

Homelessness in Australia

- 2.1 This Chapter sets the context for subsequent considerations in the report. While it is not possible within the confines of the Chapter to examine the factors that lead to homelessness in detail, or to present a comprehensive summary of homelessness statistics, it is recognised that an extensive body of literature covering these issues already exists.

Factors Leading to Homelessness

- 2.2 There are many causes and pathways to homelessness, which often involve an interplay of factors. While not an exhaustive list, factors identified in the Government's White Paper, *The Road Home* include:
- the shortage of stable and affordable housing;
 - domestic violence;
 - long-term unemployment;
 - family breakdown;
 - mental health;
 - alcohol and substance abuse; and
 - people leaving healthcare services, child protection and correctional facilities.¹
- 2.3 In addition, a large number of submissions to the inquiry prefaced their responses to the inquiry's terms of reference with evidence relating to the

¹ Australian Government (2008), *The Road Home: A National Approach to Reducing Homelessness*, pp 6-9.

causal factors associated with homelessness. A number of submissions were focused on vulnerable population groups at increased risk of homelessness.²

Quantifying Homelessness

- 2.4 The most recent enumeration of the national homeless population in Australia can be found in the 2008 Australian Bureau of Statistics (ABS) report *Counting the Homeless 2006*. The report, a cooperative venture between RMIT and Swinburne Universities, the ABS and the Australian Institute of Health and Welfare (AIHW), draws upon data from the 2006 Census and supplementary information from the Supported Accommodation Assistance Program (SAAP) National Data Collection.³ In 2009 a series of eight related reports were also published which provide more detailed examination of the homeless population in each state and territory. These reports also include further examination of the social characteristics and geographical distribution of homeless populations, as well as specific consideration of Indigenous homelessness.⁴

Definitions of Homelessness

- 2.5 Assessing the extent of homelessness, and in particular accurately quantifying the number of homeless people at a national level, requires an agreed definition of what constitutes homelessness and what does not. As noted in the 2006 ABS report *Counting the Homeless*:

... in Australia there are two definitions of homelessness that are widely accepted. One is the cultural definition used by the Australian Bureau of Statistics (ABS). The other is the SAAP definition, contained in the Supported Accommodation Assistance Program Act 1994 (SAAP Act). The cultural definition is used for

2 See for example: Women With Disabilities Australia, Submission No 3; Asylum Seeker Resource Centre, Submission No 5; Commissioner for Children and Young People (Western Australia), Submission No 7; Women's Health Victoria, Submission No 16; Domestic Violence Victoria, Submission No 49; North Australian Aboriginal Justice Agency & Larrakia Nation Aboriginal Corporation, Submission No 72; Aboriginal Legal Service of Western Australia, Submission No 73; Mental Health Council of Australia, Submission No 81; Network of Immigrant and Refugee Women of Australia Inc, Submission No 87.

3 Australian Bureau of Statistics (ABS) (2008), *Counting the Homeless 2006*, 2050.0.

4 Chamberlain C & MacKenzie D (2009), *Counting the Homeless 2006*, S Cat No HOU 203-210, Canberra: AIHW.

enumerating the homeless population, whereas the SAAP definition identifies who is eligible for services.⁵

2.6 While a detailed comparison of the qualities and relative merits of the two definitions will be considered in Chapter 3, the ABS notes that the SAA Act definition cannot be used for quantifying the number of homeless people because it does not distinguish people who are at risk of homelessness from people who are homeless.

2.7 To measure homelessness in Australia the ABS uses the 'cultural definition' of homelessness. The cultural definition contends that 'homelessness' and 'inadequate housing' are cultural concepts that only make sense in a particular community at a given historical period. The ABS notes that the cultural definition first identifies shared community standards about the minimum housing that people have the right to expect in order to live according to the conventions and expectations of a particular culture. Then, the definition identifies those groups that fall below the minimum community standard.⁶

2.8 Based on the cultural definition the ABS further distinguishes between three categories of homelessness:

Primary homelessness includes all people without conventional accommodation, such as people living on the streets, sleeping in parks, squatting in derelict buildings, or using cars or railway carriages for temporary shelter.

