

Mr Alistair Coe MLA
Chair
Select Committee on the COVID-19 Pandemic Response
ACT Legislative Assembly

Via email: LACommitteeCOVID-19@parliament.act.gov.au

Dear Committee Chair

Further information on the COVID-19 Pandemic Response

Thank you for inviting us to provide additional information to the ACT Legislative Assembly Select Committee on the COVID-19 Pandemic Response.

We note the release of the second interim report of the Committee earlier this month and welcomed recommendations calling for additional transparency and oversight in justice and education portfolios.

We are pleased to provide a short submission through this letter and would be happy to expand on issues raised through further testimony to the Committee.

We would like to begin by noting areas of achievement during the difficult COVID-19 period including:

- Engagement with and communication by CSD, ACT Health, ACT Corrections with the community services sector
- Contract flexibility and adhoc funding support for the community services sector
- A moratorium on evictions in the ACT during COVID-19
- Commitments to anti-racism work
- Opening of the AMC to limited visitation to provide oversight
- Other justice measures to protect detainees and individuals under community corrections orders; and
- Support for temporary visa holders.

In particular, ACTCOSS congratulates the ACT Government on the success of the Jobs for Canberrans Fund which has provided meaningful work to significant numbers of temporary visa holders. These workers would otherwise have no income because of the Commonwealth Government's decision to exclude temporary and some permanent visa holders from JobKeeper, JobSeeker and other social security payments.

Ongoing challenges

Our submission highlights ongoing challenges including issues facing vulnerable renters, the lack of timely supports and responses for people with disability and carers, the need for responses to people from Culturally and Linguistically Diverse backgrounds, gaps in education responses and priorities for a community-led economic recovery. We also bring attention to some governance and community engagement issues.

Issues facing renters

ACTCOSS welcomed the Select Committee's first Interim Report recommendations around housing, including measures to support residential tenants. In response, the ACT Government is considering measures to support tenants to manage the repayment of any rental arrears accrued during the COVID-19 eviction moratorium. ACTCOSS and community sector partners are keen to engage with the ACT Government to develop appropriate and adequate measures.

In a letter with community sector partners to the Chief Minister noted that:

Renters of privately-owned properties in Canberra are already at greater risk than renters in other jurisdictions because:

- Unlike Queensland and Victoria, the ACT chose not to include the option of binding rental decreases as part of arbitration;
- Unlike Victoria, Tasmania, South Australia, and Western Australia, the ACT did not impose a blanket freeze on rent increases; and
- Unlike Tasmania and Western Australia, it is still hard for tenants in the ACT to leave an unaffordable tenancy early.

With regards to social housing we are also concerned that:

- There are still applications and ongoing hearings for evictions occurring because of the limited scope of the moratorium; and
- All current moratorium-affected evictions that were in the ACT Civil and Administrative Tribunal (ACAT) appear to have been adjourned to 30 June 2020 – we are concerned that

there is potential for a 'wave' of evictions once the moratorium ends.

ACTCOSS recently joined a community coalition that delivered a [National Statement](#) to the National Cabinet calling for Federal, State and Territory governments protect renters in these times of crisis. Specifically, we are calling for a minimum standard of measures to protect residential tenants at this time. These measures are:

- Stop evictions for rental arrears or evictions where the tenant is not at fault, covering all tenants including occupants.
- Supporting renters to terminate a rental contract that is no longer viable and is causing hardship, without being burdened with unfair debts or penalties.
- A requirement for binding arbitration where tenants and landlords cannot reach agreement on a rent reduction. This arbitration should take into account the financial position of both tenants and lessors.
- A temporary freeze on any rent increases.
- Direct financial support for tenants who, after genuine rent reductions have been applied, would struggle to afford their rent.
- A requirement for banks and insurers to offer genuine relief to landlords who have reduced rent.

People with disability and carers

ACTCOSS welcomed the release of the ACT Government's COVID 19 Disability Strategy. However, the strategy was needed sooner and significant investments have taken too long to materialise.

Key gaps were identified by disability and carer representative organisations near the start of the pandemic emergency and lock down period back in late March.

These included: gaps in the provision of essential services; the need for additional supports to help people stay connected; a lack of Personal Protective Equipment (PPE) and guidelines on its use for the sector; financial stress experienced by people with disability and carers; and the lack of access to health, housing, education and social supports.

Furthermore, barriers faced by people with disability when engaging with the health system have become more pronounced during COVID-19.

These include infrastructure barriers, adequate access to telehealth; adequate planning for a human rights-based approach to critical care; and adequate responses to the health needs of people beyond the specialist service system.

Almost six months into the pandemic we do not have a finalised ACT Health response for people with disability that sits under the Australian Government Management and Operational Plan for People with Disability. Consultation on any response has also been limited.

