

## **Korean Disability Forum 2019 Disability Inclusive SDG's Workshop, Seoul, Republic of South Korea.**

### **Presentation from Australia by Michael Bleasdale, Director Rights & Inclusion Australia.**

#### **Introduction to Rights and Inclusion Australia**

Rights & Inclusion Australia's (R&IA) focus is the Asia Pacific region and rural, Indigenous and remote Australian communities. Our objectives and activities include:

- organise, co-ordinate, sanction and promote initiatives that protect and advance the rights, inclusion, rehabilitation and crucial services for persons with disabilities and their families
- organise and promote international collaboration, policies and legislation that recognise the rights of persons with disabilities and their families, including the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD)
- coordinate and liaise with organisations sharing a common purpose with Rights & Inclusion Australia to pursue these rights and inclusion objects

Our governance requires that a majority of people with disability sit on our Board of Management. We have operated solely as a Board working voluntarily for a number of years, but recently in 2019 have received funds from the Australian Capital Territory (ACT) Government to staff a short-term project in the ACT that has as its focus assisting people with disability and their families to access housing and support that is suitable to enable them to lead independent lives in the community. I and fellow Director, Ms Sue Salthouse, live and work in Canberra, Australia's capital city. My professional role is as the CEO of the ACT Disability, Aged and Carer Advocacy Service (ADACAS), a provider of Advocacy, Support Coordination, and other services to people with disability, older people and carers in the ACT.

This year R&IA has been invited to participate in two other international events, the 12<sup>th</sup> session of the Conference of States Parties in New York in June, to which Sue Salthouse went and contributed, and the Rehabilitation International Asia Pacific Conference in Macau, also in June 2019, to which R&IA President Michael Fox went and presented.

#### **Presentation Focus**

This presentation aims to identify how Australia's governments are actively seeking to include people with disability in the implementation of the Sustainable Development Goals that are pertinent to Australia as part of the global community.

In attempting to present this coherently and accurately I will start off by presenting relevant aspects of the *Report on the Implementation of the Sustainable Development Goals 2018*, published by the Department of Foreign Affairs (DFAT) <sup>1</sup>

I will then focus on the frameworks, and some current initiatives, that are more in focus amongst the disability community in Australia, to which the SDGs relate, but which tend to be more prominent in discourse about how people with disability are faring in relation to Australian society, and in comparison to their peers internationally. These include:

- The National Disability Strategy 2010-2020<sup>2</sup>
- *Disability Rights Now 2019 – Australian Civil Society Shadow Report to the United Nations Committee on the Rights of Persons with Disabilities: UN CRPD Review 2019*<sup>3</sup>
- The National Disability Insurance Scheme (NDIS)

I will both present and critique these reports and initiatives, and convey as closely as possible how Australia is or is not bringing people with disability along with the critical objectives of the SDGs, and offer some observations of we may provide support and assistance to our colleagues internationally in this endeavour.

## **Overview of Australian approach to SDGs**

The 2018 report is Australia's first Voluntary National Review of its progress against the SDGs. The current Australian Government have characterised the SDGs as "a reflection of our value and ambitions ... the contemporary manifestation of the 'fair go'"<sup>4</sup>. This expression resonates with Australians, and represents a broadly shared attitude of support for initiatives which actively assist people from disadvantaged backgrounds to have the same or similar opportunities for personal advancement as do others from more privileged backgrounds – but does not extend necessarily to the identification of continued and entrenched disadvantage as being an indicator of failure to make opportunities equally available. In terms of disability, however, the report does acknowledge that disability is exacerbated by the prevalence of environmental factors which hamper opportunity, all of which are relevant to our shared SDGs:

Disadvantage can be compounded, exacerbated or prolonged by a combination of factors including the range of environmental, social and economic aspects

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<sup>1</sup> Available at <https://dfat.gov.au/aid/topics/development-issues/2030-agenda/Pages/sustainable-development-goals.aspx>

