



SUBMISSION ON THE NATIONAL HOUSING AND HOMELESSNESS PLAN BILL 2024

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Submission on the *National Housing and Homelessness Plan Bill 2024*

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Introduction

YWCA Australia ('YWCA') welcomes the opportunity to provide a submission to the Senate Economics Legislation Committee on the *National Housing and Homelessness Plan Bill 2024 (No. 2)*.

The *National Housing and Homelessness Plan Bill 2024* ("the Bill") is an opportunity to embed certainty into an uncertain landscape around housing policy in Australia. It is also an opportunity to ensure that the policies that are developed reflect and meet the needs of Australian society. The Bill is a necessary step to ensure that Australia's approach to housing policy is not led by election cycles, but instead a legislated commitment to housing as a human right. Our ability as a nation to end housing insecurity and homelessness rests on such certainty and commitment.

In this submission, we express the importance of seizing this opportunity to legislate a framework centred in housing as a human right for the National Housing and Homelessness Plan. We also recommend, amongst other matters, that the Bill is amended to include a dedicated focus to improving gender equality in housing outcomes. This submission also outlines the complimentary commitments the Federal government should make to reform the state of our national housing system.

Our primary call for the Federal government is to create a legacy where the protection of housing as a human right is not contingent on political will but is instead enshrined as an obligation to the Australian people.

Our submission is underscored by following principles which must form part of a commitment to a long-term vision to address housing insecurity and homelessness in Australia.

Housing as a Human Right

- Enact legislation establishing the right to affordable and adequate housing, in accordance with Australia's obligations under international human rights law.

Importance of Lived Experience

- Embrace the principle of "Nothing about us without us."
- Utilise evidence that highlights the value of involving people with lived experience in policy design and decision-making to enhance outcomes, fostering a more compassionate and comprehensive approach.

Intersectional Policy Making

- Apply an intersectional framework to address housing insecurity and homelessness, to promote a better understanding of, and response to, interlocking systems of racialised, classed, and gendered oppressions in housing and homelessness policy.

Whole-of-Systems Approach

- Acknowledge that addressing these challenges extends beyond bricks and mortar, necessitating consideration and integration of the broader social, economic, and environmental contexts within which housing and homelessness operates.
- Develop policies and solutions that account for the interrelated nature of housing insecurity and homelessness across government, policy, and service sectors.

Promote Collaboration

- Accept that addressing the housing crisis in Australia will require leadership from the Federal government as well as collaboration alongside the States and Territories.
- Unite a broad range of stakeholders to address the housing crisis through the shared commitment to protecting housing as a human right in Australia.

About YWCA Australia

YWCA is a national not-for-profit organisation that has specialised in supporting women for over 140 years. YWCA uniquely offers safe, secure and affordable housing, as well as support programs and leadership pathways for women and gender diverse people. Our impact is significant and national.

Each year YWCA:

- Supports over 6,000 people;
- Provides over 130,000 nights of safe, stable and affordable accommodation; and
- Provides over 64,000 hours of support.

Safe, Secure and Affordable Housing

- YWCA is the only national housing provider for women and gender diverse people in Australia providing safe, secure, and affordable housing solutions to those that need it most.
- We are a trusted and registered Community Housing Provider working closely with government to deliver more social and affordable housing for women and gender diverse people.

- We build, buy, and manage housing properties and implement gendered housing solutions informed by our [Women's Housing Framework](#).
- We know access to safe, secure, and affordable housing is central to achieving gender equality in Australia which is why we advocate for more affordable housing for women and gender diverse people to all levels of government.
- YWCA has a strong and well-established policy position on housing as a human right – as reflected in our [Policy Platform 2023-24](#). Our Policy Platform has been developed in the context of Australia's broadening housing crisis and its gendered impacts. It is grounded in our vision for a future where gender equality is a reality, as well as our purpose of making young women's leadership and women's housing our priority for gender equity in Australia.

Evidence-Based Services and Programs

- YWCA provides tailored services and programs to support women and gender diverse people to end homelessness and housing insecurity, including domestic and family violence services.
- We deliver evidence-based services and programs to tackle the underlying gendered drivers of housing insecurity and homelessness and ensure stable housing outcomes.
- Our gender-responsive service model is scalable and can be localised and tailored to partner with government public housing, private rental, or existing Community Housing Providers for an integrated solution.
- By investing in and working with specialist organisations to design and implement more gender-responsive homelessness and housing support programs, we can end homelessness for women and gender diverse people.

Leadership and Advocacy

- YWCA has a long and proud history of advocacy led and informed by young women and gender diverse people.
- We know the importance of involving young women, gender diverse people, and those with lived experience in shaping the policies that directly impact them. That is why we have made young women's leadership and women's housing our priority for gender equity in Australia.
- Through our Young Women's Council and Lived Experience Leadership Pathways, our priorities are guided by the expertise of those who have a stake in shaping tomorrow.

