



Women  
With  
Disabilities  
Australia  
(WWDA)

## **WOMEN WITH DISABILITIES AUSTRALIA (WWDA)**

### **Response to the National Housing and Homelessness Plan Issues Paper**

**Department of Social Services**

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## ABOUT WOMEN WITH DISABILITIES AUSTRALIA (WWDA)

[Women With Disabilities Australia \(WWDA\)](#) Inc is the national Disabled People's Organisation (DPO) and National Women's Alliance (NWA) for women, girls, feminine identifying, and non-binary people with disability in Australia. As a DPO and an NWA, WWDA is governed, run, and staffed by and for women, girls, feminine identifying and non-binary people with disability.

**WWDA uses the term 'women and girls with disability', on the understanding that this term is inclusive and supportive of, women and girls with disability along with feminine identifying and non-binary people with disability in Australia.**

WWDA represents more than 2 million women and girls with disability in Australia, has affiliate organisations and networks of women with disability in most States and Territories, and is recognised nationally and internationally for our leadership in advancing the rights and freedoms of all women and girls with disability. Our organisation operates as a transnational human rights organisation - meaning that our work, and the impact of our work, extends much further than Australia. WWDA's work is grounded in a human-rights based framework which links gender and disability issues to a full range of civil, political, economic, social, and cultural rights. All WWDA's work is based on co-design with and participation of our members. WWDA projects are all designed, governed, and implemented by women and girls with disability.

Disabled People's Organisations (DPOs), also referred to as Organisations of Persons with Disabilities (OPDs) are recognised around the world, and in international human rights law, as self-determining organisations led by, controlled by, and constituted of, people with disability. DPOs/OPDs are organisations of people with disability, as opposed to organisations which may represent people with disability. The United Nations Committee on the Rights of Persons with Disabilities has clarified that States should give priority to the views of DPOs/OPDs when addressing issues related to people with disability. The Committee has further clarified that States should prioritise resources to organisations of people with disability that focus primarily on advocacy for disability rights and, adopt an enabling policy framework favourable to their establishment and sustained operation.<sup>1</sup>

# WWDA'S SUBMISSION

## Introduction

1. Women With Disabilities Australia (**WWDA**) welcomes the opportunity to respond to the Department of Social Services' National Housing and Homelessness Plan Issues Paper.
2. WWDA commends the Australian Government on the steps it is taking to prepare and implement a national housing and homelessness plan. We note in this regard that the development and implementation of a national strategy will aid the Australian Government to fulfil its international human rights obligations, consistent with the recommendations of the Committee on Economic, Social and Cultural Rights.<sup>2</sup>
3. WWDA calls on the Australian Government to ensure that people with disability meaningfully and effectively participate in the design, construction and administration of housing, and housing and homelessness programs and policies. WWDA also calls on the Australian Government to expressly include homelessness as a priority within Australia's Disability Strategy, and to include people with disability as a priority cohort within housing and homelessness strategies and frameworks.
4. WWDA advocates for a human rights approach to housing in Australia, and an approach to homelessness that incorporates universal, targeted and crisis prevention. Critically, universal prevention requires that the Australian Government improve the situation of people with disability in Australia, including through increasing access to supports and services.

## A human rights approach to housing

5. The right of all people to adequate housing is recognised as a component of the right to an adequate standard of living under Article 11 of the International Covenant on Economic, Social and Cultural Rights (**ICESCR**). The United Nations Committee on Economic, Social and Cultural Rights has emphasized that the right to adequate housing should not be interpreted narrowly, but should be considered a right to 'live somewhere in security, peace and dignity'. For housing to be considered adequate, it must meet the following criteria at a minimum:<sup>3</sup>

*Security of tenure: housing is not adequate if its occupants do not have a degree of tenure security which guarantees legal protection against forced evictions, harassment and other threats.*

*Availability of services, materials, facilities and infrastructure: housing is not adequate if its occupants do not have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal.*

*Affordability: housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights.*

*Habitability: housing is not adequate if it does not guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards.*