<sup>2</sup> Available at <https://www.health.nsw.gov.au/disability/Pages/national-disability-strategy.aspx>

<sup>3</sup> Available <https://dpoa.org.au/wp-content/uploads/2019/08/CRPD-Shadow-Report-2019-English-PDF.pdf>

<sup>4</sup> Australian Government 2018, *Report on the Implementation of the Sustainable Development Goals 2018*, Department of Foreign Affairs and Trade, BARTON ACT, p.6.

encompassed in the SDGs, for example, a lack of access to quality education, health care or employment<sup>5</sup>

There are two principal foci of the SDGs in Australia: the application of goals to people in Australia, and of interest to us is how people with disability are being impacted and included in the setting of objectives and their implementation; and the application of principals in our overseas aid work, and how these are mindful of strategies in countries where we work that work to actively ensure people with disability are included. To this end 18% of volunteers from Australia overseas focused on working with people with disability.

The report acknowledges that there is little public awareness of the SDGs, but points out that some important public institutions have adopted them into their policies and budgets

The report states that “Australia takes a rights-based approach to sustainable development”<sup>6</sup>, but we do not have a rights-based constitution nor a bill of rights, in the same way as, for example does the United States of America. Australia is a signatory to the major human rights treaties and conventions that protect the rights of people across the world, including being a signatory to the Optional Protocol of the Convention of the Rights of Persons with Disabilities, and Ms Rosemary Kayess is an Australian member of the UN appointed Committee on the Rights of Persons with Disabilities until the end of December 2022. Rosemary is an international human rights lawyer and academic who has championed disability human rights for over thirty years.

Beyond the rule of law, however, we have some relatively weak mechanisms which uphold the rights of Australians who may require special attention in order to be protected and for their basic human rights to be actively exercised. Three of our 8 jurisdictions have Human Rights Commissions, and we have an Australian Human Rights Commission. There is little to challenge some outmoded legal instruments, such as those which are currently in the media spotlight now, regarding freedoms of the press<sup>7</sup>. And it is hard to reconcile statements made in the report about ensuring all new bills and disallowable legislative instruments being checked for compatibility with our treaty obligations with, for example, our current policies relating to asylum seekers.

An observation of Australia’s approach to meeting its obligations to the SDGs is its reliance upon government departments or tightly controlled contractual arrangements with non-government agencies. There is little focus on the active resourcing or stimulation of civil society that is truly independent of government and which has as its focus democratic and human rights ideals. Efforts have been and continue to be made in brokering partnerships with industry and corporations, but

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<sup>5</sup> Ibid, p.6

<sup>6</sup> Ibid, P. 10

<sup>7</sup> See <https://www.abc.net.au/news/2019-10-21/media-unites-to-rally-for-press-freedom/11621806>

these tend to be for the purpose of leveraging funding and including the private sector in the public and community sectors to draw on their expertise to deliver services cost-effectively. Despite the rhetoric of collaboration effective cooperation and partnership within and outside the community sector occurs largely in response to government shortcomings in the provision of resources and/or suitable policy to actively address disadvantage. The Report also heralds 'joined-up' policy initiatives between departments in some governments, but at the moment these remain outputs measured in collaborative terms rather than in terms of the outcomes they have achieved for disadvantaged people.