Setting the Legislative Scene

This Bill was jointly introduced by ACT Independent Senator David Pocock and Member for North Sydney Kylea Tink in June 2024. The Bill represents the interests of the Australian public, as reflected by the open letter to the Minister for Housing and Homelessness calling for a statutory basis for the National Housing and Homelessness Plan.¹ That letter was signed by 117 individuals and organisations including representatives from peak bodies of the housing sector, housing advocates, politicians from both sides of politics, economists, industry experts and leading academics. YWCA endorses the letter and shares the views of our sector colleagues.

We note that a cornerstone of the Albanese government's 2022 election pledge to the Australian public has been housing – specifically to build new homes, to invest in affordable housing and to make renting fairer.² YWCA commends the government on its suite of housing commitments to date, particularly with respect to investments in housing supply. However, we note that more is required to address the disparate nature of housing policy and to tackle the dire scale of the housing crisis in Australia.³ Whilst immediate responses and relief are crucial, a blueprint for long-term housing policy is necessary if we are to create and sustain a healthy housing system.

The particular significance of this Bill, which attracts public support is three-fold. First, the Bill if passed would provide a statutory basis for the National Housing and Homelessness Plan, with an obligation on government to prepare and/or maintain the Plan in accordance with the Bill's objectives and goals. Second, the Bill is centred around the realisation of housing as a human right and the mission for everyone in Australia to have access to adequate housing. A human-rights based mission can create the necessary common ground to bring together diverse intergovernmental actors and policy makers. Third, the Bill introduces accountability processes and agencies which are required for successful and stable national reform.⁴

The significance of this opportunity to legislate a statutory basis for the National Housing and Homelessness Plan – and as a consequence to enshrine housing as a human right and uphold principals of accountability – cannot be overstated. Australia is at a critical juncture in addressing housing insecurity and homelessness. We propose that a comprehensive legislative framework be implemented at a federal level to tackle the current crisis. This blueprint is

¹ Letter to the Minister for Housing and Homelessness, *The case for legislating the National Housing and Homelessness Plan* (28 May 2024), available at: <https://assets.nationbuilder.com/davidpocock/>.

² Labor Government Website, *Working for Australia*, (last accessed 6 August 2024), available at: <https://alp.org.au/policies>.

³ For further commentary, see Professor Hal Pawson for The Conversation, *Housing and the Albanese government: a mid-term report card* (18 December 2023), available at: <https://theconversation.com/housing-and-the-albanese-government-a-mid-term-report-card-219389>.

⁴ For further commentary around the necessary elements of a national approach to housing and homelessness, see AHURI, *Towards an Australian Housing and Homelessness Strategy: understanding national approaches in contemporary policy* (2023).

essential to prevent a future policy vacuum and to safeguard the wellbeing of generations to come.

Learning from Jurisdictional Lessons

We appeal to the federal government to learn important lessons from national and international approaches to housing and homelessness policy in consideration of the Bill. In particular, we draw attention to the evidence-based research by the Australian Housing and Urban Research Institute ('AHURI') in their June 2023 report, *Towards an Australian Housing and Homelessness Strategy: understanding national approaches in contemporary policy*. The research considered national approaches to policy both in Australia and internationally to set out the options for achieving cohesive, coordinated action on housing and homelessness in the Australian federation.

From an Australian national perspective,⁵ the report includes a review of two national approaches to policy in Australia namely (i) policy for First Nations peoples and Closing the Gap and (ii) policy for people living with disability, including through Australia's Disability Strategy. The research found that "there is no template for creating and maintaining a national approach to a policy area in the Australian federation."⁶ However, there are common themes which can be learned from national approaches to policy in Australia which, if implemented, can elevate and sustain housing reform policy for Australia.

First, the national strategy must have processes "that give voice and power to those who are currently marginalised or disadvantaged in policy making."⁷ Specifically, there must be process to engage with "members of the public whose interests are at stake, and in the institutions that effect policy."⁸

Second, Australia's international obligations are a useful common ground to unite diverse policy makers.⁹ A prominent goal for policy reform is grounded in the United Nations Sustainable Development Goal 11 to 'make cities and human settlements inclusive, safe, resilient and sustainable' with 'access for all to adequate, safe and affordable housing.' The research shows that whilst an exact template may not be provided by other national approaches to policy in Australia, that "strategy-making is itself a strategic process of building a constituency for reform" with international obligations being a core starting point.¹⁰

Third and importantly, there should be a dedicated agency to coordinate implementation of the strategy across other agencies and non-governmental actors involved in the strategy.¹¹ The lack of a dedicated agency to coordinate the

⁵ AHURI, *Towards an Australian Housing and Homelessness Strategy: understanding national approaches in contemporary policy* (2023), Chapter 4, see especially pp 44-45.

⁶ Ibid 44.

⁷ Ibid 43.

⁸ Ibid 44.

⁹ Ibid 45.

¹⁰ Ibid 1.

¹¹ Ibid 45.

implementation of Australia's disability policy has resulted in uneven implementation across jurisdictions, as well as a lack of engagement with the National Disability Strategy by agencies beyond the Department of Social Services.

