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SUBMISSION:

Inquiry into homelessness amongst older people aged over 55 in NSW

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TO:

Chair
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INTRODUCTION

The Mercy Foundation appreciates the opportunity to provide a submission to the *Inquiry into homelessness amongst older people aged over 55 in NSW*.

The Mercy Foundation is a not-for-profit organisation that focuses on ending homelessness. It is an independent voice, informed by evidence and current research. We work in partnership with other organisations on issues and activities that end homelessness.

Housing is a **fundamental human right** that affords people dignity. Appropriate, affordable, secure housing is the foundation from which we build our lives. It is key to physical and mental health, quality of life and human dignity.

Homelessness is damaging to people's lives and has severe and lasting impacts. The importance of having a safe, secure, appropriate, affordable home cannot be overstated.

Ageing on the Edge NSW

The Mercy Foundation is a member of the Ageing on the Edge NSW Forum (AOTE NSW). The Forum has submitted a detailed response to the Terms of Reference for this inquiry. This

submission provides further information for consideration and endeavours to not duplicate the information provided by the AOTE NSW forum.

RECOMMENDATIONS

The Mercy Foundation endorses the Ageing on the Edge Forum's submission, calling for the NSW Government to:

- Fund a specialist older person's housing information and support service that comprises both an early intervention and crisis response, similar to the HAAG 'Home at Last' model in Victoria.
- Lower the priority age for social housing eligibility from 80 years as a matter of urgency.
- Build 5,000 social and affordable homes per year for 10 years, at least 20% of which should be dedicated to older people.

In addition, we are recommending that NSW government –

- Adopt concrete measures to address ageism, sexism, gender and disability discrimination in government services, finance institutions, including banks, and private rental markets.
- Remove unnecessarily burdensome requirements, such as, completion of 'seeker diaries' to maintain temporary accommodation imposed on older people who are already in challenging housing situations.
- Increase transparency and accountability by increasing availability of data including:
 - ⇒ Social and priority housing waiting list data broken down by age, gender, disability status and geographic area,
 - ⇒ The number of social and affordable housing dwellings available in NSW, including age and gender breakdown of allocations,
 - ⇒ The number of dwellings assigned under State Environmental Planning Policy (Housing for Seniors and People with a Disability) (Seniors SEPP) and Public Housing Seniors Communities (PPOPH), and
 - ⇒ The number of dwellings built under the commitments in different housing commitments including the *NSW Homelessness Strategy 2018-2023*, Social and Affordable Housing Fund (SAHF) and Community Housing Innovation Fund (CHIF).
- Provide exemptions to strict documentary evidence for housing applications, including identity documents, especially for Aboriginal and Torres Strait Islander people, older people from migrant and refugee backgrounds and older women

escaping domestic and family violence to ensure equitable access for all older people.

- Adopt the new mandatory minimum accessibility standards contained in the revised National Construction Code for all future constructions in NSW.
- That the NSW Government uses the standards and guidelines laid down in international law for the right to housing to guide policy formation and evaluation toward ending homelessness for older persons as a priority.

Older women

The Mercy Foundation has a special interest in homelessness and older women. The Mercy Foundation has commissioned research into pathways into and out of homelessness for older women, funded projects to end or prevent homelessness for older women and works collaboratively with other organisations to address the systemic and structural causes of homelessness where older women are concerned.

Human rights approach

The Mercy Foundation is working with Dr Jessie Hohmann of UTS, to provide expert advice on a rights based approach to housing and homelessness. Dr Hohmann is an internationally renowned expert on the right to housing. She is author of the leading text on the subject, and has appeared before the United Nations Committee on Economic, Social and Cultural Rights (CESCR) in reviewing Australia and the UK's performance under international human rights law.ⁱ

This submission offers the Committee a valuable response to the Terms of Reference by taking into account the responsibilities of the NSW Government under ratified UN Human Rights Treaties. We stress that the right to housing should not be seen as a threat or punishment imposed on the government, but as an opportunity to follow international best practice for a rights-based solution to homelessness, and to craft policy that is rights regarding.