## **Results from the Australian Government 2018 Report**

The report identifies the challenge that Australia, like other countries, faces in improving the lives of people with disability, and identifies lower access to employment and income security as key to other factors such as poor mental health, and seeks to attain the goal of 'Leaving no one behind'<sup>8</sup>. The 2010-2020 National Disability Strategy (NDS) is identified as the principal means by which the broader goals of inclusion for people with disability are to be identified and reached. The NDS is also the key mechanism by which Australia seeks to measure its progress against the principles and articles of the CRPD. No clear report card, however, on whether the outcomes of the NDS, which is rapidly approaching its endpoint, have been achieved, nor any data provided as to how people with disability are faring relative to their non-disabled counterparts in Australia, on a range of key social and economic indicators. The report instead focuses on some policy and practice initiatives undertaken within academic institutions and some civil society agencies, including those focused on international aid like ACFID, Australia's peak body for non-government organisations involved in international development and humanitarian action, to ensure there is an active focus on SDG goals which also includes people with diverse needs and people with disability. For example, the DFAT-administered development assistance program "has a cross-sectoral approach that integrates aspects of 'leave no one behind' through disability-inclusive development and gender equality targets", and an example of this is the Vanuatu Skills Partnership. In terms of mitigation programs for disaster relief and resilience the report states that "disability inclusion" has been accounted for when developing infrastructure such as clinics and shelters.

In relation to the goals themselves:

1. *End poverty in all its forms everywhere.* The Australian report faithfully records the policies of the government of the past 6 years, which has focused solely upon the attainment of work to ensure economic security for individuals, described as giving "... all citizens equal opportunity and full access to economic, social and cultural opportunities". The report acknowledges the irrefutable data that continues to prove that some segments of the population experience entrenched and generational poverty (although it describes this as "only a small proportion of people in

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<sup>8</sup> Australian Government 2018, *Report on the Implementation of the Sustainable Development Goals 2018*, Department of Foreign Affairs and Trade, BARTON ACT, pp. 16-17

Australia”<sup>9</sup>), and people with disability are included in these groups alongside people from Aboriginal and Torres Strait Islander background, lone parents and people with low educational attainment.

R&IA and our colleagues in the disability sector remain deeply concerned about the entrenched levels of poverty, and the lack of any meaningful government policies that address this directly. Research conducted in 2011 by a large Australia accounting firm identified that Australia languished at the bottom of the list of OECD countries when it came to poverty levels<sup>10</sup>. Since that time the Australian Government has restricted access to the Disability Support Pension through tightening eligibility via the Impairment Tables<sup>11</sup>, with the result that a large number of people with disability are currently in receipt of the Newstart Allowance, a benefit paid to people seeking work, which has been widely criticised for a number of years now as inadequate to pay for the basic daily needs of living<sup>12</sup>. The additional costs of living with disability are acknowledged in policy statements but not adequately reflected in social security benefits or tax transfers. A statement in the Report is particularly offensive to disability advocates, namely:

An important feature of the welfare system is support to build people’s capacity<sup>13</sup>

Most people engaged in working in the community sector, and especially people with disability and those working alongside people with disability, would argue very strongly that the application of social security policy is punitive and actively works **against** the development of strategies which encourage capacity-building.

In addition to income security the Report identifies the National Disability Insurance Scheme (NDIS) as an important and positive contributor to Australia’s action toward meeting our SDGs. And I will report on the NDIS separately later in this presentation.

An important aspect of SDG 1 is homelessness and access to suitable housing. This has been and remains a significant issue for people with disability in Australia, as it does across the world. I will address it in more detail later in reference to the Shadow Report to the CRPD Committee, but at this point it is pertinent to note that the Report acknowledges work done across all levels of government in Australia to improve housing and homelessness, in the face of rising housing unaffordability and homelessness (not represented well in the Report), and certainly with no reference to the failure of policy to ensure there is suitably accessible housing for people with disability.

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<sup>9</sup> Ibid, p. 22)

<sup>10</sup> See my critique, with reference to the report at

<https://www.abc.net.au/rampup/articles/2011/12/09/3386872.htm>

<sup>11</sup> See <https://guides.dss.gov.au/guide-social-security-law/1/1/i/10>

<sup>12</sup> See, for example, a recent article <https://www.abc.net.au/news/2018-09-17/calls-to-boost-newstart-payments/10257272>

<sup>13</sup> Australian Government 2018, *Report on the Implementation of the Sustainable Development Goals 2018*, Department of Foreign Affairs and Trade, BARTON ACT, p. 23

Finally, the Report again acknowledges the consistent poverty of people with disability in Australia, but claims some leadership in the delivery of disability-inclusive development assistance, in terms of investments and ensuring that people with disability are included in this development work.