Fourth, there must be a commitment to accountability.¹² Specifically, it is essential that there is a commitment to the reform process serving other agencies and stakeholders, as well as the people the national policy is intended to serve. It is only through these measures that we can ensure that the commitments to improving outcomes are meaningful, expansive and achievable.

From an international perspective,¹³ the AHURI research found that international human-rights obligations, and national approaches to policy internationally, should inform housing policy for Australia. The report draws heavily on learning from our Canadian counterpart who like Australia operates under a Federated model.

The primary lessons to be learnt from Canada are around the approaches to a legislated model. Under the *National Housing Strategy Act*, Canada has established new institutions to support the strategy. Those pillars include legislation which enshrines the right to housing, a National Housing Council to represent the voices of stakeholders, and a Federal Housing Advocate.¹⁴

Of particular note is the fact that the Canadian legislation was enacted in 2019, two years after the Canadian National Housing Strategy was launched in 2017. The consequence of this was that the agencies responsible for the oversight and accountability dimensions of the 10-year strategy, only became involved mid-way through the strategy.¹⁵

The lessons from national approaches to policy both in Australia and internationally have been incorporated into the *National Housing and Homelessness Plan Bill*.¹⁶

The lessons from national approaches to policy in Australia which have been incorporated into the Bill include: (i) processes for consultation and engagement, (ii) centring Australia's international obligation to recognise housing as a human right, thereby creating a common ground to unify diverse stakeholders (iii) assigning a dedicated agency to coordinate the implementation of the National Plan, and (iv) measures to ensure accountability in processes and outcomes for the Australian public.

¹² Ibid 45.

¹³ AHURI, *Towards an Australian Housing and Homelessness Strategy: understanding national approaches in contemporary policy* (2023), Chapter 5.

¹⁴ Ibid 56.

¹⁵ Presentation comments from Dr Chris Martin – Scientia Senior Research Fellow at UNSW Sydney; UNSW City Futures Research Centre, *Sector Briefing: Legislating a National Housing and Homelessness Plan* (22 July 2024, occurred online).

¹⁶ Commonwealth, *Parliamentary Debates – Second Reading Speech of the National Housing and Homelessness Plan 2024*, Senate, 25 June 2024, 41 - 43 (David Pocock, Senator).

From an international perspective, there are mechanisms in the Bill to learn both from the successes and the defects of the Canadian approach. Specifically, there are measures which ensure that: (i) the National Housing and Homelessness Plan is grounded in a legislative framework, and (ii) the Plan has appropriate agency oversight from the outset.

Recognition of the Gendered Nature of the Housing Crisis

A legislative blueprint which is the basis for all future plans must be centred on a commitment to address the gendered nature of the housing crisis. We know that women and gender diverse people both encounter significant barriers to accessing affordable housing, and experience elevated rates of homelessness. The latest Census data revealed a 10 percent increase in the number of women experiencing homelessness since 2016, nearly double the national average. The housing precarity of women and gender diverse people has also been exacerbated by the significant and long-term underinvestment in social and affordable housing, historically low vacancy rates in the rental sector and a failure to turn the tide on gender-based violence, among other gendered drivers.

YWCA recognises that safe, secure, and affordable housing is fundamental to the social, economic, and educational participation of women and gender diverse people and to the realisation of gender equality. Housing, alongside the health, welfare, and community support services, is a human right and should be a source of stability, safety, social connection, and a pathway to economic security for all women and gender diverse people.

YWCA strongly believes that the success of the National Housing and Homelessness Plan will turn on the government's willingness to listen to and incorporate lived experience expertise and work with specialist organisations and frontline services to deliver a plan that appropriately responds to the gendered drivers of housing insecurity and homelessness. To ensure that the first and all future iterations of our National Housing and Homelessness Plans charter a clear path forward for change, there must be a legislated commitment to centring the voices and issues experienced by women and gender diverse people in a way that is meaningful, and evidence based.

Evidence shows that Australia's housing crisis is a gendered one. Young women aged 25 – 34 years old are both the largest group of women experiencing homelessness, and the largest group of women engaged with specialist homelessness services who have experienced family and domestic violence.

The government must not ignore the fact that our national crisis of violence against women is driving our national crisis of housing insecurity and homelessness in this country - with women and children facing the pitfalls of both.

These trends, however, are not limited to young women aged 25 – 34 years old. These trends are rising across all generations of women. We have seen an almost 18% increase of young girls 12 to 18 years old becoming homeless between the two most recent Census periods. We have also seen women aged 35 – 44 years old become the fastest growing group experiencing homelessness. This does not displace the fact that the rates of homelessness among older women remain high. Overall, government decision-making regarding housing and gender-based violence has failed women at every stage of their lives. The current trend is that these failures are not contained to older women anymore, but are being experienced more disastrously than ever by young women and their children.

Evidence shows that some women and gender diverse people face intersectional layers of inequality which present in lower access to safe, secure and affordable housing. The intersection between the housing crisis and the crisis of gender-based violence are amplified for women and gender diverse people who are Aboriginal and/or Torres Strait Islander, who are culturally and linguistically diverse, who live with a disability, and/or who identify as LGBTIQ+. We draw particular attention to the fact that First Nations peoples represent one in five (20.4%) people experiencing homelessness in Australia,¹⁷ despite representing 3.8% of the total Australian population. There is a particular crisis of First Nations women and children facing homelessness and housing insecurity. It is unacceptable, and it must be addressed, that First Nations peoples are at the highest risk of homelessness on their own land.

