



# Action for More Independence & Dignity in Accommodation

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*Advocacy, Self Advocacy, Rights, Accessibility, & Community Living for People with a Disability*

NDS Beyond 2020

Shaping the Future of Disability Policy for 2020 and Beyond

Department of Social Services

Via email – [online@dss.gov.au](mailto:online@dss.gov.au)

To the Department of Social Services,

AMIDA wishes to contribute to the National consultation to shape the future of disability policy for 2020 and beyond.

AMIDA (Action for More Independence & Dignity in Accommodation) is an independent advocacy organisation which advocates for good housing for people with disability. Further, people with disability have a right to good quality housing which is accessible, affordable and non-institutional. We provide advocacy to individuals, with priority given to people with an intellectual disability, and advocate for change in systems which prevent people from achieving good housing.

AMIDA notes the objective of the National Disability Agreement (NDA) reads “People with disability and their carers have an enhanced quality of life and participate as valued members of the community.” The output relating to Housing reads “11(b) services that assist people with disability to live in stable and sustainable living arrangements.”

AMIDA strongly supports the **United Nations Convention on the Rights of Persons with a Disability (CRPD)** and works to assert these rights and community inclusion for people with a disability and supports people with disability as valued members of our community. AMIDA recognizes that people with disability contribute to and develop our community. Specifically relating to housing under the **CRPD**:-

## **Article 9: Accessibility**

- 1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to all persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to 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. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility.**

## **Article 28: Adequate standard of living and social protection**

- 1. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.**

The National Disability Strategy (NDS) 2010 – 2020 states “Australia ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2008. The Strategy will play an important role in protecting, promoting and fulfilling the human rights of people with disability. It will help ensure that the principles underpinning the Convention are incorporated into policies and programs affecting people with disability, their families and carers. It will contribute to Australia’s reporting responsibilities under the Convention”.

Firstly discussing Accessibility, AMIDA included in a submission to the Australian Building Codes Board in response to their Accessible Housing Options Paper in 2018, the comments - “In relation to housing, the ***NDS in 2010 included the following commitments:***

***“Improved accessibility in social housing is being achieved through the incorporation of universal design elements in more than 15,000 new public and community housing dwellings which are being built under the social housing component of the Nation Building – Economic Stimulus Plan. Funding provided through the Social Housing Initiative will support the inclusion of six specified universal design features in these dwellings that will provide improved access to people who have limited mobility. Of these, more than 5,000 dwellings will also achieve an even higher level of adaptability through compliance with the Australian Standard for Adaptable Housing Class C.***

***The Australian Government is working with representatives from all levels of government, key stakeholders from the disability, ageing and community support sectors and the residential building and property industry on the National Dialogue on Universal Housing Design to ensure that housing is designed and developed to be more accessible and adaptable. An aspirational target that all new homes will be of agreed universal design standards by 2020 has been set, with interim targets and earlier completion dates to be determined.”***

The voluntary approach didn’t achieve the targets or goal to any extent at all. In fact, by any measure, the voluntary approach has failed conclusively to increase the supply of accessible housing. This failure clearly demonstrates the need for a mandated code. Over 10 years has been spent waiting for the voluntary approach to achieve desperately needed outcomes. This is a lost 10 years of development of accessible stock the loss of which is keenly felt by people; people who are being disabled by a lack of regulation. This failure shows housing developers and the housing construction industry count accessibility for people as a very low priority. If Australia does have a commitment to fairness and accessibility for people to the built environment including residential properties, it will have to mandate meaningful accessibility standards. And if it does not, it is responsible for disabling people.”

Furthermore AMIDA reported to be in support of the agreed Universal Design Standard now known as the Livable Housing Design (LHD) at Gold Level (option 3) to create:

- A step-free entrance to the home
- Wider internal corridor and doors
- An accessible toilet or bathroom on the ground floor or entrance level
- A bathroom and shower that is easier to access
- Grabrails installed in bathroom and toilet (or capacity to do so)
- A ramp of safe pathway to the front door or other entrance
- Safer internal stairways and paths
- More space in and around the kitchen, capable of being adapted
- Ground (or entry) level bedroom
- Easy to reach light switches
- Doors that are easier to open and close

AMIDA now awaits the development of content for the National Construction Code (NCC) open to the public for consultation in 2021 regarding Accessibility according to the Australian Building Codes Board timeline.

The draft tend indicator in the NDS for Accessibility is listed as the Proportion of people with disability reporting difficulties with public transport. An indicator for Accessible Housing appears to be completely absent. There is also a lack of reference to Accessible Housing in the NDA performance indicator or performance benchmark.