Federal, State and Local Government Responsibility for the Right to Housing as a Human Right

Australia accepted international obligations to respect, protect and fulfil the right to adequate housing for all when it endorsed the Universal Declaration of Human Rights (Article 25) and when it ratified the International Covenant on Economic, Cultural and Social Rights (Article 11.1).ⁱⁱ

Contrary to perceptions that only the Commonwealth Government owes obligations to comply with its human rights obligations, in fact, 'all branches of government (executive, legislative and judicial), and other public or governmental authorities, at whatever level – national, regional or local – are in a position to engage the responsibility of the State Party'ⁱⁱⁱ

Under ICESCR Article 50, Australia accepted that '[T]he provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.'^{iv}

As the United Nations Special Rapporteur on Housing has noted,^v this is particularly relevant in countries such as Australia where State Governments bear constitutional responsibility for housing, as well as associated policy areas that are key to the realization of the right, such as infrastructure development, planning, development and administration of social housing and social programmes for example.^{vi} Accordingly, the range of policies touching on the right to housing, including, zoning, budgeting, land use planning, allocation of benefits and subsidies, must comply with the right to adequate housing.^{vii}

The other crucial point with respect to international obligations for human rights is that those obligations rest with the government. While governments may outsource the provision of housing, its management, construction, or maintenance, governments remain ultimately responsible for ensuring the right to housing. Thus, in the area of homelessness, while it is certainly open to the Government to contract with private providers, charities, NGOs or businesses to operate shelters, construct, or allocate affordable housing, or take other action, if homelessness is rising and people are unable to access adequate, appropriate, affordable housing, it remains the government's ultimate responsibility to rectify the situation.

What is adequate housing as a human right?

At its heart, the right to adequate housing in international law is a right to live somewhere in peace, dignity, and security.

The right to housing is found in Article 11(1) of ICESCR:

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and *housing*, and to the continuous improvement of living conditions. . .

Housing is included as an aspect of the right to an adequate standard of living. Accordingly, housing is protected as a building block for a life in community with others; a right that is economic, social and cultural. This is not a right to shelter, but to *adequate housing*, a place to live in dignity, peace and security.^{viii}

CESCR's General Comment No. 4 is the authoritative starting point for understanding the right under ICESCR. It represents a sophisticated attempt to capture the complex aspects that make up housing, identifying seven crucial features that must be present:

- (i) Legal security of tenure – tenure that provides sufficient legal protection against forced eviction, harassment or other threats;
- (ii) availability of services, materials, facilities and infrastructure – an adequate house must contain facilities essential for health, security, comfort and nutrition, including access to safe drinking water, energy for cooking and heating, sanitation, refuse disposal, and access to emergency services;

- (iii) affordability – housing costs should not jeopardise the ability of a household to afford other necessities, and states have positive obligations to ensure housing affordability;
- (iv) habitability – that housing meets basic standards of humaneness and safety;
- (v) accessibility – that housing must be accessible for disadvantaged groups such as those with disabilities and older persons;
- (vi) location – housing must be situated in a way that allows access to employment options, health-care services, schools, childcare centres and other social facilities;
- (vii) cultural adequacy – that the way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing.^{ix}

These are referred to as the seven elements of adequate housing, and will be referred to further below, with specific reference to their relevance to older persons' homelessness.

The full enjoyment of other rights - such as the right to freedom of expression, the right to freedom of association (such as for tenants and other community-based groups), the right to freedom of residence and the right to participate in public decision-making - is indispensable if the right to adequate housing is to be realized and maintained by all groups in society. Similarly, the right not to be subjected to arbitrary or unlawful interference with one's privacy, family, home or correspondence constitutes a very important dimension in defining the right to adequate housing.^x

As with sub-national responsibility for human rights obligations, another poorly understood aspect of rights under ICESCR is the nature of the obligations that the government has accepted. It is often asserted that the rights under ICESCR are not immediate, but are progressive in nature, only subject to future realisation. It is also thought that the ICESCR imposes only positive obligations.

Both of these positions are incorrect. In fact, there is a mix of positive and negative, and immediate and long term obligations for rights under the Covenant.

