



**Multicultural Disability Advocacy  
Association of NSW Inc**

PO Box 884, GRANVILLE NSW 2142  
10-12 Hutchinson St, Granville NSW 2142

Telephone: (02) 9891 6400

Toll Free: 1800 629 072

Facsimile: (02) 9897 9402

E-mail: [mdaa@mdaa.org.au](mailto:mdaa@mdaa.org.au)

ABN: 60 737 946 674

**Response to Specialist Disability Housing Pricing and  
Payments Framework**

**Submission**

**March 2016**

## **About MDAA**

The Multicultural Disability Advocacy Association (MDAA) aims to promote, protect and secure the rights and interests of all people with disability, with a particular focus on those from non-English speaking (NES) / culturally and linguistically diverse (CALD) backgrounds with disability. It is considered the peak organisation in NSW for people from NES / CALD backgrounds with disability, their families and carers.

Our vision is a society where everyone, regardless of background or disability feels welcomed, included and supported. MDAA has offices in Western, Southern and Inner City suburbs of Sydney; and in the NSW regions of Newcastle, Wollongong, Griffith and Bega.

MDAA is funded by the NSW and Commonwealth Governments to provide individual and systemic advocacy, advocacy development, industry development and training. MDAA also receives funding to run capacity building and community development projects. Among our projects is support planning, an opportunity for people with disability to prepare for the NDIS by thinking about the life they want and the supports they might need to make it happen.

## **Shaping our Response**

MDAA's response to the Framework has been shaped by 20 years' experience working with people with disability, with a focus on people from NES / CALD backgrounds with disability, their families and carers. For the last 20 years MDAA has been operating in an environment in which a NSW government agency, Ageing Disability & Homecare, is responsible for the provision of combined housing and support to certain people with disability. This submission goes on to highlight the extremely limited capacity of that system to uphold the rights and meet the needs of people with disability, especially those from NES/CALD background.

The vast majority of MDAA's advocacy work supports people with disability, their families and carers to communicate their currently unmet need for housing that is appropriate for their individual circumstances. Many of the support plans that MDAA creates with people with disability also reflect that developing a good life would mean changing their current living arrangements.

This submission draws on the right to 'the opportunity to choose their place of residence and where and with whom they live on equal basis with others' as reflected in the United Nations Convention on the Rights of Persons with Disability. As well as on the needs and aspirations of people with disability in NSW, particularly those from NES/CALD background. On the whole, the Specialist Disability Housing Framework can only respect the rights, needs and aspirations of people with disability if it is fundamentally different to the system currently operating in NSW.

## **Unmet Need**

At this stage the market of housing that can meet the needs of people with disability is exceptionally limited. It is very clear that without market growth the right of people with disability to choose where and with whom they live will not be upheld. The extent of the market growth needed cannot be underestimated.

There are many people with disability, particularly within CALD communities, who are not known to any service. This can be because of a lack of awareness about support that is available and barriers to completing the processes required to access support, because the support available cannot meet the cultural, language or other needs of the person and family or because communities and families are at different stages of understanding disability. Every person with disability has the right to explore what a good life and a home means to them. It is not reasonable to base decisions about how much market growth will be needed upon figures about how many people with disability currently live in supported accommodation and are currently known to services.

Similarly, the Framework seems to define the housing needs based upon the severity of the person's disability rather than upon their individual circumstances. It is important to remember that while physical accessibility is a vital aspect of ensuring that housing meets the needs of people with disability, it is not the only relevant consideration. The Framework acknowledges this. What it does not seem to acknowledge is that needs are not determined solely by the nature of a person's disability. Some people with disability, particularly those who belong to certain cultures, may not have high support needs but may need housing with particular features, in particular locations (perhaps in places where there is a strong cultural community) combined with a lot of initial support (from services and/ or the community) for the person and family to have confidence in the opportunity for the person with disability.

## **Participants who are currently living in specialist disability accommodation**

In NSW, vacancies in supported accommodation are filled by a management process of Ageing, Disability & Homecare. As such, residents have rarely had choice with respect to where they are living or whom they are living with. Residents of supported accommodation and their families commonly report to Multicultural Disability Advocacy Association that they desperately want to choose something different. The Framework acknowledges that there will be periods of transition as people move from supported accommodation to other arrangements. We wish to highlight the possible differences in the individual needs of co residents of supported accommodation and the potential for conflict. Service providers that are currently funded to operate supported accommodation have an interest in maintaining the status quo. Some residents have families and networks to support a transition and

others do not, some residents need more support to develop independent living skills than others. This highlights the importance of independent advocacy to ensure that every person with disability has the opportunity to make his or her own choice about where and with whom to live.

