

29th April, 2014

Senator the Hon George Brandis QC
Attorney-General for Australia
Minister for the Arts



Dear Senator Brandis

RE: Repeal of S18C Racial Discrimination Act

Shelter SA is the peak body for housing in South Australia. Shelter SA's vision is for every South Australian to have a safe, affordable, secure and appropriate place to call home. Shelter SA works with housing and homelessness organisations to represent their views to government, members of parliament, community leaders and the media. Shelter SA also has strong connections to South Australian citizens and the capacity to engage them in public policy discourse and analysis.

Shelter SA supports two networks with a special interest in housing for Aboriginal people and recent arrivals to Australia, respectively. Shelter SA members continue to provide evidence that culturally and linguistically diverse (CALD) and Aboriginal people face racism and discrimination in accessing the private rental market. The private rental market is playing a growing role in housing people living on low incomes as public housing has decreased and home ownership has become more unaffordable. Research confirms the following:

- Discrimination in the private rental market contributes significantly to homelessness amongst Aboriginal people in urban areas¹;
- Shelter SA is aware that there are many landlords and real estate agents who provide opportunities for people from different cultures to secure private rental properties. Discriminatory opinions and practices by some landlords and real estate agents however, continue to occur and often appear in the guise of discourses about risk. Tenants are preferred on the basis of comprising the lowest risk, a good rental history and an assumed capacity to pay their rent²;

¹ Milligan, V., Phillips, R., Easthope, H., Liu, E. and Memmott, P. (2011). Urban social housing for Aboriginal people and Torres Strait Islanders: Respecting culture and adapting services. AHURI Final Report No.172. Melbourne: Australian Housing and Urban Research Institute. Available at http://chfa.com.au/sites/default/files/node/439/ahuri_final_report_no172_urban_social_housing_for_aboriginal_people_and_torres_strait_islanders_respecting_culture_and_adapting_services_2.pdf

² Wallis Consulting Group. (2008). Access to the Private Rental Market: Industry Practices and Perceptions. Victoria: Tenants Union of Victoria. Available at

- Researchers conducting a study within Victorian CALD communities found that nearly 20% of participants had experienced racism when attempting to access the private rental market and that racism is associated with poor mental health and reduced life chances³.

Shelter SA is extremely concerned that the repeal of section 18C of the Racial Discrimination Act will increase the negative impact of discrimination and racism on CALD and Aboriginal peoples' ability to access housing by making racist language lawfully acceptable, paving the way for an increase in racist speech and actions, including the denial of access to shelter. It is particularly troubling that the proposed addition of a racial vilification sub-clause '*does not apply to words, sounds, images or writing spoken, broadcast, published or otherwise communicated...*'. This creates an opportunity for racism to pervade the public domain and affect how CALD and Aboriginal people are viewed and treated.

Housing is a basic human right and a secure, affordable and appropriate place to call home is fundamental to the creation of a just and equitable society in which people can realise their basic needs and establish a sense of belonging. The social housing system and the private rental market do not adequately provide housing for the most vulnerable minority populations in Australia.

As a signatory to the *Racism. It Stops with me Campaign*, Shelter SA would like to take this opportunity to advise that we **are strongly against the repeal of section 18C of the Racial Discrimination Act**. Please contact me if you require any further information.

Yours faithfully,

Dr. Alice Clark
Executive Director
Shelter SA
The South Australian peak body for housing

Telephone (08) 8223 4077

Mobile 0425 060 649

Facsimile (08) 8223 4099

alice.clark@sheltersa.asn.au

Unit 44, 81 Carrington Street Adelaide, South Australia 5000

PO Box 6207 Halifax Street Adelaide 5000 | sheltersa.asn.au | [facebook.com/ShelterSA](https://www.facebook.com/ShelterSA)

We acknowledge and respect the Kaurna people as the traditional custodians of the ancestral lands we live and work on and their deep feelings of attachment and relationship to country.

<https://www.tuv.org.au/articles/files/housing_statistics/Research_Report_Access_to_the_private_rental_market.pdf>

³ VicHealth. (2007). More than tolerance: Embracing diversity for health. Discrimination affecting migrant and refugee communities in Victoria, its health consequences, community attitudes and solutions – a summary report. Melbourne: Victorian Health Promotion Foundation. Available at

<http://www.vichealth.vic.gov.au/~/_media/ResourceCentre/PublicationsandResources/Discrimination/VH_Racial%20Discrimination_CALD_web.ashx>.