*Accessibility: housing is not adequate if the specific needs of disadvantaged and marginalized groups are not taken into account.*

*Location: housing is not adequate if it is cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.*

*Cultural adequacy: housing is not adequate if it does not respect and take into account the expression of cultural identity.*

6. The Committee on Economic, Social and Cultural Rights has also made clear that the right to adequate housing encapsulates accessibility for people with disability.<sup>4</sup> Critically, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to nondiscrimination in this context (**Special Rapporteur**) has also confirmed that housing must not only be physically and economically accessible, but also enable people with disability to effectively participate in the life of the community where they live.
7. The Convention on the Rights of Persons with Disabilities (CRPD) also expressly addresses the right of people with disability to adequate housing. Article 9 of the CRPD provides that States Parties, including Australia, must take appropriate measures to ensure that people with disability have access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. This includes that States Parties must identify and eliminate obstacles and barriers to accessibility in relation to housing.
8. Article 28 of the CRPD further provides that States Parties must recognise the right of people with disability to an adequate standard of living, including adequate food, clothing and housing, and to the continuous improvement of living conditions. This expressly includes ensuring access to public housing programs, and freedom from discrimination on the basis of disability. The *Committee's General comment No. 4* provides that persons with disabilities must be accorded full and sustainable access to adequate housing resources, and that housing law and policy should take into account their special needs.
9. Article 19 of the CRPD also requires that people with disability have the opportunity to live independently and be included in the community, including the ability to choose where and with whom they live. Of this right, the Committee has stated:<sup>5</sup>

*Access to housing means having the option to live in the community on an equal basis with others. Article 19 is not properly implemented if housing is only provided in specifically*

*designed areas and arranged in a way that persons with disabilities have to live in the same building, complex or neighbourhood.*

10. Critically, a lack of adequate housing impedes the full realization and enjoyment of other fundamental human rights. Homelessness and housing insecurity impact upon the rights to safety; health; privacy; education; employment; social security; non-discrimination; political participation; freedom of movement; association and expression; and freedom from cruel, inhuman or degrading treatment or punishment.<sup>6</sup>
11. Like the human rights model of disability, a human rights approach to housing and homelessness has critical consequences for how people experiencing homelessness are perceived and treated. It recognises that people experiencing homelessness are entitled, on an equal basis to others, to the protection, promotion, and advancement of their human rights. As the Special Rapporteur has stated, people in need of housing or related social benefits must be treated as 'rights holders and as experts in what is required for a dignified life, not recipients of charity'.<sup>7</sup>
12. In 2019 the Special Rapporteur published Guidelines for the Implementation of the Right to Adequate Housing (**Guidelines**). In those Guidelines, the Special Rapporteur confirmed that:

*States Parties often misunderstand the right to housing as merely a commitment to housing programmes, a matter of socioeconomic policy insulated from human rights values and imperatives and without meaningful accountability or access to justice.*

*...the right to adequate housing should not be interpreted narrowly, as a right to mere physical shelter or to housing conceived as a commodity. Rather, the right to housing must be understood in relation to the inherent dignity of the human person.*<sup>8</sup>
13. The Special Rapporteur further provided that States Parties must take deliberate, concrete and targeted measures towards fulfilling the right to housing within a reasonable time frame, including by allocating sufficient resources; prioritising the needs of disadvantaged and marginalised individuals or groups living in precarious housing conditions; and ensuring transparent and participatory decision-making.<sup>9</sup>
14. As the Special Rapporteur acknowledged, the right to meaningful and effective participation is a core component of the right to housing and 'critical to dignity, the exercise of agency, autonomy and self-determination'.<sup>10</sup> People experiencing homelessness or housing insecurity have a right to participate meaningfully in the design, implementation, and oversight of policies and programs affecting their lives. This includes ensuring participation on an equal basis for people with disability and other marginalized groups, enabling access to information and adequate time to consult, and addressing socioeconomic, linguistic, literacy and other barriers.<sup>11</sup>
15. As set out in the Special Rapporteur's Guidelines, national housing strategies:<sup>12</sup>