Mahalia has lived in supported accommodation in Sydney for 30 years. She is a person with vision impairment and intellectual disability. She has regular support from an occupational therapist to assist with developing skills such as using a washing machine. The occupational therapist encourages the service provider that operates the supported accommodation to ensure that Mahalia has the opportunity to keep developing her skills but staff time is too limited to do this. Mahalia wants to move to Kiama to be closer to where her extended family lives. She wants to live alone for the first time ever. The extended family is very concerned about this, but when Mahalia talks to the service provider about her goal they tell her she must talk to her family.

## **Crisis responses**

The very limited market in housing that can meet the needs of people with disability leads to crisis situations. Multicultural Disability Advocacy Association is aware of many circumstances in which people with disability have spent long periods of time in hospital waiting for someone to find a safe place to which they can be discharged. One mother, who cares for her son and had been struggling to support him because of behavioural challenges, recently reported that a service provider had suggested she should leave her son at a police station if she wants emergency accommodation for him. The National Disability Insurance Scheme and the Specialist Disability Accommodation Framework are intended to separate housing from support and respond to individual needs. We welcome this approach and understand that the occurrence of crisis situations should be less common as a result. However, as previously stated, there are many barriers for people with disability, particularly within CALD communities, to connect with services. As evidenced by the experience in the trial sites, the NDIA is no exception. Particularly in the short term, there will continue to be situations in which a person with disability is suddenly without the family support and/or the family's home they had always previously relied on and are not connected to any service that can provide an alternative. The Framework needs capacity to respond to those situations.

## **Complaints**

The separation of housing and support should mean that people living in specialist disability housing have the same rights as other tenants. Current residents of supported accommodation in NSW do not have the protection of

a tenancy agreement or an effective complaints mechanism. Although it is the funding body, Ageing, Disability & Homecare plays a very limited role in resolving complaints and in our experience does not take action to enforce the Disability Services Act. The NSW Ombudsman takes complaints about a wide range of agencies and in our experience does not have the specialist knowledge required to respond to complaints about Ageing, Disability & Homecare.

Multicultural Disability Advocacy Association recently supported a group of parents of people with disability living in supported accommodation operated by a service. The service had increased the residents' contribution fee to include a new charge, without making any change to its policy or communicating the change to residents – it simply began issuing invoices including the new charge. The service had not increased its fees in the previous ten years and the commencement of the new charge represented a 50% increase.

While tenancy rights for residents of specialist disability accommodation are fundamental and equivalent responsibilities must therefore be created it is important that oversight of the Framework is with a body that understands the complexities. The nature of a person's disability may mean that he or she is more likely to damage property or to rely upon a service to ensure that the correct amount of rent is paid.

### **Individually owned and rented properties**

The Framework does not seem to provide any scope for the possibility that individuals could register properties that they own or rent. This has several negative impacts upon choice and control for people with disability:

1. People with disability and their families will continue to have to interact with large organisations that have traditionally had hierarchical organisational cultures and systems that make people with disability dependant. Lives are constantly changing – what happens if a person with disability wants to move an ageing parent in with him or her?
2. Some people with disability are now or could in future, be living in homes that they (or their families) own or rent. But which are of a particular built form and/ or other features which meet needs that the Framework is intended to meet. The arrangement may have long term sustainability with the only barrier being cost or the need for support with the practicalities of renting/buying. If registration of individually owned and rented properties are not within the scope of the Framework the NDIA cannot provide rent subsidies (to individuals or to people who might share with them) and cannot finance support for people with disability to participate in the property market as others do.

Multicultural Disability Advocacy Association has worked with a group of families of people with disability who live in supported accommodation. They are dissatisfied with the way the house is managed and wanted to buy or rent a house so that their children could live together with support chosen by themselves. Multicultural Disability Advocacy Association approached Ageing, Disability & Homecare on behalf of the parents to explore the possibility that their funding could be individualised.

Prepared by: Kirsty MacDonald (Systemic Advocacy Policy & Projects)

Endorsed by: Susan Laguna (Executive Director)