

## Editorial Introduction

The human right to adequate housing includes the requirement of accessibility for disadvantaged or at-risk groups. Among these are older persons, who should be given a degree of priority consideration in housing. The vulnerability of older women to loss and lack of adequate housing is borne out in Australia, where they comprise the fastest growing group experiencing homelessness. Targeted policies can meaningfully support the right to housing of older women, as exemplified by the Housing Older Women's Support Service (HOWSS) in south-east Queensland and Home at Last in Victoria. At the same time, the right to housing provides further justification for supporting these services, and for broader and longer-term policy changes, helping reframe Australia's approach to the housing crisis.

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## How Information and Support Services for Older Women Can Help Realise the Right to Housing: Lessons From Queensland and Victoria

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### The Right to Housing as a Human Right: Furthering Australian Housing Policy

For a long time, the right to housing has been absent from Australia's housing policy discussion. Increasingly, the depth, breadth and scale of Australia's housing crisis is making it clear that new responses are needed, and that they must centre people's need for safe, secure and dignified housing. The right to housing – the right to have access to a place to live in peace, dignity and security – provides such a response.

Here, we provide a brief explanation of the meaning and scope of the right to housing as a human right. We then focus on the importance of recognising older women as a group entitled to priority consideration under the right, with reference to their very high levels of homelessness and risk of homelessness in Australia. Even in a housing crisis of this magnitude, concrete steps can be taken to better ensure the right to housing of older women, as our two case studies show. Framing the housing issue as a human right changes the equation by centring the enjoyment of the right in people's everyday lives, well as by improving policy more broadly (Hohmann, 2013, p. 231). This briefing paper thus furthers the growing evidence that the right to housing can provide a more just housing landscape in Australia (Hohmann, 2024; Legislative Council Legal and Social Issues Committee, 2021).

### What Is the Right to Housing?

Australia accepted obligations for the right to housing in 1976 when it ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), which includes the right to housing as one element of the right to an adequate standard of living (ICESCR, 1966, Art. 11). Under Australia's federal system, all levels of government are involved in housing and have obligations to respect, protect and fulfil the right. However, these rights have not been incorporated into Australian law. This means that Australians cannot directly enforce their right to adequate housing in a domestic court or hold the federal, state and territory governments to account for violations of that right.

Housing as a right is set out in the ICESCR in Article 11(1) as follows:

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions ...

At its core, the right requires access to a place to live in dignity, peace and security (UN Committee on Economic, Social and Cultural Rights [UN CESCR], 1991). It does not protect housing as an investment or as an asset class but as a home, placing people at the centre of all policy questions. Importantly, it frames the person as a rights-holder, inherently entitled to agency and dignity. All levels of government, so far as they have responsibility for laws and policies that impact housing, have the obligation to move toward realising the right (ICESCR, 1966, Art. 2(1)). In fact, ICESCR imposes both immediate and 'progressive' obligations: Australia's developed economy, infrastructure and resources mean that its immediate obligations are substantial, as 'progressive realisation' is relevant only when resources are insufficient (UN CESCR, 1991).

The UN CESCR, which monitors compliance with the ICESCR, has developed seven essential elements of the right: legal security of tenure; the availability of services, materials, facilities and infrastructure; affordability; accessibility; habitability; location; and cultural adequacy. All must be satisfied for housing to be considered adequate (UN CESCR, 1991).<sup>1</sup>

Here, we concentrate specifically on the element of accessibility, which recognises that housing should be accessible for marginalised and disadvantaged groups.<sup>2</sup> In important early work on the right, the CESCR identified older persons as among those who should 'be ensured some degree of priority consideration in the housing sphere'. Also listed were those living with physical disability or persistent medical conditions (UN CESCR, 1991, para. 8[e]), conditions often overlapping with the experience of ageing. Both housing law and policy should take into account the special housing needs of people in these groups. Meanwhile, access to housing is recognised as vital in overcoming substantive discrimination for women and marginalised groups (UN CESCR, 2009, para. 8).