Secondary homelessness includes people who move frequently from one form of temporary shelter to another. On census night, it includes all people staying in emergency or transitional accommodation provided under the Supported Accommodation Assistance Program (SAAP). Secondary homelessness also includes people residing temporarily with other households because they have no accommodation of their own and people staying in boarding houses on a short-term basis, operationally defined as 12 weeks or less.

Tertiary homelessness refers to people who live in boarding houses on a medium to long-term basis, operationally defined as 13 weeks or longer. They are homeless because their accommodation situation is below the minimum community standard of a small self-contained flat.⁷

5 ABS (2006), *Counting the Homeless 2006*, 2050.0, p 1.

6 ABS (2008), *Counting the Homeless 2006*, 2050.0, p 2.

7 ABS (2008), *Counting the Homeless 2006*, 2050.0, p vii.

National Data

- 2.9 On census night 2006 it was estimated that the homeless population in Australia was approximately 105,000 people. Although there was an increase in the number of homeless people between 2001 and 2006 (Table 2.1), the rate of homelessness remained static between both censuses, being 53 people per 100,000 of the population.
- 2.10 According to the 2006 census, 16% of homeless people were experiencing primary homelessness that is sleeping rough or in improvised dwellings. Nearly two thirds (64%) of homeless people were experiencing secondary homelessness, living in various forms of temporary accommodation, including people staying with friends or family and those in emergency accommodation provided under the SAAP. The remaining 20% were experiencing tertiary homelessness, referring to those people living on a medium to long-term basis in private boarding houses with no secure lease or tenure. There were more people experiencing primary homelessness in 2006 compared to 2001, while less were experiencing tertiary homelessness.

Table 2.1 Persons in Different Sectors of the Homeless Population on Census Night 2006

Sector	2001		2006	
	Number	%	Number	%
Boarding Houses	22 877	23	21 596	20
SAAP Accommodation	14 251	14	19 849	19
Friends and Relatives	48 614	49	46 856	45
Improvised Dwellings, sleepers out	14 158	14	16 375	16
Total	99 900	100	104 676	100

Source ABS (2008) *Counting the Homeless 2006, 2050.0, p viii.*

- 2.11 In 2006, more than two-thirds of the homeless population were aged 18 years or over, with 21% aged from 12 to 18 years old and 12% being under 12 years of age (Table 2.2). Children were more likely to be part of a family group.

Table 2.2 Age (Years) and Sex of the Homeless Population on Census Night 2006

Sex	< 12	12–18	19–24	25–34	35–44	45–54	55–64	65+	Total
Males	52	46	53	57	63	64	61	64	56
Females	48	54	47	43	37	36	39	36	44
% of homeless population	12	21	10	15	13	12	10	7	100
Total	100	100	100	100	100	100	100	100	100

Source ABS (2008) *Counting the Homeless 2006, 2050.0*, pp 27–28.

2.12 Overall there were more males in the homeless population than females (56% compared to 44%). On further breakdown, there were more females than males in the age group 12 to 18 (54% to 46%), although the pattern reverses in the age group 19 to 24. Among those aged 35 or older, men outnumber women by approximately three to two (Table 2.2). About three quarters (72%) of boarding house residents were male compared with 28% who were female, while women outnumbered men in SAAP by 53% compared to 47%.⁸

2.13 In addition to enumerating the number of homeless individuals, it is important to estimate the number of homeless households, as service providers are required to deal primarily with households. The 2006 analysis identifies three household ‘types’:

- single person households;
- couples (including people in *de facto* relationships); and
- family households (at least one adult and one child aged 17 or younger).