Immediate and longer term obligations

States' obligations for realising the rights in the Covenant are set out in Article 2(1):

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

Immediate obligations include all those that can be realised without significant resource implications. For example, the repeal of discriminatory laws, and the regulation of private sector actors, such as the construction and real estate industry.^{xi}

In addition, it is an immediate obligation to ensure that each of the seven elements of the right to housing are enjoyed at a *minimum core level*.^{xii} Of specific relevance to the current Inquiry, both homelessness and forced eviction are clear violations of the minimum core of the right to housing.^{xiii}

Beyond immediate obligations, governments must take steps toward the full realisation of the right, Limited exceptions to this obligation of progressive realisation—that is, where governments can raise an acceptable excuse for going backwards (retrogression) include situations of natural disaster or war, as well as serious economic crisis.^{xiv} Deliberate retrogressive steps constitute a *prima facie* violation of the ICESCR, which the government has the burden of proof to discharge.^{xv} For instance, if housing is *increasingly* unaffordable over time, this is *prima facie* retrogression, and serious evidence that the state is not meeting its obligations under the Covenant. If more homelesses increases over time, this is also a retrogressive step.

Third, in pursuit of full enjoyment of the right, the State must use all available resources.^{xvi} Resources include ‘the budget’, other dimensions of public finance (such as monetary policy and government borrowing) and can encompass human, technological, organisational, natural and informational resources.^{xvii} States can adopt different strategies—they have a ‘margin of appreciation’ in their choice of means to fulfil the right.^{xviii} However, they should be held closely to account for policy or budgetary decisions that are arbitrary or discriminatory in nature, or that fail to consider the disadvantaged, marginalised, and most vulnerable, or those in situations of grave risk.^{xix} Where there are various policy options, the state should choose a course which is the least detrimental to the fulfilment of human rights.^{xx}

With older persons at risk of homelessness amongst the most vulnerable, the right to housing under ICESCR provides an important framework to craft policy responses to protect them.

Positive and Negative Obligations

Many aspects of the right to adequate housing can be realised through negative obligations. That is, through ensuring non-interference in the ability to enjoy one’s rights. This includes providing a legal framework that adequately protects people’s security of tenure, refraining from interfering with quiet enjoyment, regulating against predatory practices in the real estate or banking industry, or ensuring non-discrimination in enjoyment of the right.

Negative obligations are, however, coupled with positive obligations. In some cases, the government may need to take positive action to *provide* the right to housing to people. This does not mean that the government is required to provide a house to all people. However, it may mean that the government needs to subsidise housing, provide income support at an adequate level, or promote the supply of adequate housing.

Homelessness and the Right to Adequate Housing

As noted above, homelessness violates the core of the right to housing, and governments have an immediate obligation under international law to ensure that homelessness is eliminated. Homelessness is recognised in Australia as including rough sleeping/street homelessness, overcrowding or 'couch surfing', and other situations where a person does not enjoy the incidences of home (such as in the case of family violence, or where they do not have personal living space or privacy).^{xxi} All these forms of homelessness are experienced by older people in Australia, and it is within the Government's power, as well as its international obligations, to ensure safe, adequate housing in these cases.

The Right to Housing as Opportunity, not Threat

We would like to stress in this Submission that the right to housing should be seen as an opportunity. The standards and obligations for the right provide a framework for creating a policy and legal landscape in which all people are housed in peace, dignity and security. The right as understood in international law provides international best practice for a fair, just and equal housing landscape. We encourage the government to frame its responses to older persons' homelessness in New South Wales through the standards of the right to housing, as further elaborated below.

TERMS OF REFERENCE

(a) The rate of homelessness

In brief, older people's homelessness is increasing at a faster rate than other cohorts experiencing homelessness, and women over 55 years are currently the fastest growing cohort to experience homelessness.

- According to the 2016 Census, from 2011 to 2016 the number of people aged over 55 years experiencing homelessness in NSW increased by 42%, from 4,529 to 6,407^{xxii}. This compares to an increase of 37% for all people counted as homeless in NSW.
- In NSW, the number of older women over 55 years experiencing homelessness has increased from 1,480 in 2011 to 2,186 in 2016, an increase of 48%.^{xxiii}
- The research report 'At Risk' estimates that in NSW there are 110,000 women aged over 45 years at risk of homelessness. The risk of homelessness is compounded by the fact that older women in need of housing are not prioritised for social housing until they are 80 years old.^{xxiv}
- Increasing rates of homelessness indicate a retrogressive step, and are a prima facie violation of the right to housing. They are of particular concern in human rights terms because they indicate that fewer people are able to enjoy their fundamental right to safe secure living conditions.