The below statistics provide further evidence towards the fact that Australia's national housing crisis is a gendered crisis, which disproportionately harms women and gendered diverse people with intersecting identities.

Key Statistics – Domestic and Family Violence

- The numbers of homeless women has continued to rise, from 49,017 in 2016 to 53,974 in 2021 (a 10 per cent increase compared to the 2 per cent increase in the number of homeless men).¹⁸
- Domestic and family violence is the leading cause of homelessness for women and children, with 45% of all women and girls seeking homelessness assistance identifying family and domestic violence as a cause.¹⁹
- In 2021, the largest overall group of homeless women (11,097 women) are younger women aged 25 to 34 years.²⁰

¹⁷ Australian Bureau of Statistics ('ABS'), *Estimating Homelessness: Census, 2021*, (last updated 22 March 2023), available at: abs.gov.au.

¹⁸ AHURI, *What are the real costs of Australia's housing crisis for women?*, (last updated 07 March 2024), available at: <https://ahuri.edu.au>, quoting Australian Bureau of Statistics data from the 2021 Census.

¹⁹ Homelessness Australia, *Homelessness and Domestic and Family Violence: State of Response Report 2024*, (last updated March 2024), available at: <https://homelessnessaustralia.org.au>.

²⁰ AHURI, *What are the real costs of Australia's housing crisis for women?*, (last updated 07 March 2024), available at: <https://ahuri.edu.au>, quoting Australian Bureau of Statistics data from the 2021 Census.

- In 2022-23, the largest overall group of female specialist homelessness clients who have experienced family and domestic violence are also younger women aged 25 to 34 years.²¹

Key Statistics – Younger and Older Women

- From the 2016 census to the 2021 census, there was nearly an 18% increase in homelessness for girls aged 12 to 18 years.²²
- In 2021, the largest overall group of homeless women (11,097 women) are younger women aged 25 to 34 years.²³
- In 2021, the fastest growing group experiencing homelessness are women aged 35 to 44 years.²⁴
- Whilst the rates of homelessness among older women aged 65 – 74 years stabilised in the 2021 census; the rates are still significantly high in light of older women being the fastest growing group experiencing homelessness in the 2016 census.²⁵

Key Statistics – Intersecting Identities

- LGBTIQ+ people are twice as likely to experience homelessness compared to their peers. LGBTIQ+ also experience a younger age when first homeless due to higher levels of family rejection, conflict and violence.²⁶
- Aboriginal and Torres Strait Islander peoples make up one in five people experiencing homelessness in Australia, despite being 3.8% percent of the total Australian population.²⁷
- In 2021–22, around 72,900 First Nations clients received support from specialist homelessness services. Of these, over 45,000 (62%) were female and 14,800 (20%) were children aged 0–9.²⁸
- One in four young people are from a refugee or migrant background. It is estimated that young people from refugee backgrounds are six to 10 times more likely to be at risk of homelessness than Australian-born young people.²⁹
- Only six per cent of people with disability who are homeless or at-risk of homelessness are getting the long-term housing they need.³⁰

²¹ Australian Institute of Health and Welfare ('AIHW'), *Family, Domestic and Sexual Violence – Young Women*, (last updated 19 July 2024), available at aihw.gov.au.

²² AHURI, *What are the real costs of Australia's housing crisis for women?*, (last updated 07 March 2024), available at: <https://ahuri.edu.au>, quoting Australian Bureau of Statistics data from the 2021 Census.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Street Smart Australia, *LGBTIQ+ Homelessness*, (last accessed 7 August 2024), available at: <https://streetsmartaustralia.org/>; Hail-Jares K, Vichta-Ohlsen R, Butler T and Byrne J 2021, 'Queer homelessness: the distinct experiences of sexuality and transgender youth', *Journal of LGBT Youth*, 1–26.

²⁷ Australian Bureau of Statistics, *Aboriginal and Torres Strait Islander peoples experiencing homelessness*, (Released 27 June 2023), available at: abs.gov.au.

²⁸ Australian Institute of Health and Welfare, *Aboriginal and Torres Strait Islander Health Performance Framework: Tier 2 – Determinants of Health 2.01 Housing* (last accessed 7 August 2024), available at: <https://www.indigenoushpf.gov.au/measures/2-01-housing>.

²⁹ Centre for Multicultural Youth, *Submission to the Inquiry into Homelessness in Victoria*, (16 March 2020), available at: <https://www.parliament.vic.gov.au/>.

³⁰ Disability Advocacy Network Australia, *People with disability are missing out on homes*, (14 December 2023), available at: dana.org.au.

