



Mercy Foundation Submission to Developing the National Housing and Homelessness Plan

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1. INTRODUCTION

The Mercy Foundation appreciates the opportunity to provide input to the National Housing and Homelessness Plan. We commend the Australian Government on its commitment to preparing this plan.

The current housing crisis highlights the need to plan for housing. Vacancy rates are at an all time low and housing is more unaffordable than ever. The result is insecure, unstable, unaffordable housing and homelessness, and the lowest income groups are bearing the costs of the failure of our housing system to meet the needs of the population.

The Australian Government's Issues Paper offers much detail on the state of housing and homelessness in Australia. This submission does not repeat the information in the report but rather provides insights and recommendations from projects and research funded by the Mercy Foundation over the last few years.

About the Mercy Foundation

The Mercy Foundation, established by the Sisters of Mercy North Sydney in 1990, is an organisation committed to social justice and structural change to create greater social equity and inclusion in the Australian community.

The primary social justice issue with which the Mercy Foundation is currently concerned is homelessness and its related causes and consequences. It has a special interest in the prevention and impact of homelessness on women and in the implementation of appropriate policy, systems and service responses.

The Mercy Foundation is an independent voice, informed by evidence and current research as it works to change social structures and practices, laws and ways of thinking. The Mercy Foundation works in partnership with other organisations on issues and activities that support its mission.

The Mercy Foundation provides grants for a range of social justice and community initiatives as well as for services, projects and research that will contribute to the goal of ending homelessness.

All levels of Government must protect, respect and fulfil the human right to housing

Homelessness is a gross violation of human rights. All levels of government in Australia are obliged to use all possible resources to end it. Everyone has the right to a safe, secure, affordable home, a place to live in peace, dignity and security. Poor housing and homelessness impacts on all aspects of a person's life; the ability to access or maintain employment, education, it has serious impacts on health, destabilizes relationships and causes much stress and hardship. People experiencing chronic homelessness die prematurely.

Homelessness is an affront to human dignity and urgent action is required to address it. It is a violation of the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and Convention on the Elimination of All Forms of Discrimination against Women.ⁱ

Housing is essential to protect against increasing challenges posed by climate change, natural disasters, environmental degradation and more recently disease such as COVID-19. These challenges exacerbate vulnerabilities and inequalities for people experiencing homelessness.ⁱⁱ

The Mercy Foundation's submission to the National Housing and Homelessness Plan calls for the application of a human rights lens to developing, implementing and evaluating all policies and practices addressing housing and homelessness. A rights-based approach ensures that persons with lived experiences participate in the design, implementation and evaluation of policies aimed at preventing or addressing homelessness.

Evaluation of the Plan through a human rights lens

The seven elements of the right to housing must be considered in all elements of the plan. These are:

- i. Legal security of tenure
 - Short tenures including 6 and 12 month tenures don't offer security for tenants. Short tenures mean that families cannot reliably plan for future schooling of the children; older people are not necessarily able to age in place and it can be difficult to play a part in a community if one's housing outlook is uncertain.
 - No grounds evictions are a violation of the element of legal security of tenure and no persons should be evicted into homelessness.
- ii. Availability of materials, facilities and infrastructure
 - Homes need to be connected to vital infrastructure, such as reliable water, affordable energy and internet.
- iii. Affordability
 - If households have to forego necessities such as food, clothing, transport or medicine to pay for housing, it is unaffordable
- iv. Habitability
 - All housing must meet habitability requirements. As a standard, houses should not endanger health or safety eg mould, damp or unsafe or where people are experiencing violence in the home.

- v. Accessibility
 - Housing should be accessible to specific groups such as women, people with a disability, and older persons. This may require the government to legislate that housing is appropriate for those with additional needs and requiring mobility assistance.
- vi. Location
 - New housing estates must be built where there is employment, schools, services, transport and offer the opportunity to be a part of a community, away from pollution and health risks eg prone to flooding or fire.
- vii. Cultural adequacy
 - Housing should be culturally adequate to be safe and suitable for different forms of families including extended family or kin groups.