- a) *must identify the State's obligations to be realized progressively, based on clear goals and timelines for achieving specific outcomes and the right to adequate housing for all in the shortest possible time;*
- b) *should provide coherence and coordination in all relevant policy areas, particularly urban planning, land regulation, taxation and finance, social benefits and services; and*
- c) *should establish specific strategies to address obstacles to the right to housing such as discrimination, financialization, speculation, predatory lending, landgrabbing, conflict, forced evictions, environmental degradation and vulnerability to disasters. Strategies adopted should be responsive to persistent and emerging challenges in urban and rural areas, such as spatial injustice and climate change;*

16. States should also ensure progress in meeting goals and timelines is independently monitored; establish procedures through which affected communities can identify systemic issues affecting the realisation of their right to housing; and ensure effective responses.<sup>13</sup>

## People with disability and housing in Australia

17. As set out in the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability released in September this year, people with disability face significant barriers to the realisation of the right to housing. In particular, people with disability experience difficulties securing housing that is accessible and affordable, and that supports meaningful inclusion in the community and autonomy at home.
18. Existing legislative, regulatory and policy frameworks fail to give effect to the right to housing for people with disability in Australia. For example, while the *Disability Discrimination Act 1992* (Cth) (**DDA**) prohibits discrimination on the basis of disability in the course of accommodation,<sup>14</sup> it does not give rise to a positive right to accessible accommodation; does not require accommodation providers to eliminate discrimination; and does not address systemic discrimination. Further, while the DDA and various anti-discrimination frameworks at State and Territory levels make it unlawful for an accommodation provider to refuse to allow a person with disability to make reasonable alterations to the accommodation that they occupy, the person is required to do so at their own expense (and required to restore the accommodation to its original condition upon vacating).<sup>15</sup>
19. Additionally, while the *Disability (Access to Premises – Buildings) Standards 2010* apply to specified categories of new buildings used for rental accommodation, they do not apply to all buildings or address accessibility within existing buildings. Similarly, while tenants within private rental accommodation have certain protections under state and territory residential tenancies legislation, most jurisdictions have excluded residents of boarding and rooming houses (including group homes and other forms of specialist disability accommodation) from these protections. Australia's Disability Strategy, which does set out key policy considerations in relation to housing for people with disability, does not address homelessness.

20. Further, the majority of people with disability in Australia are not eligible for specialist disability accommodation or for housing or other support under the National Disability Insurance Scheme. Therefore, the majority are reliant on public housing or private rental accommodation. The lack of choice and control in where to live and with whom is underpinned by a lack of accessible mainstream and public housing, and a reliance on disability-specific accommodation or precarious forms of housing, such as boarding or rooming houses. At present, with disability are over-represented in the rental market, and in social and public housing.<sup>16</sup> They are less likely than people without disability to own a home, with likelihood of home ownership further decreasing where a person has greater impairment or more complex needs.<sup>17</sup>
21. The right to adequate housing is further undermined by a failure of service systems to provide a coordinated approach to accessible housing and supports for people with disability. For example, the *National Disability Insurance Scheme Act 2013* (Cth) and the Applied Principles and Tables of Support stipulate that the National Disability Insurance Scheme (**NDIS**) is responsible for providing personalised supports related to a participant's disability support needs, unless those supports are part of another service system's universal obligation or constitute a reasonable adjustment required under anti-discrimination legislation. However, WWDA regularly receives reports that NDIS participants have been denied funding for personalised and disability-specific supports within their home.
22. The realisation of the right to housing for people with disability requires a coordinated approach to housing availability, accessibility and affordability – as well as access to supports and services that enable independence, autonomy, and community participation and inclusion. Conversely, a lack of accessible, available and affordable housing contributes to the segregation and institutionalisation of people with disability, undermining the rights contained in the CRPD. As set out in our joint position statement together with other Disabled People's Organisations and Disability Representative Organisations, segregation is a form of discrimination and must be brought to an end.<sup>18</sup>
23. In a recent study of patients with acquired disability, a lack of access to appropriate housing was the primary barrier to patients being discharged from hospital, with some patients waiting up to 600 days between being clinically ready for discharge from hospital, and the actual date of discharge.<sup>19</sup> A review of data collected by the Housing Brokerage Service indicates that NDIS participants often face delays and difficulties in securing funding for housing and approval to purchase modifications, equipment and support for within the home. The review identified that while participants often required interim options when waiting for long-term housing to become available, limited funding for short and medium-term accommodation resulted in participants remaining in hospital settings.<sup>20</sup> Similarly, in a survey of hospital clinicians involved in discharge for NDIS participants, respondents reported challenges associated with a thin and competitive housing market; a lack of available housing that meets accessibility requirements; and a shortage of interim and long-term housing options in the locations preferred by NDIS participants, particularly within rural areas. Respondents identified that group homes were often the only housing option available for those who urgently required accessible housing.<sup>21</sup>