3. *Ensure healthy lives and promote wellbeing at all ages.* The incidence of disability amongst Australia's indigenous population means that the appalling statistics about the gap in health outcomes and life expectancy between them and our non-indigenous population also impacts on health outcomes for those members of their community who have disability. Otherwise the Report chooses to focus on mental health, and points briefly to government-funded initiatives to raise awareness and provide training in Mental Health First Aid, something which has been adopted by more than 25 other countries.

4. *Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.* Australia is one of many countries across the world to guarantee universal access to education for all children, but there remains a significant discrepancy when it comes to children with disability, who remain either excluded from mainstream education altogether, or who experience a marginal education within "specialist" classes in education systems across the country. The 'Leaving no one behind' stream in this goal identifies some progress in the "Closing the Gap" initiative relative to our indigenous people, and also in encouraging children in remote areas, and women, to participate in Science, Technology, Engineering and Maths (STEM) subjects, but nothing in relation to children or adults with disability.

5. *Achieve gender equality and empower all women and girls.* In relation to people with disability the Report references the widely known statistic that women with disability were twice as likely to have experienced family violence than women without disability, but does not identify any particular strategy employed to address this, nor any positive progress in addressing it.

7. *Ensure access to affordable, reliable, sustainable and modern energy for all.* There is no reference in the Report to people with disability, for whom some require a reliable supply of electricity in order to survive. A man died in 2015 due to a power outage<sup>14</sup> in South Australia, and the ageing nature of the Australian power grid, and its reliance upon fossil fuels both makes it unreliable and operating at some level of contravention to the SDGs. The Report does not discuss any of these issues, how people with disability who may be reliant upon electricity may be at risk, any strategies to mitigate this risk, nor anything that acknowledges the complex relationship that people with disability have to energy and the important equipment it powers.

8. *Promote sustained, inclusive and sustainable economic growth, full and productive employment.* Australia continues to broadcast its economic growth, relative to other

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<sup>14</sup> See <https://indaily.com.au/news/2015/12/16/inquiry-call-as-sa-man-on-life-support-dies-during-power-outage/>

countries, and the fact that it has not experienced recession since the early 1990s, not even during the GFC. The Report promotes the current Australian Government line that the future of our economy is strong, despite its reliance upon outmoded industries such as mining. The Report does acknowledge that the Australian Human Rights Commission has “investigated barriers to employment of people with disability”, but fails to articulate the extent of disadvantage that persists amongst this part of the population in regard to finding and keeping paid work. Research has identified that people aged between 15 and 64 years with disability have both lower participation (53%) and higher unemployment rates (9.4%) than people without disability (83% and 4.9% respectively)<sup>15</sup>. It is the expectation of our community that governments address this, but at this stage the challenge of improving disability employment, both in terms of access and wages and conditions (I will not delve into the area of people with disability continuing to be “employed” in sheltered workshops where they are paid demeaning wages, and these employment statistics being heralded as positive by government agencies) remains outwith the capability of our current Government.

*9. Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation.* There is nothing in the Report that in any way recognises the contribution that people with disability might make toward this goal, and this is indicative of the fact that, despite its rhetoric, government remains of the view that people with disability represent a population group to be managed and accommodated, rather than genuinely included as people who can make a positive contribution to developmental challenges facing our country and the world as a whole.