2.14 It was estimated that on census night 2006 there were 74,800 homeless households. Of these approximately 76% were single person households, 14% couple only households and 10% were families with children.⁹

2.15 Indigenous Australians were over-represented in all sectors of the homeless population. Overall 2.4% of people were identified as Indigenous in the 2006 Census, but 9% of the homeless were Indigenous. Indigenous Australian made up 3.8% of people staying with other households, 6% of those in boarding houses, 16% of people in improvised dwellings and 20% of people in SAAP.¹⁰

8 ABS (2008), *Counting the Homeless 2006, 2050.0*, p 28.

9 ABS (2008), *Counting the Homeless 2006, 2050.0*, p 23.

10 ABS (2008), *Counting the Homeless 2006, 2050.0*, p 29.

State and Territory Variation

- 2.16 To account for different population sizes and distribution, rates of homeless persons per 10,000 of the population are shown by state in Table 2.3. To some degree the noticeably higher rate of homelessness in the Northern Territory is a reflection of Indigenous transience and inadequate Indigenous housing. Note, however, that in remote areas non-Indigenous Australians also experience higher rates of homelessness.
- 2.17 A more detailed examination of the geographical distribution also shows that rates of homelessness are greater in inner city areas of major metropolitan centres (Table 2.3). This is most likely because most services for homeless people are provided in these major centres.

Table 2.3 Homeless per 10,000 of the population in 2006

NSW	Vic	Qld	WA	SA	Tas	NT	ACT
42	42	69	68	53	53	248	42
Inner Sydney	Central Melbourne	Inner Brisbane	Central Perth	Inner Adelaide	Inner Hobart	Inner Darwin	North Canberra
133	129	246	109	457	99	276	90

Source Chamberlain C & MacKenzie D (2009), *Counting the Homeless 2006 S Cat no HOU 203–210*. Canberra: AIHW.

Emerging Trends in Homelessness

- 2.18 Although the rates of homelessness have remained relatively static between the 2001 and 2006 censuses, there have been important changes in the homeless population. Notably data indicates that there was a 21% decrease in homeless youth aged 12 to 18 years. The two factors identified at the time as most likely to be associated with the decrease in youth homelessness are early intervention and the improved labour market for young people.¹¹
- 2.19 In contrast, over the same period there was a 17% increase in homeless families with children, and a 10% increase in homeless adults outside of families. Domestic violence continues to be a significant factor in family homelessness. More broadly however, the increase in family homelessness and adult homelessness also reflect issues associated with declines in

11 ABS (2008), *Counting the Homeless 2006*, 2050.0, pp 48–49.

affordable housing, including declines in affordable housing in the private rental market.¹²

Government Response to Homelessness

2.20 The following section provides a brief description of the Australian Government's previous response to homelessness, these being SAAP and the Crisis Accommodation Program (CAP). A more detailed account of SAAP and other recent Australian Government responses to homelessness can be found in the Green Paper, *Which Way Home? A New Approach to Homelessness*.¹³ Both SAAP and CAP are now discontinued and have been replaced by the National Affordable Housing Agreement (NAHA) and associated National Partnership Agreements (NPs) which are described later in this Chapter.

Supported Accommodation Assistance Program

- 2.21 Until recently, SAAP has been Australia's primary policy and program response to homelessness. SAAP was established in 1985 as a Commonwealth - states/territories program to provide a national approach to funding and administering service delivery for people who are homeless or at risk of homelessness. Funding and policy direction for SAAP services were determined by SAAP Agreements. Since 1995 there have been five SAAP Agreements culminating with SAAP V which commenced on 1 July 2005.
- 2.22 The initial focus of SAAP was to provide supported accommodation for the 'permanently homeless'. SAAP services were delivered primarily through approximately 1500 non-government community based, and local government organisations. SAAP I had three broad sub-programs – general services, youth services and women's emergency services. Early evaluations of SAAP however, found that the program failed to assist homeless clients to move through to sustainable independent living arrangements. To address this SAAP II, introduced in 1990, included additional program funding and a commitment to move away from a focus on providing crisis assistance, to an increased emphasis on providing assistance to support homeless people to transition into independent living. However an evaluation of SAAP II in 1993

12 ABS (2008), *Counting the Homeless 2006*, 2050.0, p 49.

13 Australian Government (2008), *Which Way Home? A New Approach to Homelessness*, pp 30–44.

highlighted a number of priority needs, including the need for better information for evaluating program achievements, better linkages between SAAP agencies and non-SAAP service agencies, and the need for improvements in service quality.