(b) Factors affecting the incidence of homelessness

The two main drivers of homelessness are poverty and a significant shortfall in the supply of social and affordable housing. The causes are structural and systemic.^{xxv} There are many causes of poverty, however, housing supply can be adjusted by government expenditure and policy.

- Living on a fixed, low income and relying on private rental market for housing increases the risk of homelessness. Housing affordability is extremely low for people on low incomes.
- Rental Affordability is extremely low especially for low-income households. Single pensioners living in Sydney will need to spend 66% of their income to afford rent, leaving little for other living expenses. Rental affordability for a single person on Jobseeker is extremely unaffordable, where 110% of their income would be spent on rent in Greater Sydney or 63% in the rest of NSW.^{xxvi}
- Social housing as a proportion of total housing stock is declining in NSW. As a proportion of total housing, social housing stock represents 4.71%, being the lowest of all states and territories.^{xxvii}
- Expenditure on social housing per capita in NSW is \$172.88, behind WA, SA, Tasmania, ACT and NT and lower than the Australian average of \$174.73 per person.^{xxviii}

‘No Grounds’ Evictions

The NSW Residential Tenancies Act 2010 allows for no grounds evictions. In 2013 – 2014, two in five renters aged over 65 years moved involuntarily, after receiving a notice to vacate (Productivity Commission 2019). Notice to vacate leads to great insecurity and for older renters drives a substantial risk of first time homelessness.^{xxix}

Under international law, evictions should not lead to homelessness, or negatively impact the evictee’s other human rights.^{xxx} In the event that an eviction will lead people into homelessness or destitution, the government is obliged to provide alternate accommodation and/or compensation.^{xxxi} For this reason, the government should carefully legislate to ensure evictions do not lead to homelessness. This can be done through controlling the circumstances in which private and public landlords can evict, as well as increasing housing supply and affordability to ensure that when people must be evicted, alternate housing options are readily available.

Priority age for housing too high

In NSW, people who qualify for the general housing waiting list are not prioritised for housing until they are 80 years old. This must be reduced as a matter of urgency. Many older people do not meet the criteria for priority social housing as their homelessness is usually a result of low incomes rather than complex needs. However, international law on the right to housing requires that housing law and policy take account of the needs of vulnerable people in access to housing, including older persons.^{xxxii}

In Victoria, a new category of priority access is available for people who are eligible for social housing who are aged 55 years and over and are not eligible for another priority category, this legislative change better complies with the right to housing and protects a vulnerable category of dwellers.

(c) Opportunities for early intervention to prevent homelessness

Under the Grants to End Homelessness program, the Mercy Foundation recently funded the National Homeless Collective in Victoria to provide loans to women at risk of homelessness for the payment of bonds and rent-in-advance with a fast turnaround. This early intervention stopped women from falling into rental arrears and therefore at risk of eviction, and enabled others to prevent homelessness by paying for bond and rent in advance for a new tenancy.

Victoria's Home at Last service by HAAG is dedicated to supporting older people to plan for their housing future and identify appropriate housing options. The model demonstrates that better housing outcomes can be achieved for older people experiencing financial disadvantages. As detailed in (f), *Home at Last* provides assistance with housing applications, support during the move, establishing a new home and referrals into aged care and other supports. A key component of the service is its focus on early intervention.

(d) Services to support older people who are homeless or at risk of homelessness, including housing assistance, social housing and specialist homelessness services

There are no specialist homelessness support services for older people in NSW.

(e) Challenges that older people experience navigating homelessness services

Older people face a number of challenges in accessing information about housing and homelessness. A report by Dr Maree Petersen and Dr Cameron Parsell from the University of Queensland highlighted that most older women who are homeless have never been homeless before. This means they are unaware of and have had no experience with homelessness services and the welfare system.^{xxxiii}

Traditional homelessness programs and specialised supportive housing, associated with both seniors and homelessness sectors, are appropriate for women who have lived with ongoing disruption and substantive health concerns.^{xxxiv}

The Ageing on the Edge Forum highlights the increasing reliance on digital service delivery of human services as a barrier for many older people at risk of or experiencing homelessness. Many have low levels of digital literacy and limited access to the internet, computer and mobile devices.

