



**National Aboriginal and
Torres Strait Islander Housing Association**

PRODUCTIVITY COMMISSION REVIEW OF THE NATIONAL HOUSING AND HOMELESS AGREEMENT

The National Housing and Homeless Agreement (NHHA) and Review

The NHHA commenced on 1 July 2018 and is an agreement between the Australian Government and State and Territory Governments for the provision of housing and homelessness services. It continues a long history, dating back to 1945 which reflects the cooperation between the Australian and the State and Territory Governments to improve housing outcomes for people in most need of support.

The NHHA sets out the roles and responsibilities of the Australian Government and the States and Territories in improving housing outcomes. It also identifies nationally agreed objectives, outcomes and performance indicators.

The Australian Government provides approximately \$1.6 billion each year (indexed annually from 2019-20) to the States and Territories to improve Australians' access to affordable, safe and sustainable housing across the housing spectrum. This funding includes \$129 million for homelessness services, which State and Territory Governments must match. Funding is conditional on State and Territory Governments having publicly available housing and homelessness strategies and contributing to improved data collection and reporting, amongst other things.

The Agreement is due to expire on 30 June 2023 and is to be replaced for a further term of up to five years.

The Agreement requires a completed review by the Productivity Commission no later than 30 June 2022.

The National Aboriginal and Torres Strait Islander Housing Association (NATSIHA) welcomes this opportunity to provide a submission to this review as it believes very strongly that there is an extreme urgency for all levels of government to have a medium to long term approach to the needs and aspirations of Aboriginal and Torres Strait Islander People to assist in improving their health and well-being through better and more sustainable housing programs and solutions.

About NATSIHA

NATSIHA is the first and only national leadership body for Aboriginal and Torres Strait Islander Housing in Australia.

Its purpose is to facilitate access to quality, accessible, affordable and culturally appropriate housing to help empower Aboriginal and Torres Strait Islander

individuals, families and communities to optimise their health and wellbeing and improve their employment opportunities, access to education, connection to the community and sense of home.

A not-for-profit company and registered charity, NATSIHA has been under development for over 5 years. Its membership is open to Aboriginal and Torres Strait Islander community organisations that deliver housing services, known as Aboriginal and Torres Strait Islander Community Controlled Housing Organisations (ATSICCHOs).

NATSIHA's Board consists of Aboriginal representatives who have been involved in Aboriginal housing service delivery and policy development for many years. They include (*but are not limited to*) senior Aboriginal representatives of state and territory housing leadership bodies such as Aboriginal Housing NT (AHNT), Aboriginal and Torres Strait Islander Housing Qld (ATSIHQ) and Aboriginal Community Housing Industry Association (ACHIA NSW).

NATSIHA is also a member of the Coalition of Aboriginal and Torres Strait Islander community-controlled peak organisations who are committed to achieving its objectives in genuine partnership with Australian Governments.

The National Agreement on Closing the Gap, signed by the Coalition of Peaks and all Australian Governments, provides a framework for implementing that partnership. Importantly, it commits Governments to working in a new way with Aboriginal and Torres Strait Islander communities through four priority reforms:

- Priority Reform 1 – Formal partnerships and shared decision making
- Priority Reform 2 – Building the community-controlled sector
- Priority Reform 3 – Transforming government organisations
- Priority Reform 4 – Shared access to data and information at a regional level.

The four priority reforms provide a new platform for addressing the challenges around Indigenous housing in Australia. Those challenges have constituted a "*wicked problem*" since colonisation first began in Australia and the COVID-19 pandemic has exposed that the nation is heading for another Indigenous housing crisis. For the first time, however, there is an agreed framework through the four priority reforms that allows representatives of Aboriginal and Torres Strait Islander communities to solve the challenges on an equal footing with all Australian Governments.

A significant weakness, however in the new arrangements is that the National Agreement on Closing the Gap, unlike the National Housing and Homelessness Agreement, is not subject to the provisions of the Federal Financial Relations Act (2009) or the Intergovernmental Agreement on Federal Financial Relations.

