

# FIRST NATIONS HOUSING

## ELECTION PRIORITIES



**CHANGE  
THE RECORD**

Smarter Justice. Safer Communities.

# About Us

Change the Record is Australia's only national Aboriginal led justice coalition of Aboriginal peak bodies and non-Indigenous allies. We work to end the incarceration of, and family violence against, Aboriginal and Torres Strait Islander people. Everything we do is strength-based, culturally focused and grounded in Aboriginal and Torres Strait Islander self-determination and rights.

Everybody's Home is a national campaign to fix the housing crisis. It was launched in 2018 by a coalition of housing, homelessness and welfare organisations to achieve the change needed so everybody has a safe and decent place to live.

We have partnered in the lead up to the 2022 Federal Election to call on all parties and candidates to commit to invest in more affordable, social housing and Aboriginal Controlled Community Housing to address the housing crisis.

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# Introduction

## *The need for more affordable, decent social housing*

The Covid-19 pandemic has further exposed the inequality in Australia's housing system and the immense risks First Nations peoples and communities face as a result of unsafe, overcrowded, poorly maintained social housing and a lack of affordable alternatives, experienced most acutely in remote areas.[1]

Safe, secure housing is a human right, a crucial determinant of health and wellbeing, and a strong protective factor against family violence and exposure to the criminal legal system. The importance of appropriate housing to improving the health and wellbeing of First Nations peoples is well established and accepted by government and civil society, and acknowledged in the inclusion of a housing target in the National Agreement on Closing the Gap.

However, this acknowledgement is not reflected in current housing policy. In this brief, *Change the Record and Everybody's Home* discuss the effect of sustained lack of investment in First Nations Community-Controlled Housing and social housing on Aboriginal and Torres Strait Islander peoples and communities, the actions needed to improve housing outcomes for First Nations peoples in the immediate term and to enable ongoing reform, and how the 2022 budget falls well short of meeting these goals.

[1] Dillon, M. (2022), *Remote Indigenous housing requires ongoing policy focus: Submission to the Review of the National Housing and Homelessness Agreement, Topical Issue 1/2022*, Centre for Aboriginal Economic Policy Research, Australian National University, p10.

# What should have been in the Budget

*... but wasn't.*

In advance of the Budget, Change the Record called for immediate and long term Commonwealth investment in remote housing and the Aboriginal and Torres Strait Islander Community-Controlled housing and homelessness sectors. Similarly, Everybody's Home has long advocated for sustained investment in social and affordable housing for everyone.

In addition to the need for sustained, long-term investment, we call on all parties to commit to an immediate investment in new properties as an emergency measure in response to the acute overcrowding crisis facing Aboriginal and Torres Strait Islander peoples.

As an emergency measure to address the overcrowding crisis, we call for an immediate investment over four years in a minimum of 8,500 new co-designed, culturally appropriate, climate resilient properties across the continent to address the severe overcrowding and disadvantage being experienced by Aboriginal and Torres Strait Islander peoples.

We also call for further funding to the states and territories to ensure existing public housing is retrofitted and properly maintained as the climate crisis worsens.

This investment should be paired with sustained, long-term commitments to increasing Aboriginal Community-Controlled housing, and rebuilding and empowering the Aboriginal Community-Controlled housing sector. This will require ongoing engagement with, involvement and resourcing of Aboriginal and Torres Strait Islander Community-Controlled Housing Organisations and their respective national, state and territory peaks consistent with the principles of the National Agreement on Closing the Gap, and a commitment to data sovereignty, support for First Nations-directed research and collaborative policy development.

Additionally, there is an ongoing urgent need for increased funding and resources to Aboriginal Community-Controlled Organisations to provide culturally-appropriate early intervention, crisis and transitional accommodation for Aboriginal and Torres Strait Islander peoples, particularly women and children experiencing family violence. Where ACCOs don't currently exist, funding should be provided to bridge service gaps in consultation with communities and people accessing services and provide sector support to establish new Community-Controlled services.

Communities must be empowered to drive decision-making on housing in the bush, towns and cities, and have access to and control over data and information needed to inform housing, planning and infrastructure policy development and implementation. Without community control of housing solutions, Aboriginal and Torres Strait Islander people, particularly in the bush, will continue to be disadvantaged by culturally inappropriate, one-size-fits-all housing policy that fails to account for cultural and kinship obligations, connection to Country and the unique economic and socioeconomic circumstances and aspirations of remote communities.

We call on all parties to commit to these measures and to ongoing collaboration and partnership with First Nations peoples and ACCOs on housing policy and provision. With political will, an incoming Commonwealth Government could genuinely address the historical, state and market failures that leave so many Aboriginal and Torres Strait Islander peoples without access to appropriate, safe and secure housing and the social benefits that come with it.