The research report 'The older I get the scarier it becomes' by J. Fiedler and D. Faulkner (2017) highlights the following issues as barriers for older people in navigating the housing system:^{xxxv}

- There is no effectively resourced central access point or clearly navigatable process available for an older person in NSW to obtain information about the range of lower income housing options that they may need to consider.
- The availability of information on the range of housing types can be extremely confusing for older people to understand and navigate their way to a housing outcome.
- The definitions and descriptions of housing designed for older people can make it difficult for a person with little knowledge of the sector to understand what type of housing is being offered.

Many older people may not have the skills nor be able to access technology to obtain the assistance they need

(f) Examples of best-practice approaches in Australia and internationally to prevent and address homelessness amongst older people

Housing First and Rapid Rehousing are two evidence-based approaches to ending homelessness.

Housing First

- Housing First is the evidence- based approach to ending homelessness for people experiencing chronic homelessness.
- Housing First provides housing that is safe, secure, appropriate, affordable and permanent, and access to services to assist the tenant from falling back into homelessness. (See appendix 1 for Housing First information).

Rapid Rehousing

- Rapid re-housing quickly connects families and individuals experiencing homelessness to permanent housing through a tailored package of assistance that may include the use of time-limited financial assistance and targeted supportive services.^{xxxvi} Where an instance of homelessness cannot be prevented, individuals and families will receive immediate crisis services and temporary accommodation and be re-housed as quickly as possible
- Both Housing First and Rapid Rehousing rely on the availability of suitable, long term accommodation that is affordable. Social housing is key to the success of both these approaches.

Mercy Foundation's Grants to End Homelessness Program

The Mercy Foundation's Grants to End Homelessness program supports evidence-based projects across Australia that end or prevent people's homelessness. The following projects illustrate successful approaches to ending homelessness:

Project 1: MyTime Project – CatholicCare Wilcannia Forbes

This project gave CatholicCare the opportunity to have a focused support system in place to identify, engage and implement specific supports to women over 50 years who are homeless or at risk of homelessness. The Specialist Support Worker, who has lived experience, works with older women through the provision of a tailored wraparound service, walking by each woman's side, supporting her in addressing her housing needs quickly and assessing her further needs through a comprehensive intake and needs' assessment. She is assisted in setting goals by collaboratively developing a case plan and guiding her in pursuing and achieving the goals she has identified.

This project has created a clear understanding that a specialised program designed to work with older women is a valuable service. In 12 months, of the 28 women assisted in the program, 23 are now in safe and secure long-term housing and the remaining five are receiving support.

Project 2: National Homeless Collective Sisters in Safe Housing Project

This project is helping to rehouse women escaping domestic violence situations and women experiencing chronic homelessness. The project targets women with low needs, who are facing eviction or cannot pay bond and rent in advance due to financial constraints.

The project provides a loan for the payment of bonds and rent-in-advance with a fast turnaround. The fast turnaround is key to the project. Often women have a financial crisis that tips them into homelessness.

The loan is repaid at a rate that is affordable to the recipient, and means that more women can be assisted by this program. In 12 months, more than 28 families have been assisted by the project.

Project 3: Women's Property Initiatives Older Women's Program

The Mercy Foundation funded a project with Women's Property initiatives to assist older women with some assets that made them ineligible for social housing, but with limited income that prevented them from accessing a mortgage or owning a home of their own. These women end up paying expensive private rental until their assets are diminished. The program enables low-income women over 55 years with modest assets to invest in safe, secure and affordable housing where their assets/contribution will be preserved. They pay rent on a portion of the property, but they will have peace of mind from knowing that the rent is affordable, and their capital investment and their tenancy is secure.

This pilot project may create a replicable model that provides high quality, appropriate, accessible and affordable housing into the future for women to age in place. It will prevent them from becoming homeless or requiring more costly social housing in the future.^{xxxvii}

Project 4: YWCA Canberra 'Rentwell'

Rentwell is YWCA Canberra's charitable property management service. YWCA Canberra manages and leases privately owned investment properties in the ACT at below 75% market rate, providing affordable housing to people who are struggling to maintain tenancies in the mainstream market.

Property owners apply for a land tax exemption through the ACT Revenue Office and YWCA provides a tax deductible gift receipt for any foregone rent.

