

Can policy to address some rights address breaches of other disability rights?

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UN Convention on the Rights of Persons with Disabilities

Research question

Disability policies in boarding houses and hostels

Findings

Implications for disability rights theory and policy practice

Governments have rights obligations

UN Convention on the Rights of Persons with Disabilities
(CRPD)

Rights to housing and housing support

- Living independently and being included in the community (Article 19)
- Adequate standard of living and social protection (Article 28)

Government policy priorities

Governments prioritise some rights over others

Constraints on government

- Competing interests
- Multiple participants
- Incremental policy change
- Resource availability

Can one policy priority address breaches of another disability right?

Illustrate the research question

- Policies about support for people with disability living in boarding houses and hostels
- For people for whom living in a boarding house or hostel is inappropriate, can disability support policy address the breach of their right to housing?

Rights to housing and support in boarding house or hostel context

Boarding house or hostel inappropriate to some people's needs

- Breach of housing rights

Policy response to fund support within the boarding house or hostel

- Meet other support needs in the limited housing context

Is that support sufficient to address the breach of their right to housing?

Research projects on government policies to support people in boarding houses and hostels

- resident needs and access to mainstream and specialist support
- specialist support program for residents
- referral of people with disability to boarding houses and hostels

Service needs of people living in boarding houses and hostels

Profile of people in boarding houses and hostels

	Per cent of residents*
Mental illness, psychiatric disability	42
Alcohol/drug problem	24
Unemployed	53
Physical disability	8
Intellectual disability	19

Source: Operator Survey, 2007

Note: 19 of the 76 operators did not respond to this question

* per cent of total beds currently filled

Respondents identified multiple vulnerabilities for the same residents

Service needs of people living in boarding houses and hostels [contd]

Profile – high levels of

- Disability
- Drug and alcohol dependency
- Multiple disadvantage from poverty and low contact with family

Impact of profile on support needs

- More likely to have complex disability support needs
- Less likely to have informal support
- Require flexible service delivery yet more difficult in boarding house and hostel context – poor privacy, some uncooperative staff and safety risks from some co-residents

Policy to prevent referral of people with disability support needs to boarding houses and hostels

Policy implementation restricted by:

- Shortage of alternative housing and support
- Limited understanding about implications of unsuitable housing for people with disability support needs –
 - Risks to safety, behaviour, participation, independence
 - Short and long term increases in disability support needs

Support services to residents

- Can contribute to improved quality of life for some people but within context of insufficient disability support and unsuitable housing
- Do not address rights of people whose needs are too complex for this housing environment

For people with complex needs, the housing context

- increases their support needs because of environment
- prevents path to more suitable housing - not a priority for social housing or disability supported housing
- prevents access to support available if they were in alternative housing

For some people, policies to address support rights do not solve the breach of the right to housing and support

Raises questions for rights theory and policy practice

- Are rights are hierarchical in policy significance?
- Does the right to housing appropriate to the person need to be addressed first?
- What can we learn about rights hierarchies from programs where agencies responsible for disability support and housing work together?
- What is the relationship between conflicting housing rights and other civil and political rights, such as freedom from exploitation, violence and abuse [Article 16], equal recognition before the law [Article 12]?

Resources

- Service Needs of Residents in Private Residential Services in Queensland, SPRC report 19/08
- Evaluation of the Resident Support Program Final Report, SPRC report 2/05
- Review of Disability Services Queensland Referral Processes to Private Residential Facilities, SPRC report 3/05

www.sprc.unsw.edu.au/reports/index.htm

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