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# 2022 Budget Analysis

## *What was funded, what was not.*

The 2022 Budget could have been an opportunity to redress decades of underfunding of First Nations Community-Controlled housing and mainstream social housing, and to support self-determined First Nations housing solutions. Instead, the Budget continues a decade of cuts to social housing and homelessness services[2] and ceases all dedicated funding for remote Indigenous housing after the 2022-23 financial year.[3] It fails to respond to the dire need for remote housing across the continent.

The lack of new investment in remote Indigenous housing will exacerbate the unacceptable poverty and adverse health, educational, justice and social outcomes experienced by First Nations peoples living in remote areas. \$223.80 million allocated to the Northern Territory for remote housing as part of an existing bilateral agreement falls well short of the \$2 billion the Central Land Council estimated would be required to meet community need earlier this year. [4]

Communities across the continent will miss out on the rippling economic activity investment in local housing provides, and poorly maintained dwellings will continue to degrade and become more expensive to fix while their occupants try to manage life in inadequate housing. Meanwhile, the Budget projects cuts in real terms to wages and social security payments this year, as they fail to keep up with price increases.[5] Across the housing and community sector indexation freezes mean real cuts to payments to states and services.

The housing affordability and overcrowding crises facing Australia are the products of government policy settings and choices about funding and governance priorities. In this paper we have focussed primarily on the crisis of overcrowding, but it also bears mentioning that the wider operation of Australia's property and rental markets is entirely deliberate. Successive governments have relied on homeownership as a proxy for economic security in retirement, creating and sustaining tax incentives and other market interventions that drive up property prices.

[2] Coggan, M. (2/8/2021), Advocates call for change as social housing crisis reaches new heights, Pro Bono Australia.

[3] Australian Government, Budget 2022-23, Budget Paper 3, Affordable housing, p52 and 54.

[4] Dornin, T. (24/02/2022), Urgent call for more NT remote housing, 7news.com.au.

[5] Australian Government, Budget 2022-23, Budget Paper 1, Table 1.1 Major economic parameters, p6.

At the same time, federal, state and territory governments have actively defunded and neglected public and community housing, and failed to reform Australia's uniformly inadequate rental protections, some of the worst in the OECD.[6] The effect of decades of bipartisan privileging of asset ownership and encouragement of property speculation is severe financial stress and housing insecurity for millions of people, and worsening inequality. First Nations peoples are disproportionately affected by the unfair Australian housing system, being more likely to rent while experiencing discrimination in the market, more likely to live in poverty, less likely to own a home and build asset wealth, and less likely to inherit asset wealth.

The importance of ending housing precarity, housing poverty and homelessness for Aboriginal and Torres Strait Islander peoples and non-Indigenous people has been thrown into sharp relief by Covid-19. In failing to prioritise rebuilding the Aboriginal Community-Controlled Housing sector and investment in public and community housing, the Budget locks in danger and a lack of control for the tens of thousands of First Nations peoples forced to live in overcrowded and poorly maintained social housing dwellings, and the many others who are unable to find safe, secure, affordable housing in the private market.

Far from rising to the challenges created by decades of market and state failure to provide affordable and appropriate housing, the 2022 federal budget is an abrogation of the Commonwealth's responsibility to ensure everyone's right to a safe and secure home.

[6] Kelly, C. (4/04/2019), Housing horrors: Australian renters go head to head with landlords over rights, The New Daily.

# A brief history of the housing crisis

The failure to invest in adequate, affordable housing has a long history across successive governments.

According to the 2022 Productivity Commission Report on Government Services, in 2021 at least 8,392 First Nations households in social housing were living in overcrowded dwellings.[7] Overcrowded and poorly maintained housing is well-established as a cause of poor physical and mental health and a major risk factor for increased spread of infectious diseases. It is a key contributor to adverse educational and emotional outcomes for children, and increases the risk of distress and violence in the home.[8] During the Covid-19 pandemic the impossibility of safe isolation in overcrowded homes saw people in remote First Nations communities sleeping in tents, yards, on verandahs and in the bush to try to avoid infection as the virus spread through families and communities.