YWCA Canberra prioritises older women who are at risk of homelessness, and women and children. Rentwell manages over 50 properties across Canberra.

Other services:

Home at Last HAAG

The HAAG Home at Last service model in Victoria provides better housing outcomes for older people experiencing financial disadvantages. Home at Last provides support and housing information for older people who are experiencing homelessness or at risk of homelessness. Services range from providing tailored housing information to assistance with housing applications, support during the move, establishing a new home and referrals into aged care and other supports.

A Cost Benefit Analysis by EY found that the Home at Last service has a benefit cost ratio of 2.3 to 1. This means that every dollar spent on the Home at Last generates at least \$2.30 in societal value.

The estimated annual cost of running the service in NSW is \$1.2 Million.

Next Door YWCA Canberra

Next Door is a specialist housing service targeted to older women who are homeless or at risk of homelessness. It assists older women to access and maintain affordable, appropriate and safe homes in the ACT. Support is tailored to the woman's individual situation and can include finding a home or temporary accommodation, or help with an existing tenancy.^{xxxviii} The program is funded by the ACT Government and assisted 85 women into new homes or to maintain existing tenancies.^{xxxix}

International Examples of Best Practice

As noted at the outset of this submission, the standards of the international human right to housing under ICESCR represent best practice. The requirements of the right can be used to guide policy formation in a way that is fair, just, and leads to the enjoyment of safe, adequate and affordable housing for all people in NSW. The right should be seen not as a threat to be imposed on states who are non-compliant, but as an opportunity to proactively craft policy that respects the rights of all to a place to live in peace, dignity and security.

(g) Options to better support older people to obtain and maintain secure accommodation and avoid homelessness

The key to better supporting older people to avoid homelessness is to

- Build more social and affordable housing. A sustained capital program to build 5,000 social housing properties, including housing appropriate to the needs of older women in the coming year, with additional build projections based on population growth targets.^{xi}

- Invest in a state-wide information system tailored to the needs of older people based on the successful *Home at Last* model in Victoria
- Reduce the age limit of priority social housing to 65 years (maximum) to enable older women to access social housing.
- Invest in more permanent supportive housing options for older people experiencing chronic homelessness.

(h) The adequacy of data collection on older people experiencing homelessness or at risk of homelessness and the opportunities to improve such collection

Please refer to the submission by the Ageing on the Edge Forum NSW regarding their response to this term of reference.

(i) The impact of homelessness on health and wellbeing of older people and the related costs to the health system

Housing is an important health intervention, particularly for people aged over 55 years. Housing is widely recognized as an important social determinant of health.^{xii} Involuntary loss of housing results in multiple knock on effects. It can result in the loss of possessions, community, stability, social support networks, as well as impacting on mental and physical health. For these reasons among others, older persons are recognized as particularly vulnerable, and to be accorded priority access to housing.^{xlii} Recent research by Dr Emma Power^{xliii} discusses the experiences of single older women living on low incomes in the private rental market. A 2018 survey of Australian renters found that housing insecurity generates both practical and emotional stress across all ages, with 63% of renters report anxiety ‘due to the unknown’, a loss of stability and stress caused by the effort to move.

The report notes that:

For older people renting on a low income, the connection between housing insecurity and the broader feelings of personal insecurity are especially acute. Housing connects to broader feelings of security through its permanency, stability, continuity, sense of control and ability to create a comfortable home environment. The absence of these factors drives profound feelings of insecurity that are especially marked for older people.^{xliv}

Fielder and Faulkner note that the benefits of the provision of long term, secure and affordable housing for older people has been demonstrated to cause positive health outcomes. It literally transforms lives when security of tenure, affordability and a suitable home for ageing is provided and becomes the foundation for older people to have good health, independence and regaining the ability to be valuable contributors to society.^{xlv}

(j) The specific impact of homelessness, including the matters raised above, on older women

As noted above, loss of housing is detrimental to physical and mental health. It negatively impacts on all aspects of a woman's life, no matter her age. These impacts are more acute as a woman grows older.

Women sleeping rough

The research report *Women sleeping rough: The health, social and economic costs of homelessness* is the first study to investigate health outcomes and the costs of high acute health service usage of women sleeping rough relative to men sleeping rough as well as other women in supported accommodation who are homeless (largely due to family and domestic violence).