Commentary on the *National Housing and Homelessness Plan Bill*

YWCA expresses our support for the *National Housing and Homelessness Plan Bill*. We endorse the institutional safeguards that would be established by the Bill if passed to ensure our national housing policy meets the needs of Australian society. We also highlight that the Act would provide a framework for the plan, as opposed to detailing its content. That policy detail is ultimately for the remit of the government of the day, to be informed by consultation with sector representatives, technical experts, and most importantly groups most impacted by housing insecurity and homelessness in Australia. This approach will establish the proper balance between providing stability to meet public expectation and allowing flexibility for and ultimate responsibility to the elected government of the day.

Part 1 – Preliminary, Objects of this Act

YWCA notes the Bill, if passed, will take legal force under the Commonwealth Government's constitutional external affairs power. YWCA firmly supports the vision for the Act to be established in, and to give effect to, our international obligation to ensure access to adequate housing as a human right. We note this aligns with Australia's signing of the international treaty of the *International Covenant on Economic, Social and Cultural Rights* ('ICESCR').

We highlight the fact that there is international precedent for a human-rights based national housing strategy having immense success. In 2008, Finland introduced a human-rights based strategy, *Housing First* which was aimed at eradicating long-term homelessness. Through partnerships between different levels of government as well as non-government organisations, the policy has reformed the Finnish housing system.

Since 2008, under the Finnish human-rights based national housing policy, the number of people experiencing long-term homelessness in Finland has decreased by 68%.³¹

We also note that there is an existing national precedent to legislating a human right to housing in Australia. The *National Housing Finance and Investment Corporation Act 2018* (section 10) specified that one of the constitutional limits of the Corporation was to perform its functions for purposes related to external affairs. That included to give effect to the ICESCR, particularly to the right to an adequate standard of living, including housing (Article 11). Ultimately, there is proven success and sense in adopting a human rights-based approach to a national housing policy to unify diverse stakeholders to achieve meaningful reform.

³¹ Finnish Government, Ministry of the Environment, *Report: Homelessness can be eradicated by 2027 with close cooperation* (10 February 2023), available at: <https://valtioneuvosto.fi/en/-/1410903/report-homelessness-can-be-eradicated-by-2027-with-close-cooperation>.

We re-iterate our support for the Act having its object to recognise that the right to adequate housing is a fundamental human right affirmed in international law (sub-section 3(a)). We support the subsequent objects within that section. YWCA has identified, however, that the current drafting fails to include an object directed towards *improving gender equality in housing outcomes*.³²

There must be a commitment towards improving gender equality in housing outcomes in the objects of the Act, and embedded throughout the provisions of the Act.

As previously addressed, the first object of the Act and the prioritisation of a right to housing is drawn from Article 11 of the ICESCR. We note that Article 11 must not be read in a silo, but in the context of the full treaty and the international obligations of that right. Per article 3 of ICESCR, Australia has the obligation to ensure the equal right of men and women to the enjoyment of the right to housing amongst the other rights in the ICESCR. In addition, Australia has the obligation to guarantee the right to adequate housing without any kind of discrimination, including on the basis of sex or gender identity in accordance with article 2, paragraph 2 of the ICESCR.³³

We separately note that Australia's obligations to protect the rights of women are further bolstered by us being signatory to the *Convention on the Elimination of all forms of Discrimination against Women ('CEDAW')*. Australia's obligations to protect the rights of gender diverse people are further bolstered by the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity ('Yogyakarta Principles')*. The Yogyakarta principles are international legal standards which apply to all States, and for which multiple Australian representatives are signatory.

In summation, under international law, Australia has an obligation not only to protect a human right to housing but to ensure that right is equally enjoyed and guaranteed for people of all genders.

As already highlighted in this submission, the evidence is indisputable that Australia's housing crisis is gendered. The causes and drivers of homelessness for

³² Similar wording has been used in the *National Housing Supply and Affordability Council Act 2023*, sub-section 9(2)(g) which provides that when performing its functions, the Council can consider the matter of the impacts of the need to improve gender equality in housing outcomes on housing supply and affordability and on the demand for affordable housing.

³³ For further guidance see the comments of the United Nations OHCHR, Special Rapporteur on the right to adequate housing, *Women and the right to adequate housing*, (last accessed: 8 August 2024), available at: <https://www.ohchr.org/en/special-procedures/sr-housing/women-and-right-adequate-housing>.

The United Nations Economic and Social Council Committee on Economic, Social and Cultural Rights has specifically stated that gender identity is recognised as a prohibited ground of discrimination under the International Covenant on Economic, Social and Cultural Rights. See Committee on Economic, Social and Cultural Rights, *General Comment No. 20 – Non-Discrimination in Economic, Social and Cultural Rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights*, UN Doc E/C.12/GC/20 (2009).

young women, women and gender diverse people must be recognised and addressed as part of this legislation and any subsequent National Plan.

We stress in particular that Australia's undersupply of housing stock and the consequent crisis in housing affordability is having a disproportionate impact on women, gender diverse people and their families. Women, gender diverse people and their families must be able to access housing that is affordable and aligns with factors such as location and proximity to education and employment, social and medical supports.