## Private housing

24. Housing unaffordability disproportionately impacts people with disability - who are more likely to be underemployed or unemployed - and influences both home ownership and participation in the private rental market. According to data collected by Anglicare Australia in its 2023 Rental Affordability Snapshot, only 0.1% of the rental properties listed on the snapshot day were affordable for a person on the Disability Support Pension – a total of 66 properties. However, as the report explains, the Snapshot assesses only for affordability and not accessibility; it is therefore likely that many of these properties would be unsuitable for a person with disability.<sup>22</sup>
25. Even where affordable housing is identified, people with disability face barriers to obtaining accessible housing, and to modifying properties to meet their accessibility needs. As outlined above, while the DDA sets out protections for people in relation to disability discrimination and modifications to rental properties,<sup>23</sup> these provisions do not have the effect of requiring private accommodation to be accessible. While people with disability can seek permission to make modifications to a rental property, they must fund the modification themselves (personally or with the use of funding) and restore the property to its original condition at the end of the tenancy.<sup>24</sup> While the DDA makes it unlawful for an accommodation provider to refuse to grant permission, provided the modifications are reasonable,<sup>25</sup> this protection is a reactive mechanism, reliant upon aggrieved individuals to enforce it. Additionally, where people with disability do successfully seek modifications to rental properties, they are often subject to rental increases. WWDA members also report concern that disclosure of disability or a request for modifications at the outset of a rental application will jeopardise the success of their application, notwithstanding that the Act prohibits direct and indirect discrimination on the basis of disability. In reality, rental applicants are rarely afforded insight into why their applications are rejected, which means there is little recourse available where a person believes their application was denied on the basis of disability or their request to make alterations.
26. WWDA members also report difficulties obtaining information about the accessibility of rental properties. WWDA members who have requested information about, for example, wheelchair access in a particular listed property, have been advised by real estate agents to attend inspections to examine the properties themselves.
27. In order to promote accessibility and affordability in the private rental market, particularly for low-income earners, the Australian Government must ensure that people with disability (particularly the majority who are not NDIS participants) can access funding for modifications and alterations to existing rental properties. Alternatively, accommodation providers should be incentivised to make such modifications, so that prospective tenants with disability are not rejected or de-prioritised on the basis of a need to permit modifications.
28. New rental properties should be designed and developed in accordance with the highest standards of accessibility. Consistent with the CRPD Committee's recommendations, the

Australian Government must provide mandatory rules for accessible housing and develop regulations and standards to guarantee the progressive application of universal design principles in accessible housing.<sup>26</sup>