A major concern raised by women and girls in the whole-of-life Wiyi Yani U Thangani (Women's Voices): Securing our Rights, Securing our Future Report led by Social Justice Commissioner June Oscar was inadequate maintenance and repair of social housing, particularly in the bush.[9] The report found "[t]he chronic shortage of social housing stock across Australia has left Aboriginal and Torres Strait Islander women and their families struggling in overcrowded and inadequate living conditions, unable to keep themselves and their families safe and secure, and with the constant threat of homelessness if they cannot find a way to make ends meet." [10]

The 2007 Little Children Are Sacred Report made clear the need for immediate construction of 4,000 houses, and a subsequent need for additional 400 homes to be built each year over 20 years in Aboriginal communities in the Northern Territory alone. [11] Despite this, in the first 10 years of the catastrophic Northern Territory Intervention just over 1,000 homes [12] were built and the housing crisis has only grown.

[7] Productivity Commission (2022), Report on Government Services 2022, 18 Housing, Australian Government, data table 18A.29.

[8] Liotta, M. (19/02/2018), Overcrowding leads to poorer health outcomes for Aboriginal and Torres Strait Islander peoples, newsGP feature, Royal Australian College of General Practitioners.

[9] Australian Human Rights Commission and Oscar, J. et al (2020), 'Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future', Australian Human Rights Commission (2020), p300.

[10] *ibid.*, p304.

[11] Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse (NT) (15/06/2007), 'Ampe Akelyernemane Meke Mekarle: 'Little Children are Sacred'', Northern Territory Government, p195.

[12] Gibson, P. (21/06/2017), '10 impacts of the NT Intervention', NITV.



This failure has been worsened by Commonwealth Government decisions to expropriate hundreds of millions of dollars worth of housing stock and land from Aboriginal Land Trusts and communities through compulsory leases (later sub-let to the Northern Territory Government Housing Authority),<sup>[13]</sup> quarantining people's social security payments through compulsory income management, mainstreaming remote tenancy arrangements and introducing market-based rents <sup>[14]</sup> without regard for the real operation of local economies. None of these harmful measures have been reversed.

Following COAG agreement on Closing the Gap targets at the end of 2007, in 2008 the Commonwealth Government introduced the National Partnership Agreement on Remote Indigenous Housing (2008-2018) (NPARIH) in acknowledgement that safe and appropriate housing is fundamental to improving health and wellbeing. NPARIH included a Commonwealth commitment of \$5.5 billion over 10 years, with construction of dwellings and management of tenancies to be undertaken by the states and NT according to agreed targets. The agreement aimed to build 4,200 new houses and refurbish more than 4,800 <sup>[15]</sup> with an expectation the agreement would be continued and recognition that its targets would only meet around half of existing need.

In 2018 the Commonwealth Government discontinued the national partnership agreement against the wishes of state governments, informing them that housing is a matter for the states and territories.<sup>[16]</sup> The Commonwealth continued a bilateral funding agreement with the Northern Territory of \$550 million <sup>[17]</sup> over five years. No further funds have been committed to remote housing by the Commonwealth. The Commonwealth's unilateral decision to discontinue NPARIH has cut remote Indigenous housing funding by \$550 million a year. Progress of the Northern Territory remote housing program itself has been slow and fraught, with a recent audit report finding that just 19% of planned dwellings had been built to September 2021.

[14] Australian National Audit Office (22/02/2022), Remote Housing in the Northern Territory, Performance Audit Report, Auditor-General Report No. 18 of 2021-22, paragraph 1.24.

[15] Australian Government (30/11/2008), \$4 Billion to help close the gap for indigenous Australians, Jenny Macklin MP and Kevin Rudd MP, joint media release.

[16] Dillon, M. (18/01/2018), Tactics versus strategy in Indigenous housing, Inside Story.

[17] Dillon (2022), op cit, p14-15.

Since the early 2000s there has been an erosion of principles of self-determination as core pillars of social policy development, implementation and evaluation as it affects First Nations peoples, particularly in housing. The dismantling of ATSIC in 2004 is a particularly egregious example, but so too are the efforts over subsequent years to consolidate and mainstream previously Indigenous-controlled housing and programs. [18] The Commonwealth has played a significant role in funding social housing since the Second World War, and has directly invested in Indigenous housing programs since the 1967 referendum. The basis for this direct investment was a recognition that the states refused to ensure First Nations peoples had access to adequate housing.

55 years later, we are alarmed to see a Commonwealth Government attempt to abrogate this responsibility and insist that social housing, including remote Indigenous housing, is 'a matter for the states and territories.' This contradicts both the principles of national partnership, co-design and support for self-determination contained in the National Agreement on Closing the Gap, and the 80 year history of Commonwealth social housing funding.

[18] Habibis, D. (2018), 'Ideology vs context in the neoliberal state's management of remote Indigenous housing reform' in Howard-Wagner, D., Bargh, M. and Altamirano-Jiménez, I. (Eds), *The Neoliberal State, Recognition and Indigenous Rights*, ANU Press.