Interconnectedness of homelessness

The UN Secretary General's report on *Inclusive policies and programs to address homelessness* highlights the interconnectedness of homelessness, also relevant to homelessness in Australia. Homelessness is interconnected with poverty and rising inequalities, lack of access to adequate housing, insufficient social security income, gender-based and domestic violence, substance misuse, discrimination, lack of decent employment, superannuation settings, high cost of energy, lack of health care, property speculation, deficiencies in mental health care and social protection systems.

Addressing and preventing homelessness requires attention to all its intersection with other issues, requiring holistic policies covering housing, health care and services, and social and legal protection.ⁱⁱⁱ

Be ambitious: A Goal to End Homelessness

All levels of government are urged to commit to a goal to **end** homelessness. The Mercy Foundation proposes that the Australian Government commit to ending homelessness by 2030.

This is in line with the commitment from the European Commission in 2022. Its Member States, representatives of local authorities, social partners and civil society, all endorsed an ambitious work plan to eradicate homelessness in the EU by 2030.^{iv}

The National Housing and Homelessness Plan offers government the opportunity to be ambitious in its objectives and commit to ending homelessness by 2030.

2. RESPONSE TO GUIDED QUESTIONS

2.1 How can governments and community service providers reduce homelessness and/or support people who may be at risk of becoming homeless in Australia?

The solution to homelessness is always affordable, appropriate, secure, safe and permanent housing, with access to whatever supports are needed to ensure challenges that may impact on a successful tenancy are swiftly resolved.

The Mercy Foundation supports evidence-based approaches to ending homelessness including Housing First, permanent supportive housing solutions for persons with complex needs and Rapid Rehousing for people with low needs.

Older women and homelessness

'These are the women who have cared for families, who put all their energies into raising children and are now unable to find shelter because there is absolutely nothing out there that is affordable to them...Imagine selling your house and giving your money to your children who promise you the world and deliver you to homelessness... Imagine being told by landlords that rentals can be paid with sex. This is what we heard from some older women who have been traumatised by this'.

Yumi Lee, CEO, Older Women's Network NSW September 2023

The number of older women experiencing homelessness continues to increase. This is a shameful fact that must be resolved urgently.

- The 2021 Census showed that 7,325 women aged over 55 experience homelessness.
- According to a report by SVA in 2020, 165,000 women between 45 and 55 years and another 240,000 women over 55 years are at great risk of homelessness⁹.
- The drivers of homelessness for older women include poverty, unaffordable rent, lack of superannuation, ageism, elder abuse, domestic violence and gender inequality. A life stress such as a divorce or death of a partner can push a woman into homelessness, especially if she is living in private rental on a low fixed income.

The private rental market fails to meet the needs of older women. The National Housing and Homelessness Plan must include actions and targets to create additional social and affordable housing options that take into account the needs of older women.

Recognising that older women have difficulty finding assistance to prevent or resolve a housing crisis, additional specialist housing support services for older women to expand and complement existing services such as Carefinder and state-based specialist homelessness services is recommended.

Older people must be consulted to participate in the development of the plan and policies.

Special measures are needed now, such as a supplement to CRA, to assist women currently at retirement age who have not had the opportunity to accumulate superannuation due to lower lifetime earnings and caring duties.

Insights from projects ending and preventing homelessness for older women:

a) An innovative response tailored to older women's financial circumstances and needs:

Most older women have low needs and require affordable housing to end or prevent their homelessness. A grant to **Women's Property Initiatives** for the Older Women's Housing assists women on low incomes with some savings, usually a small superannuation payout, to secure a home and allow them to age in place. Their savings make them ineligible for social housing, however they don't have the financial capacity to access a mortgage or own a home on their own. These women would otherwise be locked into the private rental market where their savings would be depleted, at which point they would be reliant on social housing to meet their needs.