29. Further, the Australian Government should consider initiatives to promote flexibility within rental agreements to enable more people with disability to make home modifications. This may include greater flexibility in the duration of the tenancy (such as longer term leases if preferred by the tenant, to prevent the need to fund the modification of new rental properties at the end of a 12 month tenancy).
30. People with disability who do own a home also experience barriers to accessibility and making home modifications. Under the Applied Principles and Tables of Support and the NDIS Guidelines, it is clear that home modifications within an NDIS participant's own home would fall within the remit of the NDIS. However, many participants report that they have been unable to obtain funding and approval for home modifications. For example, WWDA recently supported a woman with a progressive degenerative condition who had been denied approval for NDIS funded home modifications, notwithstanding that the request for the modification was marked as urgent by multiple medical professionals. In issuing its decision, the National Disability Insurance Agency determined that it was a reasonable family expectation (and therefore not the responsibility of the Agency) to take into account the participant's accessibility needs when deciding to purchase a new home. The National Disability Insurance Agency failed to consider that the family had relocated to the property because it was what was affordable on a Carer's Payment; it was located where the participant could access vital disability-specific and medical supports and services; and the family were moving away from a property that was frequently affected by flooding. Critically, the Agency also failed to consider the participant's freedom of choice as to her living arrangements.

## Social housing

31. As the issues paper identifies, people with disability are more likely to live in social housing compared to people without disability. However, the average wait time for public housing for newly allocated households with a member with disability is in excess of one year, with many people with disability reporting that they have waited longer than five years to find a suitable home.<sup>27</sup> As the Disability Royal Commission recently heard, some people with disability report having accepted social housing that is inaccessible and inappropriate for their needs, due to concern that there will be no other options being available.<sup>28</sup>
32. In 2019, the CRPD Committee, in its concluding observations on the combined second and third periodic reports of Australia, expressed concern about the lack of 'appropriate, affordable and accessible social housing, which severely limits the capacity of persons with disabilities to choose their place of residence'.<sup>29</sup> This limitation of choice undermines the fulfilment of Article 19 of the CRPD. As set out in the Final Report of the Disability Royal Commission, accessible design of social housing is critical to ensuring people with disability have housing options beyond supported accommodation such as group homes and supported

residential services, and subsequently critical to realisation of Article 19 of the CRPD.<sup>30</sup>

33. In order to improve the state of social housing for people with disability in Australia, and promote compliance with Articles 19 and 28 of the CRPD, the Australian Government must increase the availability and supply of accessible social housing, including through the implementation of universal design principles.<sup>31</sup> This includes working with State and Territory governments to ensure – and mandate - the highest standard of accessibility for new developments, consistent with recommendation 7.35 of the Disability Royal Commission. The Australian Government must also work with people with disability to develop and implement accessible processes for social housing application, allocation and modification, consistent with recommendation 7.36 of the Disability Royal Commission.<sup>32</sup>
34. Article 19 of the CRPD also requires that the Australian Government ensure that people with disability living in social housing have access to supports and services, and full inclusion and participation in the community. It also requires the Australian Government to prevent isolation and segregation. In order to give effect to Article 19 in the context of social housing, the Australian Government, and state and territory governments, should ensure that social housing is close to amenities and accessible modes of transport, and does not result in spatial or social segregation through ‘social housing blocks’.

### **Crisis and emergency accommodation**

35. Many short-term crisis accommodation services are also inaccessible to people with disability. For example, many women with disability report being unable to access refuges for victim/survivors of gender-based violence, due to inaccessible facilities. This can mean that people with disability, and women and girls in particular, remain in or return to violent situations, placing them at risk of serious and sometimes fatal harm.
36. Crisis accommodation in the context of climate-related emergency and disaster has proven similarly inaccessible for people with disability. As we set out in our response to the Disability Royal Commission’s Response to Emergency Planning Issues Paper,<sup>33</sup> shelters, refuges and emergency accommodation options in times of climate-related emergency are generally not equipped to be accessible for many people with disability who require assistive technologies, equipment, carers or support workers, and other vital supports. As one member told WWDA in the context of the Black Summer bushfires:

*One of the many things that occurred to me... was that it would probably not be safe for me to go to an emergency shelter... all of my assistive technology and supplies and everything are set up permanently here in my house.<sup>34</sup>*

### **Disability-specific residential services and settings**

37. For many people with disability living in congregate residential settings (including group homes), home is a site of violence, abuse, neglect, exploitation and segregation. As the Disability Royal Commission recently heard, people with disability are subjected to violence,

abuse, neglect and exploitation within group homes ‘almost as part of the day-to-day practices in these environments’.<sup>35</sup> The Disability Royal Commission heard reports of violence and abuse from staff and other residents, including physical violence, sexual assault, sexual exploitation, psychological and emotional abuse, harassment, coercive control and financial exploitation, the use of chemical and physical restraints.<sup>36</sup> Further, the Disability Royal Commission heard evidence of neglect, including in relation to safety, medical care, and hygiene.<sup>37</sup> WWDA continues to receive and escalate reports of gross neglect, violence and abuse of and towards women with disability within congregate residential settings.