ACTCOSS has had continued engagement with Canberra Health Service and Australian National University on an ACT Health ethical decision-making framework in situations of scarce medical resources.

There is still work needed to ensure any framework is rights informed and meets obligations given the ACT's status as a human rights jurisdiction.

Gaps in education responses

ACTCOSS has been hosting regular meetings with child and family community service organisations to discuss the experiences of children and young people during the health emergency including with online learning.

We recognise that the COVID-19 pandemic has been extremely disruptive to the normal provision of education. We also acknowledge that the ACT Government worked hard to transition its services to meet social distancing requirements including through online learning.

Notwithstanding those challenges, our members have highlighted some 'lessons learnt' and ongoing issues from the COVID-19 response period.

Areas for improvement identified by ACTCOSS members include:

- Communication between the Directorate, principals, and community services
- Cooperation between schools and youth workers supporting children and families

- Consistency across schools in the provision support for online learning
- Digital access for children and young people. We note that the Education Directorate has requested that devices given to children be returned – these could be a permanent offering for students who need them
- Access to advocacy for children, young people and families engaging with the education system
- Inclusion of children and young people with disability in times of educational disruption
- Mental health and wellbeing supports as schools return and continuity of supports from primary to high school and between schools.

COVID-19 has been unprecedented, and we are keen to ensure that the lessons learnt can be used as a basis for constructive collaboration between the Education Directorate and the community sector.

People from culturally and linguistically diverse backgrounds

ACTCOSS welcomed support from the ACT Government for temporary visa holders, international students and others excluded from federal financial support.

We noticed the efforts to communicate COVID-19 information to CALD communities in the ACT was limited to translating information into a group of community languages which were published across government websites that use an English platform. As a result, the ‘wayfinding’ to this information is not easy for people who speak English as a second language or those with limited capacity to engage with digital platforms.

Broadly, more work is needed to take messages and information to CALD communities through CALD media, community leaders and other channels.

In partnership with Carers ACT, and using existing organisational resources, ACTCOSS filled some gaps by creating a COVID-19 newsletter for organisations who service CALD communities. We received support and advice on this work from the Canberra Multicultural Community Forum (CMCF).

Some culturally appropriate responses have been slow to emerge including culturally appropriate food offerings within the Canberra Relief Network. We note, however, that through consultation and engagement, improvements have been made to service provision for CALD communities.

Community priorities in economic recovery for the ACT COVID-19 and community lead economic recovery

ACTCOSS takes this opportunity to highlight some issues and priorities in economic recovery for the community sector and low income people. ACTCOSS supports priorities identified in the joint statement from diverse business, industry and economic peaks on [Building a Stronger and Cleaner Post Pandemic Australia](#).

We would commend these priorities to the ACT Government and the ACT Legislative Assembly and urge their prioritisation in representations to the National Cabinet.

The impacts of COVID-19 including sustained higher levels of unemployment and disruption to economic activity are likely to be with us for some time.

- We have an opportunity now to transition from crisis measures to enduring reforms to deliver a simpler and fairer income support system for all. This system should smooth people's incomes through major transitions, reflect individual and family needs, treat different households with similar costs equitably and support employment participation. This requires a sustained increase in income support including the Jobseeker payment including after the COVID-19 supplement ceases in September
- Investments in job creating and economy boosting industries like social housing and energy efficiency improvements for low-income households should be prioritised.
- The ACT Community sector will be an important part of recovery and a job generator, particularly for women. The impact of COVID-19 has been highly gendered with more women becoming unemployed and women bearing a disproportionate share of the caring responsibilities that have arisen because of COVID-19. Investments in community services have a dual benefit. They create jobs and also help people stay well and connected so they can participate and re-engage as the economy re-opens.

Governance and community engagement

Additional to these issues, ACTCOSS would like to highlight the need for ongoing, sound and timely community consultation on policy issues within government and legislative matters before the Assembly.

ACTCOSS draws attention to a number of instances where consultation during COVID-19 has not met the requirements of the [Chief Ministers Whole of Government Communications and Engagement Strategy](#) or the timeframes set out in the Social Compact.

COVID-19 is requiring all of us, including the community sector, to adapt and refocus our ways of doing business while remaining connected and professional.

Given we do not know how long altered arrangements will last, we need government to find ways to continue modified business as usual and to keep the community engaged.

Aboriginal and / or Torres Strait Islander Communities

We would urge the Committee to ensure it seeks wide ranging evidence regarding the experiences of Aboriginal and / or Torres Strait Islander communities and organisations in the ACT during the COVID-19 crisis.

We thank you for this opportunity to make a submission and would be happy to elaborate on this through further evidence to the Committee. Please contact me on 0424 910 617 or ceo@actcoss.org.au.

Yours sincerely



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