*11. Make cities and human settlements inclusive, safe, resilient and sustainable.* You will note that not all of the goals in the Report have been addressed in this presentation, largely because there is not a disability element included, but some, like this one, have been noted because of an absence of anything relating to disability. The notion of “inclusive” cities and towns in Australia has, in civil society at least and also in certain government jurisdictions, resulted in policies and strategies that actively work toward ensuring that housing is developed to accessible standards that accord with principles of universal design<sup>16</sup>. The fact that is absent in the Report is reprehensible, and points toward action that will be addressed later in the presentation. R&IA, as part of the Australian Network on Universal Housing Design (ANUHD) has worked for the best part of two decades to ensure that there is a mandated, regulatory function in the Australian building industry that will ensure future homes are built to accommodate people with a diversity of needs, including people who require wheelchairs and other mobility equipment, to travel and to move around their homes. This principle extends into the built environment, so that people living in, ideally, accessible homes, may then travel unimpeded into their local community, and also access public transport, as is the right of every other citizen to

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<sup>15</sup> From Australian Disability Network <https://www.and.org.au/pages/disability-statistics.html>

<sup>16</sup> See the website of Livable Housing Australia, <http://www.livablehousingaustralia.org.au/117/about-the-guidelines.aspx>

do, as far and wide as they wish to the extent as is the expectation of everyone else. None of this is either envisaged or addressed in the Report.

## **How does Australia fare – Disability Rights Now 2019**

As a signatory to the Optional Protocol of the CRPD, the Australian Government is required to report regularly to UN Committee on the Rights of Persons with Disabilities. This has been done previously with full transparency to the Australian people, including people with disability, who are invested in what our elected leaders are claiming they are doing and achieving in relation to improved conditions for people with disability. The official report is a collation of reports from all levels of government in Australia which have portfolio responsibility for outcomes for people with disability, and tends to triumph achievements which are meaningful to officers of government, but do not necessarily translate to tangible outcomes for people who are meant to benefit from these policies and interventions.

To provide a perspective of those who are directly affected by these policies and interventions a “shadow” report is developed by organisations which strongly represent people with disability in Australia. In previous years this endeavour has been funded by government, but it is my understanding that the 2019 report<sup>17</sup> was developed without government funding support.

The Shadow Report identifies where Australia has and has not delivered against its commitments to the CRPD. The report should be read in full, as it attests to the commitment made by the Australian Government to improving the exercise of basic human rights by Australian people with disability. I will highlight here some aspects I believe are relevant to the SDGs, directly quoted in the report:

- More than 75% of people with disability report experiencing discrimination because of their impairment (article 5)
- Despite recommendations from the CRPD Committee, other treaty bodies and UN mechanisms, there remains no national legislation on the prevention of all forms of gender-based violence.
- There is no national targeted strategy to raise awareness Article 8) of the rights of people with disability. Although the Australian Government promotes disability awareness on International Day of Persons with Disability, the activities do not always reflect a human rights-based approach to disability, and the National Disability Awards were ceased in 2018 without consultation.
- There have been three review of the *Disability Standards for Accessible Public Transport (2002)*, with each review recommending the establishment of a national framework for compliance reporting. The Australian Government has not acted on this recommendation. Accessible transport remains a key problem for people with disability.
- People with disability engaging in the justice system face significant barriers, with many finding access to justice difficult, hostile and ineffectual. As a result,

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<sup>17</sup> Available <https://dpoa.org.au/wp-content/uploads/2019/08/CRPD-Shadow-Report-2019-English-PDF.pdf>



they are often left without legal redress. People with disability report that the legal and justice system are not trained properly to support them, and feel they are denied the same opportunities to engage in the justice system as people without disability.

- Access to appropriate, available, accessible and affordable housing (Article 19) remains a major issues for people with disability, becoming more evident with the roll out of the NDIS. It is estimated that 35,000 to 55,000 NDIS participants will not have their housing needs met in the first decade of the scheme. Here are more than 200,000 people on waiting lists for public and social housing across the country.
- Students with disability routinely experience discrimination, lack of supports, inadequately trained teachers, a lack of expertise and an entrenched systemic culture of low expectations. Around 3 in 4 students with disability experience difficulties at school, predominantly due to fitting in socially, communication difficulties, and learning difficulties (Article 24).