38. In its 2013 concluding observations for Australia, the CRPD Committee expressed concern despite a commitment to closing large residential centres, initiatives like group homes ‘replicate institutional living arrangements’, and many people with disability are required to live in residential institutions in order to access disability support.<sup>38</sup> In 2019, the Committee also expressed concern that the Specialist Disability Accommodation framework ‘facilitates and encourages the establishment of residential institutions and will result in persons with disabilities having to live in particular living arrangements in order to access National Disability Insurance Scheme support’.<sup>39</sup> The Committee recommended that Australia develop a national framework aimed at closing all disability-specific residential institutions and preventing trans-institutionalisation, including by addressing how people with disability who are ineligible for the NDIS could be supported to live independently in the community.<sup>40</sup>

## Homelessness

39. As the Disability Royal Commission recently heard, a failure of a coordinated service system approach to supporting people with disability can lead to homelessness.<sup>41</sup> WWDA continues to receive reports of people with disability, including children, being removed from their living arrangements and abandoned in hospital emergency departments, with nowhere else to go. Similarly, many people with disability are released from detention facilities into homelessness. The Australian Government must ensure improved interface between service systems so that no person with disability exits a hospital, forensic or correctional facility, or congregate residential setting into homelessness.<sup>42</sup>

40. As WWDA recently advised the Australian Government in the course of the Independent Review of the National Disability Insurance Scheme, this requires that NDIS participants have access to additional funding in times of crisis, to enable them to respond to crisis, ensure their safety and wellbeing, and continue to access disability-specific supports and services. However, noting that the vast majority of people with disability are not NDIS participants, and that responsibility for social and temporary housing rests with social housing providers and housing and homelessness services, this requires a coordinated governmental response.

41. Inevitably, homelessness also inhibits access to disability supports and services. WWDA has heard reports from people with disability who have been unable to use their NDIS funding to access supports and services because they do not have a fixed address. This creates a cycle of isolation, disadvantage, and dire unmet need, and a violation of a range of fundamental

human rights.

42. Speaking to the impacts of homelessness and a lack of adequate support, one WWDA member, who has experienced homelessness for most of her adult life, explained that she had co-owned a home at the age of 18, but had had to leave due to domestic violence. She explained that the stress caused by housing insecurity and homelessness exacerbated the symptoms of her multiple disabilities, reducing her functional capacity, ability to maintain stable mental and physical health, and ability to seek and maintain employment. Housing insecurity also caused her to be placed in precarious situations, where she was at risk of and subjected to physical and sexual violence, and financial and psychological abuse.
43. Critically, when people with disability seek support from homelessness services, the services are often not equipped and resourced to provide such support. Data collected by the Australian Institute of Health and Welfare indicates that 44% of people with disability accessing Specialist Homelessness Services are homeless on service entry, and 34% remain homeless on service exit.<sup>43</sup> Further, as in all service systems, people with disability face barriers to access, including due to a lack of provider awareness and training in communicating with people with disability, and a lack of information in accessible formats.
44. In this context, it is deeply concerning that Australia's National Housing and Homelessness Agreement does not identify people with disability as a priority homelessness cohort. Subsequently, there is also no funding specifically allocated for people with disability under that Agreement. As the Disability Royal Commission has found, the 'lack of integration between housing and homelessness policy and disability policy at a national level leads to a significant policy gap and fails to put appropriate focus on the housing and homelessness issues that affect many people with disability'.<sup>44</sup>