This project offers these women an opportunity to make a \$150,000 investment to secure a high quality, affordable and adaptable home that will allow them to age in place. The value of their original investment is preserved and can be accessed, with interest, at any time in the future if they decide the property no longer meets their needs. The women are charged rent that is no more than

30% of their income and WPI is responsible for the costs of maintaining the properties, rates and building insurance. Four women are now living in their own home as a result of this pilot.^{vi}

b) Access to justice for women on low incomes to settle financial matters following marriage breakdown:

Domestic violence is recognised as a key cause of homelessness and survivors of domestic violence can face many barriers to justice, placing them at risk of homelessness. A grant of \$50,000 to **Brigid Justice (NSW)** helped fund legal services for women leaving DV relationships to secure their financial rights and address other legal issues. These women are described as being in the 'justice gap', that is, they do not qualify for Legal Aid and are unable to afford private legal advice. All women were experiencing homelessness prior to assistance from Brigid Justice. Brigid Justice helps the client receive her settlement. Legal fees are then paid back to the fund to assist another woman.

The program is national and has assisted seven women. All seven were homeless or living in unstable or risky housing circumstances.

c) Fast access to financial support to prevent homelessness

A grant to **National Homeless Collective (Vic)** for the Sisters in Safe Housing project has helped prevent homelessness for 27 women and their children by the timely provision of funds to pay for rental bonds and/or rent in advance. They were all fleeing violent situations and were helped to connect with support services as needed.

Chronic Homelessness

People who are chronically homeless with complex needs are at great risk. People experiencing chronic homelessness die prematurely. In 2020, it was estimated that 424 people died while homeless across Australia. In 2021, at least 70 people experiencing homelessness died in Perth and the median age was 52.1 for men and 45.3 for women. The median age of death for the general Australian population is 81.7 years. This represents a gap of more than 30 years.^{vii}

The solution to chronic homelessness is Housing First, providing permanent, safe, secure and affordable housing with access to the different supports required to address any challenges or needs.

The Australian Housing First principles have been defined as:^{viii}

- people have a right to a home
- flexible support for as long as it is needed
- housing and support are separated
- choice and self-determination
- active engagement without coercion
- recovery-oriented practice
- social and community inclusion
- harm reduction approach.

There is no expectation for the person to prove they are 'housing ready' and able to sustain a tenancy, no expectation of behaviour change or engagement with services. Tenancy is secure and permanent. Appropriate supports are identified and workers assertively engage with individuals to support the tenancy.^{ix}

The Mercy Foundation endorses the Advance to Zero^x campaign by the Australian Alliance to End Homelessness as a means of ending chronic homelessness in communities across Australia. Advance to Zero is a data informed, collaborative approach that places the person at the centre of all decision making to end their homelessness.

2.2 How can governments, across all levels, best work with communities to support better housing outcomes for Aboriginal and Torres Strait Islander people?

The effectiveness of a human-rights based approach that places the person at the centre of all decision making and practice is demonstrated by two projects funded in recent years.

Ruah, Perth WA: The Wongee Mia project is recognised as an international example of a best-practice approach to supporting and sustainably housing First Nations peoples. This is a person-centred approach where the client is driving the decision making and overall engagement with the service.

The Wongee Mia project works with a single extended Aboriginal family, providing wrap-around support and help to access housing. The family have experienced intergenerational homelessness and poverty. The community support workers hold the whole family as their caseload. Key to the success of this project is an innovative, flexible support approach and an open diary.

The design of the support methods is drawn directly from feedback from family members in yarning sessions, insights from family Elders and reflections in action research sessions. The project workers have developed a close working relationship with family members and strong connections to family elders for advice and guidance.

From January to June 2023, the service has supported 36 family members.^{xi}

CatholicCare Wilcannia Forbes My Time project: This project supported Aboriginal women over 50 years experiencing homelessness. A focused support system was put in place to identify, engage and implement specific supports for the target group. An Aboriginal support worker provided wrap around services tailored to the needs of each woman.

Twenty eight women were assisted by the project and 23 were moved into safe, long term housing. Many women were fleeing domestic violence situations with limited or no income earning capacities and often without social networks. The project worker noted that women experience a powerful sense of shame and that the impacts of domestic violence, poor health and mental health creates fear of accessing the support system.

The project has supported the team to focus on building trust, creating safety and developing case plans that are focused on the women's strengths, giving them control to make choices and empowering them to participate in their change.

2.3 How can all levels of governments, along with housing organisations, institutional investors, not-for-profits, and private industry, improve access to social housing, which includes public housing and community housing?