We also stress that young women, women and gender diverse people face significant hurdles to accessing affordable housing and are more vulnerable to homelessness - experiencing negative health and wellbeing outcomes as a result. Young women, women and gender-diverse people need access to stable and affordable housing in communities where they feel safe and where they can reach their full potential.

Ultimately, policy makers must take ownership for addressing the gendered nature of the housing crisis. Policy makers must adopt a nuanced approach to these dual crises. It cannot be ignored that almost half of all women and girls seeking homelessness assistance are doing so because of domestic and family violence. Violence which is overwhelmingly committed by men in Australia against their partners and children. A holistic, national approach to addressing this issue must take into account the gendered nature of the housing crisis.

Part 2 – National Housing and Homelessness Plan

We support the blueprint provided in the second part of the Bill towards the National Housing and Homelessness Plan. We concur that the Plan must be prepared through a collaborative process, with particular roles and responsibilities between the Minister, the National Housing Supply and Affordability Council, a National Housing Consumer Council, and Housing Australia.

We note section 8 of the Bill specifies what content the National Housing and Homelessness Plan must be directed towards. YWCA recommends that a provision be inserted around "improving gender equality in housing outcomes". It is essential that the plan is accountable to addressing the gendered causes and drivers of homelessness and housing insecurity in Australia. It is also essential that the plan prioritises gender-responsive solutions to the housing crisis. Without this mechanism, it is unrealistic that Australia's national housing policy will address the needs of over half the population being women and their children, and gender diverse people.

We fully endorse the need for genuine collaboration with the responsible Minister for Housing and Homelessness in the preparation and implementation of the National Housing and Homelessness Plan per sections 9 and 10 of the Bill. In terms of collaboration with civil society organisations, we recommend that the Minister and relevant agency consult closely with YWCA as the only national

housing provider for women and gender diverse people in Australia providing safe, secure, and affordable housing solutions to those that need it most.

YWCA also recommends that the Minister specifically consults with the [YWCA Australia's Young Women's Council](#) ('YWC') who are a group of women and gender diverse people aged 18 - 30 years old in Australia. This group advises our organisation, and can provide an informed voice to government on issues critical to young people, with a focus on gender equality, housing and homelessness, and domestic and family violence.

Whether specifically specified in this part or implemented as a matter of practice, women and gender diverse people must be recognised as “members of groups who face special disadvantage in the housing system” under sub-sections 9(1)(b) and 10(b). Women and gender diverse people must be consulted and engaged in the process of preparing and implementing the National Housing and Homelessness Plan.

Separate to the content of the National Housing and Homelessness Plan, we support the accountability infrastructures of the Bill to establish Housing Australia as the lead agency to assist the Housing Minister in the preparation, implementation and review of the Plan (section 11). This element is important given there is no single dedicated Department of Housing which could provide this role.

We also support the processes around reporting on the Plan by the Minister, with those reports to be tabled to Parliament (sections 12 – 13). This element is also important as a form of government accountability to Parliament and the Australian people. We note these principles around accountability resonate with public opinion and across political parties, as demonstrated by the vast representation of signatories to the open letter to the Housing Minister.

Part 3 – National Housing Consumer Council

YWCA endorses the establishment of a National Housing Consumer Council of up to 15 members with the role of advising the Minister on the effectiveness of the National Housing and Homelessness Plan from the perspective of consumers in the housing system.

In terms of functions of the Consumer Council as proposed in section 17 of the Bill, YWCA supports the Council advising on current issues from the perspective of persons with lived experience of housing need and homelessness, First Nations peoples, people with disability, youth and other groups who face special disadvantage in the housing system. YWCA assumes that women and gender diverse people would fall into this catchment of 'other groups'. However, given the significant crisis of gender inequality and gender-based violence driving homelessness and housing insecurity in Australia, this is not sufficient.

There must be a specific category drawing attention to women and gender diverse people. There must be recognition of women and children who have lived

experience of housing need and homelessness due to domestic and family violence. This coverage must include a focus on young women who are both the largest overall group of homeless women in Australia, and the largest group seeking specialist homelessness support due to domestic and family violence in Australia.

In terms of membership requirements of the Council as proposed in sub-section 20(2) of the Bill, YWCA endorses that there must be representation of First Nations peoples, people with lived experience of homelessness and housing need, and people living with disability. We recognise that the Minister must also seek to have the diversity of consumers reflected in the Council. We recommend that the composition of the Council should also include women and gender-diverse people (who face the gender-based impacts of the housing crisis), as well as young people (who are the inheritors of the housing system).

Part 4 – National Housing and Homelessness Advocate

YWCA endorses the establishment of a National Housing and Homelessness Advocate to independently monitor the progress of the Plan and to undertake reviews into systemic housing issues. We note that a function of the Advocate is “to conduct reviews of systemic housing issues, including barriers faced by persons” who have lived experience of housing need and homelessness, and who are members of a group that faces housing disadvantage (sub-section 33(1)(c)).

For the reasons previously expressed, it is essential that the Advocate has a particular interest in reviewing systemic housing issues that impact women, gender diverse people and young people. YWCA extends the offer to support any future Advocate in this work, with note to the speciality of our organisation and the role of the YWCA Young Women’s Council.