None of the provisions of the National Agreement on Closing the Gap are legally enforceable and any party may terminate their participation at any time. Accordingly, there is a risk that the National Agreement on Closing the Gap ultimately only represents a '*pendulum swing*', a far too often phenomenon in Indigenous Affairs policy in Australia, usually caused by the Commonwealth Government of the day

changing policy without securing the agreement of Aboriginal and Torres Strait Islander people.

NATSIHA wants the National Agreement on Closing the Gap and particularly the commitments to investing in the community-controlled sector to represent a paradigm shift. **Building it into the National Housing and Homelessness Agreement (or its replacement) will contribute to this objective and strengthen compliance of all Governments with the commitments they have made in the National Agreement on Closing the Gap.** For NATSIHA, it is vital that any new version of the National Agreement on Housing and Homelessness commit fully to the National Agreement on Closing the Gap as the platform for improving housing outcomes for Aboriginal and Torres Strait Islander people.

The other weakness of the National Agreement on Closing the Gap is that it does not commit governments to new funding for policy priorities such as housing. That was sought by the Coalition of Peaks, but Australian Governments were not prepared to agree to this. While the National Agreement on Closing the Gap is essential for providing a platform for shared decision making, ultimately a new national funding program also needs to be agreed to increase the supply of new housing and to make current housing functional and safe.

Funding for this program should be included in the next version of the National Agreement on Housing and Homelessness, in a similar way to how Homelessness and SACS funding is already included and be principally funded by the Commonwealth. It has always had policy and funding leadership for Indigenous housing. Its unilateral decision not to renew the National Partnership on Remote Indigenous Housing has resulted in an ongoing allocation in the Commonwealth's Budget for Indigenous housing of about \$5.5 Billion over 10 years being lost. **It needs to be restored, as a minimum to resource a new national program.**

Structure and Framework for Submissions

The Productivity Commission (PC) has released an issues paper to guide any person or organisation who are considering preparing a submission. It sets out some of the issues and questions the Commission has identified as relevant at this stage of the review. As is the case with other reviews conducted by the PC, it will publish a report on the outcomes of its review and then provide it to the Australian Government which at this stage is due by 31 August 2021.

The PC asks that submitters provide evidence to support their views, including data and specific examples where possible. It also publishes all submissions it receives on its website shortly after receipt, to remain there indefinitely as public documents.

The Issue Paper provides background and asks questions with respect to key issues across the Housing spectrum including housing outcomes for Aboriginal and Torres Strait Islander people. In that regard, **the PC confirms that Aboriginal and Torres Strait Islander people experience poorer housing outcomes across the housing spectrum compared with other Australians and that under the NHHA, an increase in the proportion of Aboriginal and Torres Strait Islander people purchasing or owning their own home is a national performance indicator.**

It also asks a series of questions which informs NATSIHA's submission as follows:

PC Question 1

What is important to Aboriginal and Torres Strait Islander people and communities in the context of housing?

NATSIHA Response

This is a very good question which Australian Governments usually do not ask and if they do, there is little evidence that they ask representatives of Aboriginal and Torres Strait Islander people. It wasn't asked in the context of developing the National Housing and Homelessness Agreement which, to the best of NATSIHA's knowledge, did not include any direct involvement by Aboriginal and Torres Strait Islander people when it was developed, especially those who are specifically involved in the delivery of housing services and support to their communities. One of the consequences is that Governments are allowed to decide unilaterally what is important for Aboriginal and Torres people and their organisations in the context of housing. This is what has occurred in respect to the National Housing and Homelessness Agreement which lists 14 national performance indicators, one of which, the last, is *"an increase in the proportion of Indigenous Australians purchasing or owning their own home"*.

This has been a priority for the Commonwealth for the past decade or more even though it is not practicable for people in remote communities and increasingly elsewhere because of *sky rocketing* construction costs and because public housing is usually not for sale in this context because it is in high demand. Despite this focus of the Commonwealth, unsurprisingly the Australian Institute of Health and Welfare reports that the proportion of Indigenous Australians who are home-owners (with or without a mortgage) has remained constant over the years at about 30% (<https://www.aihw.gov.au/reports/australias-welfare/indigenous-housing>).

This is not to suggest that many Aboriginal and Torres Strait Islander households do not aspire to home ownership or that the Commonwealth, States and Territories should not support them to achieve this goal. However, because of the ongoing decline in housing affordability and availability, home ownership shouldn't be a key national indicator on its own and NATSIHA considers a different response would be elicited from representatives if Aboriginal and Torres Strait Islander people were consulted.