Thus, to meet the requirement of accessibility, housing options must consider older persons' needs in terms of location, accessibility, affordability and security. In Australia, this means that new housing should be built to meet the National Construction Code's minimum silver standards (minimum doorway widths, step-free ingress/egress, reinforced bathroom walls for addition of rails and other aids, etc.) (Australian Building Codes Board, 2022). The UN Special Rapporteur on Adequate Housing clarifies that ensuring barrier-free design in new housing is an immediate obligation (Farha, 2017, paras 37, 41). Accessibility also covers access to affordable housing. Given that Australia's housing market is one of the world's least affordable, lowering the priority age for social housing will also respond to this requirement and prevent women from falling into homelessness. In some Australian states,

the priority age for housing is set far too high, (e.g., 80 years in New South Wales). Ensuring that housing meets physical and financial needs would be concrete steps toward fulfilling the right to housing.

## Older Women and the Right to Housing in Australia

In identifying older persons as requiring priority consideration in access to housing, the CESCR was perceptive – as older persons, and particularly older women, are one of the cohorts most at risk of experiencing homelessness. In Australia, data from the 2016 census showed women aged over 55 years to be the fastest growing group to experience homelessness, increasing by 31% from 2011. That figure increased again, by 6.6%, in the 2021 census. Moreover, analysis of the 2021 census shows more older women are at greater risk of homelessness, as many on the lowest incomes are living in private rentals or still paying off a mortgage (Power et al., 2022). Despite these worrying numbers, many older women who are homeless form an invisible cohort, as they make do by house-minding, staying with adult children or living out of cars or vans (Petersen & Parsell, 2013).

The outlook for the future is troubling. It is estimated that 240,000 women aged 55 years and over are at risk of homelessness (Lester & Faulkner, 2020, p. 4). This risk stems from the particular social and economic position of the current cohort of older women, who did not benefit from compulsory superannuation at the beginning of their working lives, were generally paid less than their male counterparts and often spent years out of the paid workforce fulfilling caring responsibilities.

Many older women may also experience housing insecurity or risk of homelessness due to violence in the home, elder abuse and intimate partner violence (Australian Human Rights Commission, 2019). A life stress such as divorce, unemployment, death of a partner or eviction can push a woman into homelessness, especially if she is living in a private rental on a low fixed income (Reynolds et al., 2018).

<sup>1</sup> For further discussion of the seven elements, see CESCR (1991) and Hohmann (2013, pp. 21–29; 2023).

<sup>2</sup> Accessibility is also linked to access to land, an element with particular relevance for Australia's First Nations peoples and to the requirement of non-discrimination in the enjoyment of all human rights (ICESCR, Art. 2(2)).

Compounding these factors is an unaffordable private rental market and low levels of social or affordable housing across Australia (Witte et al., 2024, p. 19). As a result, 223,959 households were registered on waiting lists for public housing across Australia in 2024 (Productivity Commission Report on Government Services, section 18 housing dataset).

Older people face challenges in accessing information about housing and homelessness. Many women experience homelessness for the first time later in life, and are consequently unaware of and have had no experience with homelessness services and the welfare system (Petersen & Parsell, 2013).

Behind the numbers are women experiencing significant stress and trauma associated with homelessness and insecure housing (Li & Lee, 2020). However, the housing crisis can be mitigated through a combination of immediate, cost-effective steps, alongside longer-term policy initiatives as the case studies presented below demonstrate.

## Case Studies: Specialised Housing and Support Hubs

Preventing homelessness through early intervention is more effective than attempting to resolve homelessness after it has occurred: prevention requires fewer resources, causes less trauma and produces better long-term outcomes than reactive approaches (Guarino, 2014). It also ensures enjoyment of the right to housing rather than responding to its violation after the fact. Here, we show how two support services – the Queensland-based Housing Older Women’s Support Service (HOWSS)<sup>3</sup> and the Victorian Home at Last Program<sup>4</sup> – operate to help realise the right to housing of older women.