2.23 The SAA Act was introduced in 1994 to address these deficiencies and to support significant reforms and initiatives. The aim of SAAP, as set out in the SAA Act, is to:

... provide transitional supported accommodation and related support services in order to help people who are homeless to achieve the maximum possible degree of self-reliance and independence.¹⁴

2.24 SAAP III, introduced in 1995 focused on developing better client outcomes from SAAP service delivery agencies through the provision of more flexible services, and improved case management. These aims carried forward into SAAP IV in 2000 and SAAP V in 2005. The specific goals of SAAP V were to:

- resolve crisis;
- re-establish family links where appropriate; and
- re-establish a capacity for the homeless to live independently of SAAP.¹⁵

2.25 The most recent completed evaluation of SAAP was conducted in 2004 and relates to SAAP IV.¹⁶ Despite efforts over the duration of SAAP to provide services that address homeless peoples' immediate short term housing needs while also assisting them to develop the skills and community networks to enable them to find and maintain suitable and stable housing in the long-term, the SAAP IV evaluation concluded:

... whilst [SAAP] services to the homeless have moderate success in responding to the immediate homeless crises, the current forms of assistance to the homeless are poor at resolving longer-term issues.¹⁷

2.26 In brief, the SAAP IV evaluation recognised that in its current form, SAAP had achieved its limits in terms of addressing homelessness.

14 *Supported Accommodation Assistance Act (1994)*.

15 Australian Government (2008), *Which Way Home? A New Approach to Homelessness*, p 32.

16 Erebus Consulting Partners (2004), *National Evaluation of SAAP IV: Final Report*.

17 Erebus Consulting Partners (2004), *National Evaluation of SAAP IV: Final Report*, p 136.

Crisis Accommodation Program

2.27 The Crisis Accommodation Program (CAP) was introduced in 1985 under the Commonwealth State Housing Agreement (CSHA). CAP primarily provided capital grants to supplement funding for salaries and operating costs for SAAP services. CAP funding was mainly used by SAAP funded services to construct or purchase buildings for use as crisis accommodation or medium term housing for people in transition from crisis accommodation to longer term, more stable housing.

Early Intervention Initiatives

2.28 In addition to SAAP and CAP, the Australian Government's approach to addressing homelessness has included targeted early intervention programs. These programs are intended to provide assistance to people at increased risk of becoming homeless.

2.29 The Reconnect program has been operating since 1999 and targets young people aged 12 to 18 years who are homeless or at increased risk of homelessness, and their families. Reconnect aims to assist young people stabilise their living situation and improve their level of engagement with family, work, education, training and their local community. Since July 2009 Reconnect has also incorporated the Newly Arrived Youth Support Services (NAYSS). NAYSS provides services to support young people aged 12 to 21 years who have arrived in Australia in the previous five years, and focuses on people entering Australia on humanitarian visas and family visas, and who are homeless or at risk of homelessness.¹⁸

2.30 The Household Organisational Management Expenses (HOME) Advice Program has been operating since 2004 and is delivered by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) in partnership with Centrelink and community agencies. HOME assists families who face difficulty in maintaining tenancies or home ownership due to personal or financial circumstances.¹⁹

18 Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) website, viewed on 19 October 2009 at <http://www.fahcsia.gov.au/sa/housing/progserv/homelessness/reconnect/Pages/default.aspx>.

19 FaHCSIA website, viewed on 19 October 2009 at http://www.fahcsia.gov.au/sa/housing/progserv/homelessness/Pages/fhpp_HOME_prog.aspx.

A New Approach to Addressing Homelessness

2.31 After the 2007 election, and as noted earlier in the report, homelessness was identified as one of the priorities under the Australian Government's Social Inclusion Agenda. In addition in early 2008 the Government announced its intention to develop a new comprehensive, long term plan to tackle homelessness. The premise of the new approach was that:

... homelessness must be effectively prevented and, where it does occur, dealt with swiftly.²⁰

2.32 As noted in Chapter 1, the Government's new policy approach to addressing homelessness as detailed in *The Road Home* sets out to address homelessness through prevention, improving and expanding services, and breaking the cycle of homelessness. *The Road Home* also frames the following 10 guiding principles:

- a national commitment involving strong leadership and cooperation from all levels of government and from non-government and business sectors;
- a focus on preventing homelessness;
- an emphasis on social inclusion;
- involvement of clients in decision making regarding service delivery and design;
- protecting the safety and wellbeing of all clients;
- protecting the rights and responsibilities of individuals and families;
- a commitment to joined-up service delivery and policy;
- a focus on support for vulnerable people at transition points (eg school-to-work, retirement, family breakdown, leaving statutory care etc);
- a commitment to evidence-based policy to shape our priorities for action; and
- accountability with regard to achieving progress toward targets set to reduce homelessness.²¹

2.33 As with earlier strategies to address homelessness, the new policy framework outlined in *The Road Home* involves shared responsibility for

20 Australian Government (2008), *Homelessness: A New Approach*, p 7.

21 Australian Government (2008), *The Road Home: A National Approach to Reducing Homelessness*, pp 19-20.

funding, policy and service delivery between Commonwealth, states and territories and local governments.²² In these circumstances, the Council of Australian Governments (COAG) provides a crucial forum for achieving coordination. Therefore the following section provides a brief examination of the COAG financial framework that now guides the Commonwealth and states in the delivery of community services.

Council of Australian Governments and Homelessness

- 2.34 In the 2008–09 Budget the Australian Government through COAG affirmed its commitment to what is called a new era of modern cooperative federalism. Notably, cooperative working arrangements are being progressed through a new intergovernmental agreement (IGA) on Federal Financial Relations. The IGA provides an overarching framework for the Commonwealth's financial relations with the states and territories. It is intended to improve the quality and effectiveness of government services by reducing Commonwealth prescriptions on service delivery by the states and gives them greater flexibility to determine the most appropriate way in which services are delivered.²³
- 2.35 The introduction of the IGA has been accompanied by a major rationalisation of Specific Purpose Payments (SPPs) from over 90 to five. Each SPP is associated with a National Agreement that contains the objectives, outcomes, outputs and performance indicators, and clarifies the roles and responsibilities that will guide the Commonwealth and states in the delivery of services across the relevant sectors. The National Affordable Housing SPP funds the implementation of the National Affordable Housing Agreement (NAHA).²⁴

National Affordable Housing Agreement

- 2.36 The NAHA (at Appendix E) replaces all previous housing and homelessness support agreements between the Commonwealth and states, including the 2003 Commonwealth-State Housing Agreement (CSHA) and SAAP. The NAHA, an agreement by COAG, commenced on 1 January 2009 initiating a whole-of-government approach to tackling the problems of housing affordability and homelessness.

22 For reading convenience, subsequent references to 'states' includes both states and territories unless otherwise indicated.

23 Council of Australian Governments (COAG) website, viewed on 13 October 2009 at http://www.coag.gov.au/intergov_agreements/federal_financial_relations/index.cfm.

24 Ministerial Council for Federal Financial Relations website, viewed on 13 October 2009 at http://www.federalfinancialrelations.gov.au/content/national_agreements.aspx.

- 2.37 The NAHA will provide \$6.2 billion worth of housing assistance to low and middle income Australians in its first five years. The agreement aims to ensure that all Australians have access to affordable, safe and sustainable housing that contributes to social and economic participation. Through NAHA, the Commonwealth and the states articulate their commitment to a range of reforms that will improve housing affordability including:
- improved integration and coordination of assistance to people who are homeless or at risk of homelessness;
 - improvements to social housing arrangements to reduce concentrations of disadvantage and improve the efficiency of social housing;
 - improving access by Indigenous people to mainstream housing, including home ownership and contributing to the 'Closing the Gap' targets; and
 - other reforms to increase the supply of affordable housing.²⁵
- 2.38 A stated key outcome of the NAHA is for people who are homeless or at risk of homelessness to achieve sustainable housing and social inclusion.²⁶

National Partnership Agreements

- 2.39 National Partnership Agreements (NPs) are an essential element of the new Commonwealth and state financial relations framework. Briefly NPs provide a payment framework intended to:
- support the delivery of specified outputs or projects,
 - to facilitate reforms; and
 - to reward those jurisdictions that deliver on nationally significant reforms.²⁷
- 2.40 There are three NPs within the NAHA. These are the:
- National Partnership on Homelessness (at Appendix F);
 - National Partnership on Social Housing (at Appendix G); and the

25 COAG Fact Sheet, National Affordable Housing Agreement.

26 Intergovernmental Agreement on Federal Financial Relations, Schedule F, National Affordable Housing Agreement, p 4.

27 Ministerial Council for Federal Financial Relations website, viewed on 13 October 2009 at http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/default.aspx.