NATSIHA's experience is that what is most important to our communities in the context of housing is having a safe, secure and culturally appropriate home with working facilities. This is reflected in NATSIHA's constitution which states that its purpose and intent is to:

"Relieve the suffering, distress, poverty, helplessness and disadvantage experienced by Aboriginal and Torres Strait Islander people by supporting and facilitating access to quality, accessible, affordable and culturally appropriate housing and related supports and to thereby help empower Aboriginal and Torres Strait Islander individuals, families, and communities to optimise their

health and wellbeing and improve their employment opportunities, access to education, connection to the community and sense of home”.

NATSIHA’s submission to the Commonwealth in response to its consultation process for refreshing the Closing the Gap framework, made in August 2018 ([sub162 - Attachment 1 \(1\).pdf](#)) lists underpinning principles for responding effectively to the housing needs of Aboriginal and Torres Strait Islander people. These also serve to identify what is important to Aboriginal and Torres Strait Islander people in the context of housing and are reproduced here:

- Self-determination - as per the United Nations Declaration on the Rights of Indigenous Peoples (articles 3 & 4)
- The Commonwealth recognising the role and responsibility of the national peak and each jurisdiction’s peak and involving them in policy and decision making.
- Recognition that the Aboriginal and Torres Strait Islanders housing sector is a specialist, specific sector that has expertise and strengths which can effectively challenge, inform and influence Governments to make improvements to the housing system and can drive the way to do effective business in future.
- Necessity for a partnership between the Commonwealth, States and Territories and the Aboriginal and Torres Strait Islander housing sector to achieve better outcomes.
- Striving for an integrated housing system in recognition that safe, secure and culturally appropriate housing is critical to social, economic and cultural infrastructure.
- Recognition of the differences across the States and the Territories that requires flexible and tailored policy and program responses that are culturally appropriate.
- Valuing investment and innovation in early intervention and prevention which funds support services to prevent homelessness and sustains tenancies.
- Safe and secure and suitable housing that meets the housing, locational and cultural needs of individuals and families.
- Recognition of the importance of Aboriginal community-controlled delivery of capital works programs and management of housing organisations.
- Investing and exploring innovative and proven housing models which are tailored to meet the needs of Aboriginal people in the environment they’re living in, and not settling for a “one size fits all” approach.

- Recognition that policy and program responses need to be long term, with financial commitments which provide delivery certainty to enable outcomes to be achieved.
- Adopt an approach to valuing learnings and core knowledge through a “*knowledge repository and clearing house*” which captures and shares knowledge to draw on for future programs.
- Recognising that the fabric of community infrastructure is more than bricks and mortar and requires relevant government departments involvement in planning and financing ‘*hard*’ and ‘*soft infrastructure*’.

PC Question 2

How do housing needs differ between urban, regional and remote areas?

The usual response to this question is that the housing needs of remote communities are far greater than those of Aboriginal and Torres Strait Islander people living in regional and urban areas, particularly with respect to overcrowding and poor maintenance. The flood of media that has accompanied the spread of COVID-19 into remote communities that has required our people to respond to this vicious disease while living in severely overcrowded conditions from Thursday Island and Yarrabah in Queensland through to Binjari, Lajamanu and Galiwin’ku in the Northern Territory, to Halls Creek in WA and Wilcannia in NSW is testament to this. The evidence is strong that better housing is the issue of most concern to our communities in remote Australia, including its towns such as Alice Springs and Broome.

However, NATSIHA is concerned that the usual response reflects the fact that more research has been done in remote communities and that the housing problems of residents are more visible to the media in this setting. NATSIHA has much more evidence of ‘*lived experience*’ that demonstrates that overcrowding, and poor maintenance of housing extends beyond remote communities into regional and urban communities also. The little research that has been done in urban and regional areas supports this, such as that carried out by UNSW researchers in partnership with the Tharawal Local Aboriginal Land Council (<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-017-4607-y>).