### HOWSS

HOWSS, established in 2022, is a specialised housing and support hub funded by the Queensland Department of Housing. The service is tailored to the needs of older women to prevent or resolve housing crises. It provides face-to-face service, advice and support groups (in Brisbane, the Sunshine Coast and Mackay) and a phone line for regional women. These services offer information about housing, homelessness, renting, health and financial support, as well as connection to other support agencies, education sessions and volunteer support from peers with lived experience of homelessness. HOWSS has had a significant impact for older women experiencing or at risk of homelessness and continues to experience high demand. Naomi Overton, one of the authors, attests that during the 2023–24 financial year, HOWSS assisted 1,200 women seeking support with information and advice, case management, education and emotional support, and delivered 159 community engagement sessions to women across south-east Queensland and Mackay. This represents over 6,500 hours of emotional and practical support for older women, including linking women to housing providers, visits to services, and supports and referrals, demonstrating that making housing accessible to vulnerable groups is not just about physical accessibility (such as door widths) but also the provision and resourcing of specialised human support.

### Home at Last

Housing for the Aged Action Group (HAAG) delivers the Home at Last program in Victoria. It is a multifaceted housing service that provides specialist housing support combined with wrap-around services. Operating since 2012, it has consistently maintained a human rights-based approach, and was developed with reference to the right to housing for older persons (HAAG, 2016).

Home at Last operates from a head and regional office and provides a state-wide telephone service. Its information, intake and referral service is the primary contact point for older people with housing needs, advising on secure, affordable, long-term housing options suitable for needs changing with age, along with one-to-one support for navigating housing systems. Importantly, it integrates housing, health, and aged care needs to deliver comprehensive support, demonstrating the indivisibility of the elements of adequate housing such as accessibility; access to services, materials, facilities and infrastructure; and location. Home at Last also offers tenancy support and provides a retirement housing service for low-income seniors and sessions for other service providers<sup>5</sup> which can educate them on a rights-based approach.

A cost–benefit analysis of the program found that every dollar spent on it generates at least \$2.30 in societal value, defined as improved wellbeing benefits accruing to individuals and avoided costs realised by government (Ernst & Young, 2021, p. 24). Even under this narrow definition of social value, this demonstrates that small investments in realising the right to housing can be both impactful and economical, countering the perception that the right to housing can only be realised through unaffordable government investment.

<sup>3</sup> HOWSS is a service provided by Footprints Community Ltd. <https://howss.org.au/>

<sup>4</sup> Housing for the Aged Action Group in Victoria operates the Home at Last service. <https://www.oldertenants.org.au/home-at-last/information>

<sup>5</sup> These services are set out on the Home at Last website: [https://www.oldertenants.org.au/home\\_at\\_last](https://www.oldertenants.org.au/home_at_last)



## Conclusion: Tailored Support Toward Realising the Right to Housing for Older Women

The experiences of HOWSS and Home at Last demonstrate the benefit of a tailored service for older women and that realising the right to housing can be tackled through programs devised close to home. As evidenced above, tailored support services for older women prevent them from experiencing the trauma of homelessness and can result in substantial cost savings for government. Many women facing homelessness for the first time do not have complex needs. Their main requirement is adequate housing, sometimes coupled with short-term support to settle into a home. HOWSS and Home at Last are proven models and a potential precedent for other Australian states and territories. These programs can help realise the right to housing of older women *now* and demonstrate that the housing crisis is not too big to tackle. However, individual programs will be most effective when they are, first, guided by the right to housing; second, adequately supported by government policy and resources; and third, coupled with longer-term solutions and broader policy changes such as the creation of new social and affordable housing and more equitable taxation policy in the housing sphere. Such services are also more likely to be conceived, supported and funded if the right to adequate housing frames all housing policy. Ultimately, addressing the housing crisis will require a commitment to the right to housing in Australian law.

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