Mandatory inclusionary Zoning

The Mercy Foundation advocates for mandatory inclusionary zoning in all new housing developments as a means of increasing the supply of social and affordable housing across communities. The Mercy Foundation supports inclusionary zoning targets for affordable of housing

of 15% of any development built on private land and of 30% of developments built on formerly public land.

Increasing the supply of social and affordable housing

The Mercy Foundation has funded a number of innovative programs that have helped increase the supply of social and affordable housing in Australia.

YWCA Canberra Rentwell project: This project was referred to in the Issues Paper for the NHHP. More than 143 people are now living in affordable private rentals, who would otherwise be at risk of homelessness. The tenants include elderly women, single mums and their children, young refugee families and First Nations women.

Property owners enter into a head lease agreement with YWCA Canberra. They identify suitable and eligible tenants and sub-lease the property at below 75% market rate. The property owner can apply for a land tax exemption through the ACT Revenue Office and YWCA Canberra provides a tax-deductible gift receipt for any foregone rent.

Head Start Homes (NSW) provides a pathway into home ownership by acting as guarantor for community housing tenants who can afford a home loan but are locked out due to the need for a large deposit and mortgage insurance. By moving into home ownership, their community housing property is made available for another individual or family in need. To date, 9 families have purchased their own home, 8 homes were made available for families on the social housing waitlist and many more households are working towards home ownership.^{xii}

A word on financialisation of housing

Financialisation of housing refers to the movement towards housing as an investment for wealth creation. In Australia, the wealthiest 20% of households hold 82% of all investment property by value^{xiii}. Air BnB is another form of the financialisation of housing, as long term rental properties are transformed in to higher-yielding short term holiday rentals, reducing the overall stock available for long term rental.

In the USA and Canada, there are structural changes in housing and financial markets and global investment, whereby housing is treated as a commodity and a means of accumulating wealth. Institutional investors in housing are focused on profitability for their shareholders or investor clients. In the process, this has caused harm to tenants. Leilani Farha, former Special Rapporteur on the right to adequate housing refers to the way capital investment in housing increasingly disconnects housing from its social function of providing a place to live in security and dignity and hence undermines the realization of housing as a human right.^{xiv}

Plans and policy settings to support institutional investment in Australia as a means of creating more housing must first and foremost cater to the needs and human rights of tenants and people seeking housing.

2.4 Other considerations:

People with disabilities

The Mercy Foundation is currently funding a project with the **Centre for Disability Studies** aimed at developing an inclusive workforce. Research shows that people with intellectual disability have difficulties exiting homelessness and that frontline staff in the homelessness and housing sectors could better respond to their needs. This project will strengthen the workforce capability of staff

working in homelessness and housing sectors in supporting people with intellectual disability out of homelessness.

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability made a number of recommendations found in the Final Report Volume 7 *Part C, Inclusive education, employment and housing*.

The report reminds us that people with a disability have a fundamental right to live in suitable housing and be connected to the community. They should choose where they live, with whom, how they live, who provides support for daily living and community participation. Their home should provide safety and security, free from exposure to violence, abuse, neglect and exploitation.

People with higher support needs face multiple barriers to securing appropriate housing and there are fewer options available to them. Some people have little choice but to live in substandard accommodation or chronic homelessness.

The following housing reforms were recommended to address issues and challenges facing people with disability:

- including people with disability in all key national housing and homelessness agreements and planning, including strategies, policies and action plans
- increasing the supply of accessible and adaptive housing for people with disability through the National Construction Code
- increasing access to social housing for people with disability by having inclusive policies for housing allocation, housing applications and building modifications
- increasing tenancy and occupancy protections for people with disability by adopting and enhancing the best regulatory and legislative models available
- improving regulatory oversight in supported accommodation settings by implementing minimum service and accommodation standards
- improved responses to homelessness, including support during transitions and expanding models that provide pathways out of chronic homelessness.

Refugees and People seeking asylum

There is no mention of the barriers to housing faced by people seeking asylum in the Issues Paper, and one reference to refugees as a group that may be discriminated against in the private rental market.

Refugees and people seeking asylum living on low or no income are unable to secure housing through the private rental market and are often housed precariously or in overcrowded accommodation. They are recognised as a highly vulnerable group at risk of and experiencing homelessness.

