submissions called for increased funding. National Shelter called for a capital fund to complement the proposed National Housing Finance and Investment Corporation to meet subsidy gaps.⁸

Recommendation 2

1.13 Following an analysis by a national body of the current shortfall and expected demand for social housing, and in consideration of a national housing strategy, capital funding should be allocated to meet that need.

1.14 By threatening to withhold funding if state plans are not 'credible', the bill places providers, and the community, under great uncertainty. In addition to the lack of a definition of 'credible', such a punitive measure is inappropriate when it comes to funding for such vital services.

1.15 The Department of Health and Human Services, Victoria argued:

The level of uncertainty it puts on the future funding stream and Commonwealth funding, which puts some of those services at risk and therefore undermines those objectives of ensuring the realisation of the right to housing.⁹

7 Mr Michael Myers, Managing Director, National Affordable Housing Consortium, *Proof Committee Hansard*, 29 January 2018, pp. 51–52.

8 National Shelter, *Submission 5*, p. 3.

9 Ms Amity Durham, Deputy Secretary, Strategy and Planning, Department of Health and Human Services, Victoria, *Proof Committee Hansard*, 29 January 2018, p. 11.

Recommendation 3

1.16 The withdrawal of funding as a penalty or sanction should be removed and substituted with alternative penalties or sanctions that do not impact funding for social housing or homelessness services.

Senator Lee Rhiannon

Senator for New South Wales