Their study measured the prevalence of housing problems amongst participants in a study of urban Aboriginal families in New South Wales and investigated the relationship between tenure type and exposure to housing problems. The results included that housing problems were common, particularly structural problems, dampness and mildew, vermin, crowding and unaffordability and that physical dwelling problems were most prevalent for those living in social housing, who were

more likely to report three or more physical dwelling problems than those in owned or privately rented homes.

The researchers concluded that the high prevalence of housing problems amongst study participants suggests that urban Aboriginal housing cannot be neglected anymore and requires further attention as part of efforts to reduce the social and health disadvantage experienced by Aboriginal people and also that particular attention should be directed to the needs of those renting in the private and social housing sectors, who are experiencing the poorest dwelling conditions.

PC Question 3

What barriers do Aboriginal and Torres Strait Islander people face securing affordable, safe, stable and culturally appropriate housing (including barriers to home ownership and securing private rentals and social housing)?

NATSIHA agrees with AIHW's statement that "*Indigenous Australians face many barriers in the housing market, including discrimination; cultural and historical pressures, such as extended family structures; and intergenerational trauma*" (AIHW 2021). These barriers, and particularly how to overcome them, have not received enough attention by Australian Governments. Meanwhile, the Commonwealth particularly has expended considerable time and resources for some 15 years, both Coalition and Labor Governments, seeking long term leasing arrangements in communities on Aboriginal land, particularly the Northern Territory, to support loans for home ownership.

This investment, often causing conflict with representatives of Aboriginal and Torres Strait Islander people such as Land Councils, has not been productive and has drawn attention away from genuine barriers such as poverty. It assumed that Aboriginal people would move into home ownership from the sale of public housing to them, as has occurred with non-Indigenous people after the Second World War when housing prices were much cheaper and there was a greater stock of public housing. The situation is vastly different now with low housing affordability across the nation.

Accordingly, that policy needs to be replaced with one that focuses on building the Aboriginal and Torres Strait Islander community-controlled housing sector as the vehicle for overcoming the barriers of our people to secure, safe, affordable and culturally appropriate housing, including pathways to home ownership when it is a viable option.

The National Agreement on Closing the Gap provides a vehicle for building up the community-controlled sector again, which the Commonwealth abandoned when it shifted its Indigenous housing policy, from about 2005 onwards, to investing in public housing as a vehicle for achieving home ownership.

PC Question 4

What progress have governments made improving housing and homelessness outcomes for Aboriginal and Torres Strait Islander people and communities?

This is difficult to answer as NATSIHA does not consider there is sufficient data and information available including independent evaluations that enable any interested party to make an informed judgement.

The table that the Productivity Commission has included in the Issues Paper does not give confidence that much progress has been made in recent decades noting it states that Aboriginal and Torres Strait Islander households, compared with other households, are:

- half as likely to own their own home (with or without a mortgage)
- six (6) times more likely to live in social housing; and
- three (3) times more likely to live in overcrowded dwellings.

In addition, the table says that Aboriginal and Torres Strait Islander people, compared with other people, are:

- ten (10) times more likely to be classified as homeless
- Sixteen (16) times more likely to live in severely overcrowded dwellings
- Nine (9) times as likely to access specialist homelessness services compared with other Australian

As disappointing as this data is (and noting it is based on the 2016 Census responses), NATSIHA considers that this data and information still does not convey anything like the full situation that has continued to escalate due to the lack of appropriate policy, resourcing and sustainability of 'government investment'. Data availability is nowhere near as comprehensive as what it was before the Commonwealth stopped funding the Community Housing and Infrastructure Needs Survey (CHINS) initiated by the former Aboriginal and Torres Strait Islander Commission.

CHINS also provided a platform for developing strategies to respond to the challenges based on evidence. We also know from non-government organisations such as Health Habitat that started the Housing for Health program in 1985 that poor maintenance of utilities, including health hardware such as showers and toilets, electrical power points and heating and cooling systems continues to be a key contributor to poor housing and health outcomes.

PC Question 5

How are Aboriginal and Torres Strait Islander people, communities and community-controlled housing organisations involved in the development, design and delivery of housing programs? How could this involvement be strengthened?

The dismantling of the former Aboriginal and Torres Strait Islander Commission and the Commonwealth's subsequent withdraw of support for an Aboriginal and Torres Strait Islander community housing sector has had a profoundly negative long-term

impact on the involvement of our organisations in the design and delivery of housing programs.