This is, necessarily, a very brief snapshot of the shortcomings of Australia's response to its obligations under CRPD, and brings into focus how it is also including people with disability in the challenge of meeting the SDGs.

### **Australia's commitment to disability groups and issues**

Australia enjoys funding from government for disability advocacy and some peak work done by organisations of and for people with disability (DPOs). Although R&IA is not a funded agency there are five population-oriented DPOs funded by the Australian Government:

- People with Disability Australia
- Women with Disabilities Australia
- First Peoples Disability Network
- National Ethnic Disability Alliance
- Children and Young People with Disability Australia

Each receives \$300,000 annually to represent its constituents. In addition the Australian Federation of Disability Organisations (AFDO) receives \$300,000 which it distributes across its member (disability diagnostic specific) agencies, and the National Disability Services (NDS) association, representing not for profit but funded disability services across Australia, receives the same amount. This totals just over \$2m per annum for DPOS, although clearly NDS does not qualify as such. Additional funds are available to these organisations in the form of Information, Linkages and Capacity Building (ILC) grants, funded through the National Disability Insurance Agency (NDIA) which is late 2018 issued a policy document that articulated a strategy to fund long-term national projects that generated capacity of DPOs and family organisations (collectively DPFOs)<sup>18</sup>.

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<sup>18</sup> See <https://www.ndis.gov.au/community/information-linkages-and-capacity-building-ilc>

In addition the National Disability Advocacy Program (NDAP) funds various organisations across Australia, including DPOs, to deliver advocacy to people with disability (total \$20.1m per annum). Most states and territories also provide funding for advocacy, although this is currently under question in our largest jurisdiction NSW, a battle that disability advocates have had to fight on and off for many years. The current battle results from the transition of responsibility for specialist disability supports from states and territories to the Commonwealth under the National Disability Insurance Scheme (NDIS), which includes payment of funds previously designated within those states and territories to the Commonwealth to fund the NDIS.

These groups have had a significant role to play in successfully lobbying for a mechanism to investigate the historical and continued disadvantage experienced by people with disability in Australia, and in 2019 a Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability was established<sup>19</sup>, scheduled to run until the end of June 2022. Funding has been provided to Commonwealth-funded Advocacy services to support individual people with disability who may wish to make submission or speak at hearings of the Royal Commission, with these funds being available throughout the duration of the Commission. Additional and significant funds are being directed to specialist counselling services, given the anticipated trauma that recounting incidents will cause people who choose to tell their stories, and legal assistance will be available to individuals and agencies who are required to attend hearings. It is expected that the Royal Commission will uncover and address systemic disadvantage occurring throughout all government and societal institutions, not just in the specialist disability services that have been delivered over the years.

### **Australia's innovations and current approaches**

The National Disability Insurance Scheme (NDIS) was established as a trial in 2013 and rolled out progressively from 2014 across the country to deliver a nationally consistent program of necessary supports and services to people with disability utilising an individualised funding model. It is regarded as possibly the most audacious and innovative program of its kind, but is not without problems, initially regarded as “teething problems” of a newly conceived program, but now having some enduring issues in how it services people most in need. It is budgeted at \$22b per annum, and there has been some political controversy in 2019 about the underspend of \$4.6b of this budget<sup>20</sup>.

The NDIS has created new problems and identified (and in some cases recreated previously resolved) service cracks, such as those for people with psychosocial disability. There remains tension between State/Territory jurisdictions and their Australian Commonwealth counterpart in terms of who is responsible for the funding of services to the same clients. Whilst the Australian Commonwealth has taken

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<sup>19</sup> See <https://disability.royalcommission.gov.au/Pages/default.aspx>

<sup>20</sup> See <https://www.theguardian.com/australia-news/2019/sep/19/australias-budget-effectively-in-balance-after-46bn-underspend-on-ndis>

responsibility for funding “disability” (in terms of specialist services and support, and to some extent assistive technology and home modifications) there is a plurality of jurisdictional responsibility for the other essential components of what makes a “good life” for people with disability, such as housing (largely state, but now we have a federal Housing Minister for the first time since 2013), health (state responsibility with annually negotiated Commonwealth funding), education, (state responsibility with Commonwealth funding), employment (Commonwealth responsibility); and the continuity of ageing is not elegantly captured by Australia’s bureaucracy, insofar as when a person turns 65 they enter a completely different care system (the Aged Care system) which is governed by different legislation (the Aged Care Act 1997) and a different Australian Commonwealth department, the Department of Health.