*Discussing Economic Security the NDS 2010 – 2020 stated Policy Direction 3 – Improve access to housing options that are affordable and provide security of tenure.*

***“A secure and affordable place to live is the basis of economic and social participation in the community. For many people with disability there are additional dimensions around the capacity to visit friends and family and to choose where and with whom they wish to live. People with disability require a range of housing options, including public and social rental, and private rental and purchase. States and Territories make substantial contributions to the financial wellbeing of people with disability through a range of concessions for costs in areas such as transport, housing, utilities, health, education and communication. A \$5.6 billion Social Housing Initiative, involving all States and Territories, provides affordable and accessible housing that has access to transport, services, and education and training opportunities. The Commonwealth, States and Territories are working together to develop a National Quality Framework to achieve better outcomes for people who are homeless or at risk of homelessness, including people with disability, by improving the quality and integration of the services they receive.”***

The draft tend indicator for Economic Security in the NDS for housing is listed as the Proportion of people with disability experiencing housing stress. There appears to be no performance indicator or benchmark related specifically to Affordable Housing in the NDA.

- AMIDA strongly suggests indicators for Accessible and Affordable Housing under the upcoming NDA and NDS to be monitored and recorded for ongoing data assessment.

During the last decade with the current disability agreement and strategy, AMIDA has seen many cases for example at least 30 cases in 2018 – 2019. This is the amount of cases that there is federal funding for AMIDA to provide advocacy. In fact there is much more demand and AMIDA has been required to prioritise and has not met the total need for advocacy relating to housing. This is also a finding in the Productivity Commission Report on the Review of the National Disability Agreement 2019, “The proportion of people with disability reporting a need for more formal assistance has increased since 2009”. AMIDA has witnessed what barriers people with disability face when it comes to finding safe and reliable housing which is appropriate to their disability needs.

AMIDA has also had cases where participants who were previously granted supported accommodation through the previous Department of Health and Human Services model Disability Services Register (DSR) were then refused Supported Disability Accommodation (SDA) under the National Disability Insurance Scheme (NDIS), effectively facing homelessness having declined public housing through State Government, due to their pressing disability support needs making it an untenable option. This is a clear example of how things have changed for people with disability since the NDIS started to roll out.

The Productivity Commission Report mentioned above further states “Unclear service boundaries also open the door for strategic behavior as the Australian, State and Territory Governments each have an incentive to use uncertainty about who should be doing what to cost – shift from mainstream services to the NDIS and vice – versa.”

Leading on from a lack of housing options, in the last year 2018 – 2019 AMIDA has seen participants unable to find suitable housing either public housing or SDA, appropriate for their disabilities and have been forced to remain in living situations of family violence, domestic abuse, neglect and exploitation.

AMIDA acknowledges that people with disability have a right to a choice of with whom they live and where they live. People with disability have a right to live in the community with access to support to participate and have a good quality of life.

AMIDA has also seen many instances over the last decade of residents already living in supported accommodation group home arrangements facing violence, abuse, neglect and exploitation either from another resident or from staff members who are then unable to move to another suitable accommodation option due to lack of disability accessible and affordable housing stock. Many of these residents have expressed a desire to move home because of violence or abuse or have requested a perpetrator of violence be removed from the home, only to see delays for the same reason.

There have been further instances over the past year where people with disabilities were somewhat appropriately housed however their disabilities were of a progressive type where the current housing then became inaccessible due to degenerative changes in the residents health. These people faces long waiting lists for public housing transfer or public housing offers with modifications, leading to injury and significant suffering in the inaccessible property. Some of these people were no longer able to operate their mobility aids in the home due to progression of illness and lack of mobility. Examples of modification solutions put to landlord/owners of property rented who declined modifying the property.

AMIDA has seen further instances of home owners who face bullying behavior from body corporate members or neighbours around access and modifications.

This is a small snapshot of examples showing that people with disabilities do not have the same rights as people without disabilities when it comes to Accessible and Affordable Housing and do not have equality.

## Further suggestions

- AMIDA strongly suggests a review of the NDIS eligibility criteria for SDA to include provision for people with disability who may not initially fall into the category for SDA, to be reconsidered with regard to any current violence, abuse, neglect or exploitation in their housing that requires urgent action.
- AMIDA repeats the suggestion we have made on many occasions for an increase in housing stock in Australia that is accessible and is adequate for people with disability that can cater for the shortfall of the SDA NDIS properties that are out of reach to many people living with disability who simply cannot access any other kind of housing. This housing would need to be realistically, financially viable to recipients of the Disability Support Pension. For this to be recognized as a necessity for the implementation of the upcoming NDA and NDS, in order to fulfill Australia's obligations under the UN CRPD.

Kind regards,

A handwritten signature in black ink, appearing to read 'Bronwyn Trickett', with a stylized flourish at the end.

Bronwyn Trickett

Advocate