

Committee Secretary  
Standing Committee on Family, Community, Housing and Youth  
PO Box 6021  
Parliament House  
Canberra ACT 2600



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28 August 2009

Dear Secretary:

### **RE: Inquiry into homelessness legislation**

The Tenants Union of Victoria (TUV) welcomes the opportunity to make a submission to the inquiry into homelessness legislation.

The Tenants Union of Victoria (TUV) was established in 1975 as an advocacy organisation and specialist community legal centre, providing information and advice to residential tenants, rooming house and caravan park residents across the state. We assist about 18,000 private and public renters in Victoria each year. Our commitment is to improving the status, rights and conditions of all tenants in Victoria.

The TUV submits that all Australians should have the right to housing in so far as government progressively realises this objective. This means that measures are put in place to reach a goal of housing for all and no regressive actions are taken. Each time the Australian government cuts public housing funding or closes down accommodation, we are going back when we should be going forward. In South Africa, the 'right to housing' does not mean an automatic right to a home but<sup>1</sup>:

It is the government's duty to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. The constitution allows that the right to adequate housing cannot be achieved immediately but must be achieved over time. Nevertheless government must show that it has worked effectively as possible to achieve this right.

We believe that the Government must acknowledge and respond to homelessness as a human rights issue. Therefore new legislation must address homelessness within a human rights framework by incorporating legislative mechanisms based

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<sup>1</sup> [www.un.org/ga/Istanbul+5/1-southafrica.PDF](http://www.un.org/ga/Istanbul+5/1-southafrica.PDF) at 31 May 2009

on the well established principles and norms of international human rights law. Human rights must form the foundation for any integrated approach to ending the homelessness crisis.

The TUV endorses the PILCH Homeless Persons' Legal Clinic (*the HPLC*) submission to this Inquiry. This provides Further detail on the immediate importance of situating the problem of homelessness within a human rights framework, and how to implement such a framework in new legislation.

The Tenants Union of Victoria would welcome the opportunity to discuss these matters further. I can be contacted on 9411 1413 or by email at [tarcher@tuv.org.au](mailto:tarcher@tuv.org.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T. Archer', with a long horizontal flourish extending to the right.

Toby Archer  
Policy & Liaison Worker  
Tenants Union of Victoria