- National Partnership on Remote Indigenous Housing (at Appendix H).
- 2.41 Funding of approximately \$1.1 billion is available under the NP on Homelessness which commits governments to achieving the following outcomes:
- (a) Fewer people will become homeless and fewer of these will sleep rough;
 - (b) Fewer people will become homeless more than once;
 - (c) People at risk of or experiencing homelessness will maintain or improve connections with their families and communities, and maintain or improve their education, training or employment participation; and
 - (d) People at risk of or experiencing homelessness will be supported by quality services, with improved access to sustainable housing.²⁸
- 2.42 The NP on Homelessness requires all states to develop implementation plans which establish their priorities and outline the specific performance benchmarks.²⁹ The achievement of these benchmarks will be assessed by the independent COAG Reform Council, to provide transparency and enhance accountability in the performance assessment process.

Prime Minister's Council on Homelessness

- 2.43 A key element to supporting the implementation of the Government's new approach to addressing homelessness has been the establishment of the Prime Minister's Council on Homelessness. The Council's purpose is to:
- ... take a leadership role by providing an independent overview of implementation of the White Paper goals and targets for 2013 and 2020, and providing advice to government on progress, risks and emerging issues.³⁰
- 2.44 More specifically the Council's terms of reference indicate that it will:

28 National Partnership Agreement on Homelessness, p 5.

29 FaHCSIA website, viewed on 4 November 2009 at http://www.fahcsia.gov.au/sa/housing/progserv/homelessness/national_partnership_agreement/Pages/homelessness_act.aspx.

30 FaHCSIA website, viewed on 19 October 2009 at http://www.fahcsia.gov.au/sa/housing/progserv/homelessness/pm_council_homeless/Pages/pm_terms.aspx.

... provide to the Prime Minister and the Minister for Housing:

- independent advice of progress made towards the goals and targets in the White Paper;
- feedback and early advice on the implementation of the White Paper reform agenda, including examples of successful processes and reforms; and
- input into the broader Commonwealth national policy agenda and ways to leverage these measures to reduce homelessness.

The Council will provide feedback and advice on critical issues that cut across jurisdictional boundaries and are important barometers of effective early implementation. Initially these issues may include:

- communication of White Paper reforms to existing homelessness services and the broader service sector;
- effectiveness of strategies to drive integration between specialist and mainstream services; and
- integration of broader Commonwealth social policy initiatives – particularly those which seek to increase employment outcomes for homeless people.³¹

- 2.45 The Council, chaired by Mr Tony Nicholson, Executive Director, Brotherhood of St Laurence, held its first meeting in August 2009 to establish its priorities for the next year and to develop a work plan. The Council will meet up to six times a year and will submit an annual report to the Prime Minister on progress towards achieving the reforms outlined in *The Road Home*.

Other Relevant Activities

- 2.46 In addition to the new specific policy initiatives to address homelessness described above, drafting of new homelessness legislation will also need to take account of, and be compatible with, the Government's Social Inclusion Agenda and the outcomes of the National Human Rights Consultation. A brief overview of these two activities follows.

31 FaHCSIA website, viewed on 19 October 2009 at http://www.fahcsia.gov.au/sa/housing/progserv/homelessness/pm_council_homeless/Pages/pm_terms.aspx.