There have been problems with people with disability being denied access to the NDIS, and also with people having their claims for support denied on the grounds that they are not “reasonable and necessary” (one of the core principles of the NDIS, the other being “choice and control”). Failure to resolve these claims gives rise to an opportunity to appeal in the Administrative Appeals Tribunal (AAT), the appointed mechanism to test decisions made by Commonwealth bureaucracies.

From the perspective of ordinary Australians there is a continuity of relatively straightforward need for support and care if experiencing disability or impairment, but there is a plethora of complicated systems, state and Commonwealth which address these, based on age, type or cause of disability, and where you live, all of which have their own, varied criteria by which people may or may not be eligible for any assistance.

## **Housing and the Built Environment**

Finally, a brief focus on a key innovation, of relevance to both the SDGs and CRPD, regarding ensuring housing in Australia is accessible to people with disability, will identify the complexity of progressing a fundamental issue, and the tenacity that is required to bring and outcome to fruition.

As we meet the Australian Building Codes Board (ABCB) is commencing a Regulatory Impact Analysis on accessibility in housing, with a view to assessing the potential to mandate measures that would ensure accessibility through the National Construction Code (NCC)<sup>21</sup>. This has come about directly from a recommendation of the Building Ministers Forum (BMF), a division of the Council of Australian Governments (COAG) which bring together the Commonwealth Government with State and Territory Governments and meets regularly to ensure greater harmonisation of policy and approaches to shared responsibilities and issues of national concern. The issue of accessibility has long been a point of advocacy for groups of people with disability and also older people, as having suitable housing

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<sup>21</sup> See <https://www.abcb.gov.au/Connect/Articles/Accessible-Housing-Regulatory-Impact-Analysis>

affects a significant proportion of the Australian population both directly and indirectly. In 2009 a dialogue was brokered by the then Prime Minister, Kevin Rudd, amongst the concerned parties who were lobbying for accessibility in housing, and the peak bodies which represented the building and housing industries. The result of that meeting was an agreement to set an aspirational target of building all new housing to an accessible standard by 2020, and Livable Housing Australia was established and funded to assist the industry voluntarily meet this target, and to develop guidelines that detailed Silver, Gold and Platinum levels of accessibility in housing.

The Australian Network on Universal Housing Design (ANUHD) has argued that the voluntary approach has failed, and that in 2019 we can estimate that only around 5% of all housing built in the past decade has been built to accessible standards, necessitating a regulatory approach in future. For a number of years ANUHD had been seeking a review of the voluntary approach to then recommend regulation through the NCC, but this had not been possible due to rules set by the ABCB that prevented them reviewing policy unless there was evidence of failure. Rights and Inclusion Australia had also sought to improve regulation by reviewing Australian Standard 4299 – Adaptable Housing, but again Standards Australia, the governing body, were unable to commission any review unless additional stakeholders (mainly industry) were pushing for it. The edict coming directly from government to have the ABCB look at the failure of voluntary approach and to consult widely on the feasibility of putting accessibility into the NCC came about after a good deal of lobbying directly by ANUHD to State, Territory and Commonwealth Housing, Planning and Disability Ministers.

This has been an incredibly long journey, which is not over and arguably is at its most crucial stage right now. It is testimony to the commitment of unpaid individuals who have advocated consistently for this important outcome, and exercised supreme skill in understanding the process and eventually influencing the right people who can then instigate the process which brings the promise of positive change.