There is some prospect, however, of the situation improving although it is by no means certain. NATSIHA remains unfunded for its operations, but it may be able to secure support from the Virtual Funding Pool to develop the community-controlled sector which was established by Australian Governments concurrently with the National Agreement on Closing the Gap. A positive development has been that NATSIHA has co-chaired a Working Group to develop an Aboriginal and Torres Strait Islander 'Housing Sector Strengthening Plan' which is an important commitment of Australian Governments under Priority Reform Two of the National Agreement on Closing the Gap.

Victoria, NSW, Queensland and the Northern Territory have recently funded jurisdictional peak bodies for the first time which has increased involvement of the community-controlled sector in program development and implementation. There has not been any noteworthy progress in South Australia, WA, the ACT or Tasmania for differing reasons.

There has been some progress to rebuild a community-controlled sector and its involvement in programs in the past three years. However, it has not reached the standards anywhere that have been agreed to by Australian Governments under the National Agreement on Closing the Gap which commits all parties, under Priority Reform One, to *"building and strengthening structures that empower Aboriginal and Torres Strait Islander people to share decision making authority with governments to accelerate policy and placed based progress against Closing the Gap"*.

Strengthening this involvement to achieve this standard requires using the structures proposed in the National Agreement on Closing the Gap with respect to Priority Reform One (Formal Partnerships and Shared Decision Making), particularly to implement the strong partnership elements under clause 32.

PC Question 6

Does the NHHA (and the actions required under it) clearly specify the objectives and housing outcomes for Aboriginal and Torres Strait Islander people and communities? What (if any) principles, outcomes, targets and best practices could be embedded in the next agreement?

The National Housing and Homelessness Agreement does not clearly specify the objectives and housing outcomes for Aboriginal and Torres Strait Islander communities. It is vital that the next version of this Agreement does so.

It is, however, noted that the NHHA's aspirational, overarching national outcomes include improved housing outcomes for Indigenous Australians, that National priority homelessness cohorts include Indigenous Australians and that one of the NHHA's performance indicators is an increase in the proportion of Indigenous Australians purchasing or owning their own home.

However, the outcome does not align with the outcome in the National Agreement on Closing the Gap. NHHA's overarching national outcomes should include the outcome negotiated between Governments and the Coalition of Peaks in the National Agreement on Closing the Gap; namely that Aboriginal and Torres Strait Islander people secure appropriate, affordable housing that is aligned with their needs and priorities.

The current performance indicator in the National Housing and Homelessness Agreement, never the subject of consultation with Aboriginal and Torres Strait Islander representatives, measures an increase in the proportion of Indigenous Australians purchasing or owning their own home. This needs to be replaced with an indicator that measures progress towards parity across the housing spectrum which is proposed in the National Agreement on Closing the Gap.

Targets also need to be included in the National Agreement on Housing and Homelessness including the target in the National Agreement on Closing the Gap that commits all parties to increasing the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized (not overcrowded) housing to 88 per cent noting that the Coalition of Peaks sought a more ambitious target in negotiations, which was not endorsed by Australian Governments.

The scope of activities for data improvement in the NHHA do not address the data needs for Indigenous housing. Improving data and information on Indigenous housing is a high priority for NATSIHA and it is essential for achieving better outcomes and data improvements agreed to in the National Agreement on Closing the Gap need to be agreed for the next version of the NHHA.

PC Question 7

Are Aboriginal and Torres Strait Islander housing programs and initiatives (such as the Indigenous Home Ownership Program, National Partnership for Remote Housing Northern Territory, State and Territory Aboriginal and Torres Strait Islander housing and homelessness strategies, frameworks and action plans) effective? What improvements could be made?

There is evidence that the Indigenous Home Ownership Program has resulted in more Aboriginal and Torres Strait Islander people owning their own homes than if the program wasn't in place. The Commonwealth also conducted an independent review of the National Partnership on Remote Indigenous Housing in 2017 which found there had been a significant reduction in overcrowding and recommended that the initiative be renewed which was not agreed. However, of great concern is that the Australian National Audit Office recently completed a performance audit of the National Partnership for Remote Housing Northern Territory and it concluded that the administration of it by the National Indigenous Australians Agency (NIAA) has only been partially effective.