The Mercy Foundation provided funding to JRS to develop a report on the experiences of homelessness and housing exclusion for people seeking asylum in Greater Sydney. The report recommendations include: ^{xv}

- the Australian Government and the NSW Government should enable access to social housing, transitional, crisis and emergency accommodation, safe-at-home programs, and housing and homelessness services for people seeking asylum who are at risk of, or are experiencing, homelessness in its most acute forms.

- A proportion of social housing and transitional, crisis and emergency accommodation should be accessible and appropriate for people with diverse needs
- The NSW Government and local governments with high numbers of residents seeking asylum should establish frameworks for annual reporting on rental affordability in their respective geographical areas, including for people seeking asylum and temporary visa holders, taking into account their ineligibility for welfare.

Survivors of Modern Slavery

Survivors of modern slavery are at great risk of homelessness. A report by the Australian Red Cross in 2021 highlighted the barriers that survivors of modern slavery face, exacerbated by the shortfall of the supply of affordable housing. The research notes that:

- A lack of long-term affordable options means that survivors are staying longer in short term accommodation, making it difficult for new individuals requiring support to find emergency or short-term accommodation.
- The availability of accommodation in regional areas is extremely tight, leaving few accommodation options for survivors of modern slavery and other vulnerable groups in the community.
- Accommodation needs to be located near essential services. Some survivors have limited English, limited literacy and low self-confidence which makes it difficult for them to navigate public transport to access support services.
- Survivors of modern slavery with a mental or physical disability have particular access needs that are not always catered for by accommodation providers.
- Visa status and the lack of ongoing income are the main eligibility barriers for accommodation. Other barriers include insufficient ID, lack of gender specific accommodation, or inability to accommodate dependents.
- Visa status presents a significant eligibility barrier, especially to accessing long-term housing. The majority of states and territories require housing applicants to have permanent residency or Australian citizenship.
- Having to rely on informal tenancy arrangements can pose significant protection and health risks to survivors and increases the chances of experiencing overcrowding accommodation and further exploitation.
- Factors that impact on the suitability of accommodation include experiences of significant trauma that require additional efforts to ensure physical and emotional safety; cultural considerations, family composition and family background; physical or mental health concerns as a result of exploitation, including drug and alcohol usage.
- The lack of accommodation options for dependent children of survivors, especially long-term accommodation options, can be a decisive factor for survivors not to leave the situation of exploitation.
- The main challenges in accommodating survivors who have experienced or are at risk of forced marriage are cultural considerations, maintaining safety, complex trauma needs and accommodation providers not being aware of the forced marriage experience.

- Residential care or youth refuges are not suitable for survivors of forced marriage due to a presence of both female and male clients, and exposure to different environments which some individuals found confronting and unsafe.
- Individuals who are at risk of or who have experienced forced marriage usually do not meet eligibility criteria for crisis accommodation. Reluctance to disclose family violence experiences perpetrated by family members was reported by case workers as contributing to this ineligibility for crisis.
- Hotel accommodation is increasingly required as a last resort and an alternative to homelessness. Most hotel accommodation is not preferable as it is often not a safe, suitable nor sustainable option for survivors.

Housing policies must consider survivors of modern slavery as a priority group. Further research is required into housing models suitable for vulnerable groups including survivors of modern slavery and migrants on temporary visas. Partnerships between state, territory and federal governments and the housing, migrant and modern slavery civil society sectors is essential to overcome barriers in accommodating survivors of modern slavery and working towards safe, suitable and sustainable housing.^{xvi}

Conclusions and recommendations

Overarching recommendations:

- I. The National Housing and Homelessness Plan should have a key objective to end homelessness by 2030.
- II. The National Housing and Homelessness Plan must be consistent with all elements of the right to housing.
- III. The key objective of the plan must be to end and prevent homelessness, particularly for vulnerable groups.
- IV. The Australian Government must ensure that persons with lived experiences participate in the design, implementation and evaluation of policies aimed at preventing or addressing homelessness for each cohort.
- V. The plan must include measurable targets with regular reporting and clear accountability and responsibility for reaching the targets.
- VI. Consideration must be given to the interconnectedness of homelessness with other issues including housing, health care, insufficient social security payments, superannuation, employment, gender-based violence, ageism and property speculation.