Social Inclusion Agenda

- 2.47 Social exclusion is a process that deprives individuals and families, groups and neighbourhoods of the resources required for participation in the social, economic and political activity of society as a whole. Social exclusion is multi-faceted, but factors leading to increased risk include poverty and low income, lack of access to the job market and limited access to social supports and networks.³² Homeless people and those without access to adequate housing are among the groups identified as being more vulnerable to social exclusion.
- 2.48 During 2008–09, the Government has proceeded to implement a Social Inclusion Agenda to support its vision of a socially inclusive society in which all Australians feel valued and have the opportunity to participate fully in community life. Achieving social inclusion is founded on providing all Australians with:
- ... the resources, opportunities and capability to:
 - learn by participating in education and training;
 - work by participating in employment, in voluntary work and in family and caring;
 - engage by connecting with people and using their local community's resources; and
 - have a voice so that they can influence decisions that affect them.³³
- 2.49 To progress the Agenda the Australian Social Inclusion Board and the Community Response Taskforce have been established to involve the community and business sectors. Social Inclusion Units have also been established in many government departments. Six social inclusion priorities have been identified as a focus for the Government's work to support groups in the community who may face challenges to social inclusion. These priorities are:
- addressing the incidence and needs of jobless families with children;
 - delivering effective support to children at greatest risk of long term disadvantage;
 - focusing on particular locations, neighbourhoods and communities to ensure programs and services are getting to the right places;

32 Australian Government website, viewed on 20 October 2009 at <http://www.socialinclusion.gov.au/Documents/1Economicimplications.pdf>.

33 Australian Government website, viewed on 20 October 2009 at <http://www.socialinclusion.gov.au/Pages/default.aspx>.

- addressing the incidence of homelessness;
 - employment for people living with a disability or mental illness; and
 - closing the gap for Indigenous Australians.³⁴
- 2.50 The relevance and implications of the Social Inclusion Agenda for new homelessness legislation are considered in more detail in Chapter 4 of the report.

National Human Rights Consultation

- 2.51 A number of submissions received in response to the Government's Green Paper *Which Way Home?* identified homelessness and access to adequate housing as basic human rights issues. Therefore, new homelessness legislation will need at least to consider the outcomes of the Australian Government's National Human Rights Consultation (NHRC) which 'aimed to seek a range of views from across Australia about the protection and promotion of human rights'.³⁵
- 2.52 The NHRC was conducted by an independent committee, supported by the Attorney-General's Department. The NHRC committee considered submissions received from over 35,000 individuals, groups and organisations which addressed the following three key questions:
- which human rights and responsibilities should be protected and promoted?
 - are human rights sufficiently protected and promoted in Australia?
 - how could Australia better protect and promote human rights and responsibilities?³⁶
- 2.53 At the end of September 2009 the NHRC committee reported its findings, making 31 recommendations to the Australian Government for better protecting and promoting human rights. Improved community wide education was seen as the highest priority for protecting and promoting

34 Australian Government website, viewed on 20 October 2009 at <http://www.socialinclusion.gov.au/Priorities/Pages/default.aspx>.

35 Australian Government, National Human Rights Consultation website, viewed on 20 October 2009 at http://www.humanrightsconsultation.gov.au/www/nhrcc/nhrcc.nsf/Page/About_the_Consultation.

36 Australian Government, National Human Rights Consultation website, viewed on 20 October 2009 at http://www.humanrightsconsultation.gov.au/www/nhrcc/nhrcc.nsf/Page/About_the_Consultation.

human rights in Australia (NHRC Recommendations 1 to 3).³⁷ The report also presents options for protecting human rights that can be implemented regardless of whether a national Human Rights Act is introduced in Australia. In summary, the options presented to promote consideration of human rights in legislation and policy are:

- to conduct an audit of all existing federal legislation, policies and practices to determine compatibility with Australia's international human rights obligations (NHRC Recommendation 4);
- the requirement for a statement of compatibility with human rights for all Bills introduced into Federal Parliament and legislative instruments (NHRC Recommendations 6 and 26); and
- the establishment of a Joint Standing Committee on Human Rights to review all Bills and legislative instruments for compliance with human rights obligations (NHRC Recommendations 7 and 27).

2.54 While the NHRC report recommends the introduction of a Federal Human Rights Act (NHRC Recommendation 18), in its absence Australia's compliance with its human rights obligations will need to be assessed with reference to its international obligations.

2.55 The NHRC report includes consideration of social, economic and cultural rights, including the right to housing. The report also makes a number of recommendations in relation to the protection of social, economic and cultural rights. The implications of these recommendations for new homelessness legislation are considered in more detail in Chapter 4 of the report.

37 Australian Government (2009), National Human Rights Consultation Report, p xxix-xxx.