The extent to which state and territory programs to support better Indigenous housing outcomes have been successful is not clear as NATSIHA is not aware of any specific audits or evaluations completed in recent times.

NATSIHA considers that a key problem is that programs across the Commonwealth are not integrated and questions why Indigenous Business Australia, established to assist and enhance the economic development opportunities of Aboriginal and Torres Strait Islander people, should be managing on its own the Indigenous Home Ownership Program. NIAA has responsibility for the National Partnership for Remote Housing Northern Territory while the Department of Social Services has policy responsibility for the National Agreement on Closing the Gap in as much as it impacts on Indigenous housing while the National Housing Finance Investment Corporation (NHFIC), which could provide much more assistance to the Aboriginal and Torres Strait Islander Community Controlled Sector is located in the Treasury portfolio. **Commonwealth programs could be much more integrated and effective, and much easier for Aboriginal and Torres Strait Islander people to engage with if there was a single housing agency in the Commonwealth.**

In the same way, for the Commonwealth to have withdrawn from policy and funding leadership for Indigenous housing has left Aboriginal and Torres Strait Islander people in a situation of having to engage with 8 different jurisdictions with different governments and initiatives which is very difficult and costly. **Significant gains could be made if there was an overarching national strategy for Indigenous housing that was agreed to by Governments and the community-controlled sector and a single national program that is able to respond to local differences and priorities.**

PC Question 8

Are there any obstacles for Aboriginal and Torres Strait Islander people accessing mainstream housing programs and homelessness services? What improvements (if any) could be made to mainstream programs to improve outcomes for Aboriginal and Torres Strait Islander people?

NATSIHA is certain that there continues to be obstacles for Aboriginal and Torres Strait Islander people accessing mainstream housing programs and homelessness services and that they include racism and lack of cultural sensitivity and safety. This has been acknowledged by Governments and service providers and was a key reason for Priority Reform Three being inserted into the National Agreement on Closing the Gap. Priority Reform Three, which applies to all mainstream services, commits to systemic and structural transformation of mainstream government organisations to improve accountability and to respond to the needs of Aboriginal and Torres Strait Islander people. Importantly, the Coalition of Peaks sought its inclusion because its engagements with communities across Australia in 2019 had revealed deep concerns by Aboriginal and Torres Strait Islander people about accessing mainstream services.

The National Agreement on Closing the Gap also agrees on a number of transformation elements to be implemented with respect to mainstream organisations. They include, at clause 59, *'identifying and eliminating racism and delivering services in partnership with Aboriginal and Torres Strait Islander communities and their organisations'*. NATSIHA believes that these transformation elements if implemented would result in significant improvements to mainstream

programs. **At this stage, the challenge is not knowing the extent to which Priority Reform three is being implemented across jurisdictions. It is also important to note that most Public Housing and mainstream Community Housing properties are not situated in locations that are ‘close to country’ where Aboriginal and Torres Strait Islander Peoples priority choice would be. They are often left with a choice of undesired locations and where tenancies are always at risk of failing and properties are abandoned. There continues to be a total ‘mismatch between the supply and demand’ for appropriately designed and located housing options for our people.**

PC Question 9

Are the roles and responsibilities of the Australian, and State and Territory Governments in improving housing and homelessness outcomes for Aboriginal and Torres Strait Islander people clear and appropriate?

The Commonwealth’s decision in 2018 to not renew the National Partnership on Remote Indigenous Housing and its rationale for doing so **with emphasis that Indigenous housing should be a State/Territory responsibility has left the situation with respect to responsibilities (and commitment) very unclear.**

The Commonwealth made this decision unilaterally without engaging representatives of Aboriginal and Torres Strait Islander people or State and Territory Governments. The result was conflict and confusion between the Commonwealth and other parties that has still not been resolved. A new agreement was not negotiated that agreed on roles and responsibilities going forward and it has left Aboriginal and Torres Strait Islander people *in limbo* with no government expressly taking responsibility and the opportunity for never ending “*buck passing*”.