Specific recommendations:

- Housing First to be adopted as the accepted practice for ending chronic homelessness.
- Develop a national strategy for addressing the housing needs of older women.
- Build capacity to extend the for Advance to Zero methodology across Australia.
- Replicate the Wongee Mia approach to ending homelessness for First Nations peoples.
- Introduce Mandatory inclusionary Zoning as a matter of urgency.
- Offer a rental subsidy specifically for the current cohort of older women in unaffordable rentals or experiencing homelessness.

- Heed lessons from the financialisation of housing that has reduced the supply of housing suitable for low income households in the USA and Canada
- Adopt the housing recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.
- Ensure appropriate housing is available for refugees and people seeking asylum.
- Develop housing and support suited to the unique needs of survivors of modern slavery.
- Set a target of 1.1 million social housing dwellings to be available by 2037^{xvii}
- Ringfence 270,000 social housing dwellings to meet the needs of older people.^{xviii}

ⁱ Many international legal instruments protect the right to adequate housing, including:

- the Universal Declaration of Human Rights (Article 25);
- the International Covenant on Economic, Social and Cultural Rights (Article 11);
- the Convention on the Rights of the Child (Article 27);
- the Convention on the Elimination of All Forms of Racial Discrimination (Article 5); and
- the Convention on the Elimination of All Forms of Discrimination Against Women (Article 14).

ⁱⁱ Resolution adopted by the General Assembly on 16 December 2021 76/133

ⁱⁱⁱ Report of the Secretary General Inclusive policies and programmes to address homelessness 24 July 2023 A78/236

^{iv} Van Heerden, S.C., Proietti, P., Iodice, S., Homelessness in EU cities and towns before and during the Covid-19 pandemic. Main challenges and ways forward, EUR 31099 EN, Publications Office of the European Union, Luxembourg, 2022, ISBN 978-92-76-53233-0, doi:10.2760/223202, JRC129384.

^v Policy Snapshot At Risk: 405,000 older women risk homelessness without urgent policy reform, Housing for the Aged Action Group and Social Ventures Australia, August 2020.

^{vi} <https://wpi.org.au/older-womens-housing-project/>

^{vii} <https://www.home2health.org/news-blog/prematuredeaths>

^{viii} Tually, S., McKinley, K., Rowley, C. and McDougall, K. 2021, Adelaide Zero Project, Understanding barrier and opportunities for Housing First: data learnings, reflections and tools, report for the Mercy Foundation prepared by The Australian Alliance for Social Enterprise and Adelaide Zero Project, December 2021.

^{ix} Ibid.

^x <https://aaeh.org.au/atoz>

^{xi} <https://www.ruah.org.au/services-support/housing-and-homelessness/wongee-mia/>

Access to information sheets: https://www.mercyfoundation.com.au/latest_news/sharing-the-learning-from-wongee-mia/

^{xii} <https://www.headstarhomes.org.au/>

^{xiii} https://www.acoss.org.au/media_release/sharp-jump-in-wealth-inequality-over-last-20-years/

^{xiv} <https://make-the-shift.org/directives/>

^{xv} Roberts A, Conroy E, Rego N, A Place to Call Home: Experiences of homelessness and housing exclusion among people seeking asylum in Greater Sydney, 2021. Available from: <https://aus.jrs.net/en/housing-research/>

^{xvi} i Mebalds, Ginta and Garcia Daza, Lina Maria. Barriers to accommodating survivors of modern slavery: Working towards safe, suitable and sustainable housing. Australian Red Cross, 2021

^{xvii} Lawson, J., Pawson, H., Troy, L., Nouwelant, R., and Hamilton, C. (2018) Social housing as infrastructure: an investment pathway, AHURI Final Report No. 306, Australian Housing and Urban Research Institute Limited, Melbourne, <https://www.ahuri.edu.au/research/final-reports/306>, doi:10.18408/ahuri-5314301.

^{xviii} As recommended by Housing for the Aged Action Group, Ageing in a Housing Crisis 2023