We separately support the accountability measures to ensure that the Advocate prepares an annual report and assessment of the progress that is being made under the Plan to the Minister. In particular, it is valuable that (i) a copy of the report given to the Minister must be tabled in Parliament, and (ii) any recommendations to the Commonwealth Government must be responded to by the Minister through a statement also tabled in Parliament. We note the importance of Parliamentary accountability, as well as public transparency in these processes.

It will be essential, however, that the assessments of the progress and success the National Plans are made by the groups of people most impacted by the housing crisis, and their civil society representatives.

Recommendations for the *National Housing and Homelessness Plan Bill*

The context for YWCA's recommendations has been outlined in the above sections. YWCA's key recommendations in relation to the Bill and any associated National Plan are as follows:

1. The Bill is passed as a means to legislate the human right to housing. That Act and our National Plan must be guided by the full obligation to guarantee the right to adequate housing without any kind of discrimination, including on the basis of gender.
2. The Bill is amended to include within its objects (section 3) and for the content of the National Plan (section 8) a "commitment to improving gender equality in housing outcomes".
3. In consulting on the National Housing and Homelessness Plan (sections 9 – 10), the Minister prioritise a gender-based and youth-focused approach. YWCA is a civil society organisation, bolstered by our Young Women's Council, that can support this process.
4. The Minister should also prioritise direct consultation with youth, women and gender-diverse people. There must be conscious efforts to identify the needs of young people, as well as women and gender diverse people driven to homelessness and housing need because of gender-based violence.
5. The Bill is amended to ensure that a young person is a member of the Consumer Council (sub-section 20(2)), and as such can advise the Minister on current issues relating to housing and homelessness from the perspective of youth (sub-section 17(1)(a)(ix)).
6. The Bill is amended to ensure that women and gender diverse people are members of the National Housing Consumer Council ("Consumer Council") (sub-section 20(2)).
7. The Bill is amended to ensure that a function of the Consumer Council is to advise the Minister on current issues relating to housing and homelessness from the perspective of consumers, including for women and gender diverse people (section 17).
8. The National Housing and Homelessness Advocate ("the Advocate") is encouraged to prioritise barriers faced by young people, women and

gender diverse people in its reviews of systemic housing issues (subsection 33(1)(c)).

9. A provision is inserted to ensure that through the Advocate and other mechanisms under the Act, that assessments of the progress and success of the National Housing and Homelessness Plan are determined with the input of groups of people most impacted by the housing crisis, as well as their civil society representatives. This must include young people, women and gender diverse people.

Complimentary Reforms and Recommendations

YWCA Australia notes that there are complimentary reforms required to improve our national housing and homelessness policy. The key reforms that we have identified, and our associated recommendations are as follows:

- 1. The National Housing and Homelessness Plan itself must be developed with proper consultation from the sector, as well as with young women and gender diverse people.**

We turn to the importance of the process for development of the first National Housing and Homelessness Plan. It is recommended that the National Housing and Homelessness Plan is released in accordance with the implementation of the Bill. This would align with the lessons learnt from national approaches to policy both in Australia and internationally. This approach would maximise impact and be the most robust option for achieving cohesive, coordinated action on housing and homelessness in the Australian federation.

We note the comments of our sector colleagues on this point in the open letter. Specifically, that if the National Plan is released independently by the Australian Government that it “should be treated as an interim output, with a more ambitious and more firmly founded iteration to be published in 2025 in conformity with the new legislation.” YWCA endorses these comments.³⁴

An important measure established in the Bill is the requirement for consultation with relevant stakeholders in the design of the National Plan. YWCA impresses the importance of being led by young women and gender diverse people in the development and implementation of the National Housing and Homelessness Plan. Perhaps the most pressing consideration for a 10-year plan is that it will set the foundations for the future we leave the next generation. This Plan has far-reaching implications for the legacy we leave our young people, and we have an obligation as a society to pass on a better housing future than what we are wrestling with today.

³⁴ Letter to the Minister for Housing and Homelessness, *The case for legislating the National Housing and Homelessness Plan* (28 May 2024), available at: <https://assets.nationbuilder.com/davidpocock/>.

We note the calls from the Australian National Children's Commissioner, Anne Hollonds for a standalone National Plan for Child and Youth Homelessness.³⁵ Such a plan would take steps to address to build a recognition for the human rights of children and young people in Australia, as well as to address the unique experiences they face in terms of housing need and homelessness. We recommend that a standalone National Plan on the Gendered-Nature of Housing Insecurity and Homelessness also be developed. There must be dedicated efforts to address the gendered drivers of homelessness in this country, with particular note to gender-based violence.

We stress amongst our sector partners, the seriousness of the government consulting with and receiving input from the sector and people with lived experience towards the National Plan. It is only through proper consultation that the plan can effectively coordinate all government activities, including areas like tax and finance, to properly address the systemic nature of the housing crisis.

We have a once in a generation opportunity to meet the size and scale of the challenge we face and if we get it right, we can end housing insecurity and homelessness for women and gender diverse people in our lifetimes.