This is not appropriate for such a serious and continuing need as Indigenous housing which is critical to achieving all Closing the Gap outcomes. While responsibilities with housing do overlap in Australia, with respect to Indigenous housing, the Commonwealth has taken policy and funding leadership since the Referendum. **To have denied responsibility following its decision not to renew the National Partnership on Remote Indigenous Housing and to have withdrawn from its Budget an ongoing budget allocation for Indigenous housing was inappropriate and unfair.** NATSIHA considers that Indigenous housing should be a national responsibility led by the Commonwealth and to that extent a new National Housing and Homelessness Agreement should clarify roles and responsibilities between the Commonwealth and States to resolve the confusion.

PC Question 10

How does the NHA intersect with the National Agreement on Closing the Gap? How should the next NHA align with the National Agreement on Closing the Gap?

Previous commentary within this submission has provided examples of the gaps and lack of *'interaction and influence'* between both strategies. The National Agreement on Closing the Gap was finalised almost two years after the NHHA. The former is not referred to in the NHHA and neither intersect with the other. Unlike the National Agreement on Closing the Gap, the NHHA does not recognise the unique housing needs of Aboriginal and Torres Strait Islander people unlike previous Intergovernmental Housing Agreements. **Accepting that the National Agreement on Closing the Gap was negotiated some two years after, the NHHA has still not been updated to include the commitments made by all Australian Governments in the National Agreement on Closing the Gap which directly relate to housing, particularly implementing the four priority reforms and partnership actions which are vital for securing better outcomes for Indigenous housing. This needs to occur as soon as possible.**

It is vital that a new NHHA align with the National Agreement on Closing the Gap such that its commitments with respect to the priority reforms are made the vehicle for securing much better housing outcomes for Aboriginal and Torres Strait Islander people

In addition, none of the terms and conditions to be met by states and territories to be eligible for the Commonwealth's funding specifically go to addressing the housing needs of Aboriginal and Torres Strait Islander people. Given the unique housing needs of Aboriginal and Torres Strait Islander and the entrenched inequality with respect to over-crowding and poor housing quality, the financial arrangements in the next National Housing and Homelessness Agreement need (in addition to Homelessness and SACS funding) an additional category for Indigenous community-controlled housing that requires agreed amounts for each jurisdiction to be used specifically for this purpose.

To achieve the agreement of the states, the Commonwealth needs to increase its contribution of approximately \$1.6 billion annually to specifically include a program for Aboriginal and Torres Strait Islander housing in all jurisdictions and covering remote, regional and urban Australia. As with Homelessness and SACS funding, the states and territories should be legally required to contribute and achieve the relevant terms and conditions before the Commonwealth makes payments.

The policy partnership agreed to be developed with respect to housing under clause 38 of the National Agreement on Closing the Gap provide an ideal structure for changes to the National Housing and Homelessness Agreement to be negotiated between Australian Governments and the Aboriginal and Torres Strait Islander community-controlled housing sector. **NATSIHA has asked that this policy partnership is established as a matter of urgency.**

References

Anderson, M, Wright D et al 2018 *Housing conditions of urban households with Aboriginal children in NSW Australia: tenure type matters*. BMC Public Health volume 18, Article number: 70

AIHW 2021 *Indigenous housing Snapshot*. Canberra: AIHW. Viewed 14 March 2022

NATSIHA 2018 *Submission on the Closing the Gap Refresh Targeting Housing and Homelessness* August 2018 (url: [sub162 - Attachment 1 \(1\).pdf](#))

[Why we need a dedicated, self-determined National Safety Plan for Aboriginal and Torres Strait Islander women and children - Amnesty International Australia](#)
Change the Record 2022

AFTERWORD

“Everyone needs somewhere safe and decent to live. Governments have failed to provide enough housing, and Aboriginal and Torres Strait Islander peoples have been neglected for decades. Homelessness and overcrowding drive our mob into prison, and it traps women in unsafe homes and families in unhealthy living conditions. We make up 20% of people with nowhere to live, despite being just 3% of the total population.

This is a crisis caused by governments’ failures to invest in affordable housing. We are calling on all Australian Governments not only to provide more social and public housing as an urgent response to the epidemic of family violence, but to specifically invest in Aboriginal-controlled housing. Let us own and control our homes and keep our people safe.

We are calling for greater investment in community-based solutions that have been shown to work time and time again, and for governments to stop insisting that they know best.