## Data

45. The issues paper calls for feedback on issues where there is a lack of sufficient data to inform decision-making. In WWDA's view, there remains an acute lack of available, current gender and disability specific data in Australia across all levels of Government and all portfolio and policy areas.
46. There is also a lack of current Australian research on the intersections of gender and disability, notwithstanding that women and girls with disability in Australia experience multiple discrimination and consistent human rights violations. Several of the international human rights treaty bodies - which monitor implementation of the treaties to which Australia is a party - have expressed concern about this neglect in research.
47. Data and research about the lives of women and girls with disability is necessary to guide and direct legislative reform, policy, funding allocation, and the development of programs, supports and services. It also enables monitoring of progress towards the realisation of the full range of economic, social, political and cultural rights for women and girls with disability in

Australia. Conversely, a lack of data, research and information about women and girls with disability exacerbates their marginalisation in society, their exclusion and marginalisation from policies, services and programs, and the lack of resources.

48. It is critical that all Australian governments collect and publicly report on housing and homelessness data that is disaggregated by gender, disability, disability type, and other demographic information. This includes data in relation to homelessness, access to and experiences of homelessness services, private housing, social and public housing, crisis and short-term accommodation, and disability-specific residential settings.

## Recommendations

1. Accept and implement the recommendations made in the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability in relation to housing and homelessness.
2. Implement the recommendations made by the CRPD Committee in its 2019 Concluding Observations, including in relation to: <sup>45</sup>
  - a. developing a national poverty reduction plan inclusive of people with disability, prioritising the right to an adequate standard of living for Indigenous peoples with disability, ending the eligibility restrictions on the Disability Support Pension, and raising the rate of income support payments.
  - b. ensuring that people with disability are included as a priority cohort in the implementation of poverty reduction and public housing programmes, including the National Affordable Housing Agreement and the National Partnership Agreement on Homelessness.
  - c. amending federal legislation to include mandatory rules on access for all new and extensively modified housing.
  - d. increasing the range, affordability and accessibility of public and social housing for persons with disabilities, including by implementing a quota for accessible social housing and by developing regulations and standards to guarantee the progressive application of universal design principles in accessible housing.
  - e. revising the Younger People in Residential Aged Care action plan to ensure that by 2025 no person under 65 years of age enters or lives in residential aged care.
  - f. developing a national framework for closing all disability-specific residential institutions and addressing how people with disability (including though both eligible and not eligible for the National Disability Insurance Scheme) can be supported to live independently in the community.
3. Implement the recommendations made by the Committee on the Elimination of Discrimination against Women in its 2018 Concluding Observations,<sup>46</sup> including by taking steps to enhance access for women (and particularly women with disability) to affordable housing, both public and private, and take measures to ensure that older women have access to adequate housing

that meets their specific needs.

4. Implement the recommendations made by the Committee on Economic, Social and Cultural Rights in its 2017 Concluding Observations,<sup>47</sup> including by:
  - a. adopting and implementing a comprehensive strategy to combat poverty and promote social inclusion, with particular attention to people with disability and other disadvantaged and marginalised individuals and groups;
  - b. collecting disaggregated data on the extent and depth of poverty;
  - c. ensuring that a comprehensive national housing strategy takes into account the human rights of cohorts most vulnerable to homelessness, including people with disability;
  - d. increasing investments in affordable housing and social housing;
  - e. taking measures to identify and implement alternative living solutions and prioritise community-based living settings for people with cognitive or psychosocial disability.
  
5. Improve data collection, including by collecting and publicly reporting on housing and homelessness data that is disaggregated by gender, disability, disability type, and other demographic information. This includes data in relation to homelessness, access to and experiences of homelessness services, private housing, social and public housing, crisis and short-term accommodation, and disability-specific residential settings.



## ENDNOTES

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- <sup>1</sup> Committee on the Rights of Persons with Disabilities, General Comment No. 7 on the Participation of Persons with Disabilities, Including Children with Disabilities, through Their Representative Organizations, in the Implementing and Monitoring of the Convention, UN Doc CRPD/C/GC/7 (9 November 2018).
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