2. A Gendered Lens for the National Housing and Homelessness Plan

In terms of the government's direction for the National Housing and Homelessness Plan itself, YWCA advocates for a gender lens to be applied to the plan. As discussed earlier, evidence clearly shows that housing insecurity and homelessness disproportionately affects women and gender-diverse people. We strongly believe that a gendered and intersectional approach will better address the wide-ranging structural inequalities women and gender diverse people face in accessing safe, secure, and affordable housing. For further insights around the need for gender-responsive housing and homelessness policy, refer to our [previous submission](#) to the Department of Social Services about the National Housing and Homelessness Plan Issues Paper.

A National Housing and Homelessness Plan that considers the gendered drivers of housing insecurity and homelessness - including but not limited to the gender pay gap, the unequal burden of unpaid work, disrupted employment, economic consequences of divorce and separation, lower wealth accumulation over employment life, and lower superannuation balances – will deliver more targeted solutions and therefore improved housing outcomes for women and gender diverse people as a result.

A gendered and intersectional approach means a better understanding of gendered pathways into housing insecurity and homelessness in order to design more responsive and tailored pathways out. Applying a gender lens to housing

³⁵ Australian National Children's Commissioner, Anne Hollonds presenting at the Launch of Homelessness Week 2024 (Sydney, 5 August 2024).

and homelessness policy acknowledges that one-size-fits-all solutions do not adequately address the intersecting and structural challenges faced by women and gender-diverse people and will ensure that their specific needs and experiences are heard and appropriately responded to.

The first step in ensuring a gender responsive National Housing and Homelessness Plan is to conduct a gender impact assessment of the Plan per the gender responsive budgeting guidelines produced by the Commonwealth Office for Women. A joint agency taskforce could help guide this approach. This will mean the government has embedded gender equality as a key policy consideration in the Plan in alignment with the Federal Government's broader gender equality agenda.

3. Call for a Parallel Commitment to Establishing a Human Rights Act

We note that this Bill and the National Housing and Homelessness Plan does not operate in a vacuum. YWCA has a strong position that recognises housing as a human right, and that champions the right to safe, affordable and secure housing in Australia.³⁶

The impetus for human rights-based action to respond to Australia's national housing crisis has never been stronger. Every person in Australia, including women and gender diverse people, deserve access to a safe and affordable home.

In light of these factors, we strongly support the government legislating a Federal Human Rights Act which specifically recognises the rights to an adequate standard of living, the right to live free from gender-based violence, the right to freedom from discrimination, including discrimination on the basis of being a victim-survivor of gender-based violence.³⁷ We note the concerns of many submitters to the Inquiry into Australia's Human Rights Framework around the "cross-cutting factors push people into homelessness and perpetuate structural challenges, which can consequently lead to discriminatory treatment."³⁸ With a core example of this being the fact that gender-based violence is the leading cause of homelessness for women and children.

By enshrining these rights through a Federal Human Rights Act, Australia would be pursuing its obligations under international law. Including, its obligations as a

³⁶ Examples of the gender equality outcomes which YWCA champions are reflected in the [YWCA Women's Housing Framework](#).

³⁷ See in particular the advocacy of Women's Legal Services NSW for Australia to enshrine a human right to live free from gender-based violence. Women's Legal Services NSW, *Submission – Inquiry into Australia's Human Rights Framework* (30 June 2023), available at: <https://www.wlsnsw.org.au/wp-content/uploads/WLS-NSW-sub-HR-Framework-fws.pdf>.

³⁸ Parliamentary Joint Committee on Human Rights, *Inquiry into Australia's Human Rights Framework Report* (May 2024), Chapter 4 - Human Rights Concerns [4.65], available at: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/HumanRightsFramework/Report.

signatory to the *International Covenant on Economic, Social and Cultural Rights* ('ICESCR'), as well as to the *Convention on the Elimination of all forms of Discrimination Against Women* ('CEDAW').

Australia is currently the only liberal democracy in the world that does not have a national human rights act or charter of rights. It is essential that Australia establishes a Federal Human Rights Act, and that the framework explains people's basic rights to housing and freedom from gender-based violence, as well as how those rights can be protected. A national human rights framework would bolster the human rights objects of the National Housing and Homelessness Plan Bill as well as the National Plans themselves.

Concluding Remarks

YWCA Australia thanks the Senate Economics Legislation Committee for the opportunity to provide a submission on the *National Housing and Homelessness Plan Bill 2024 (No. 2)*. YWCA extends the offer to engage in further collaboration and consultation around the Bill and the National Plan.

At the request of the Senate Committee, YWCA Australia would most welcome the opportunity to make representations to the Committee in any future hearings pertaining to the Bill. For this request or any questions relating to this submission, please contact YWCA's General Manager of Advocacy and External Affairs, Kate Whittle by email: Kate.Whittle@ywca.org.au and YWCA's Campaigns and Advocacy Officer, Bianca Tini Brunozzi by email: Bianca.Brunozzi@ywca.org.au.