Women sleeping rough reported poorer physical and mental health outcomes and greater problematic drug and or alcohol use compared to both women experiencing homeless not sleeping rough and men sleeping rough. Women sleeping rough reported greater healthcare utilisation, and, therefore, healthcare costs, than women experiencing homelessness not sleeping rough and men experiencing homelessness.

There is a need for a gendered as well as Indigenous lens when analysing health and social outcomes and designing services to meet the needs of people sleeping rough.^{xlvi}

Women are more vulnerable to homelessness

The right to housing is owed to all without discrimination. Non-discrimination is a norm of customary international law as well as a right under the ICESCR. However, women suffer from violations of right to housing in Australia at a greater rate than men. This is caused by women's higher rates of poverty, lower levels of superannuation and assets, in part brought about by their historic lower participation in the paid workforce and their higher caring responsibilities.^{xlvii} This means that older women are particularly vulnerable to homelessness at family breakdown, death of a long term partner, or when they are forced from their homes due to family violence or financial crisis.

(k) The impact of homelessness, including the increased risk of homelessness in the community, on older people in vulnerable groups

Please refer to the submission by the Ageing on the Edge Forum NSW regarding their response to this term of reference.

(l) Any other related matter

Housing and Climate Change

Over the last three years, Australia has experienced devastating bushfires, followed by catastrophic flooding. New South Wales was seriously impacted by both climate emergencies.

In New South Wales, the black summer bushfires led to the loss of 2448 homes, and damage to more than 1000 more.^{xlviii} At least 3800 homes were rendered uninhabitable by flooding in the first half of 2022. In March, more than 1200 people were being housed in temporary accommodation in the Northern Rivers region of NSW alone.^{xlix}

Loss of housing due to disaster can have a profound negative impact on older persons, who often have long-term ties to their home and community.¹ Impacts are also greater due to their enhanced vulnerability in the face of homelessness and involuntary relocation, as discussed in this submission. In addition, the loss of homes due to these disasters has put additional pressure on already existing housing stock.

Climate related disasters and extreme weather events are likely to put additional pressure on the housing stock in NSW in the immediate future, and to cause additional housing loss and homelessness unless the Government acts to ensure housing is adequate in these changing conditions.

ATTACHMENT 1

Housing First is an approach or methodology for assisting homeless people to access permanent housing with support as needed. It is based on the idea that people need a stable and secure home before they can address any other challenges. A safe, permanent home is the foundation that we all need to thrive. The principles of Housing First are:

- Housing is provided as quickly as possible for people experiencing chronic homelessness
- People do not have to be assessed as 'housing ready'. There are no pre-requisites for people to access housing.
- People with addictions can access housing. There is evidence that once people are in stable housing, they are in a better position to tackle their addictions.
- Housing First provides people with permanent housing and access to services needed to help them sustain their tenancy. Most people will just need permanent housing to end their homelessness; some may need a period of transitional support as they move back in housing, and a small number of people have high or complex needs and may require permanent support. An individual's engagement with these services is not required for them to maintain their housing.

Studies of housing programs around the world reveal that tenants engaged in Housing First arrangements are:

- more likely to stay in their accommodation long term;
- have improved health outcomes;
- higher employment and training success;
- more engaged in the community

compared to more traditional housing programs. Consequently, Housing First programs are more cost effective for governments and service providers.

A study of 225 people in the USA compared the outcomes of those using traditional housing services and those using a Housing First program known as *Pathways to Housing*. The research found that 88% of those in the Housing First program retained their housing for two years compared to 47% in the other programs.ⁱⁱ

ⁱ Jessie Hohmann, *The Right to Housing: Law, Concepts, Possibilities* (Hart 2013).

ⁱⁱ Universal Declaration of Human Rights (UDHR) (1948) UNGA Res 217 A (III) (adopted 10 December 1948); International Covenant on Economic, Social and Cultural Rights (ICESCR), UNGA Res 2200A (XXI) (adopted 16 December 1966, entered into force 3 January 1976).

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- iii UN Human Rights Committee (HRC), *General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant*, 26 May 2004, CCPR/C/21/Rev.1/Add.13, para 4.
- iv ICESCR Art 50. See also ICCPR Art 28.
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