Submission to the Productivity Commission: Housing Affordability for Maori

New Zealand Coalition to End Homelessness

February 2012

Introduction

The purpose of this submission to the Productivity Commission is to outline the issues surrounding the lack of housing affordability for Maori in urban and rural settings. This submission begins with issues regarding definitions of homelessness supplemented by lived understandings. Particular attention is given to the contributing health, policy and relational consequences of rapid urbanization for Maori. Homelessness as a human rights issue and Treaty obligations are considered. The submission is completed with an overview of recommendations and solutions to the lack of housing affordability in rural and urban contexts.

Problem definition: Homelessness in New Zealand

Recent decades have seen increasing divisions between enfranchised and disenfranchised groups in New Zealand (Salvation Army, 2012). International literature shows that such divisions result in serious social and health consequences for both families living in poverty and the broader society (Hodgetts et al., 2010). The World Health Organization (2010) identifies urban poverty and associated inequalities in housing as a primary population health concern. The most impoverished people in New Zealand today conduct their lives on the fringes of society without homes to call their own. Despite this situation, New Zealand lacks a coherent and resourced response to the interwoven issues of social inequities, poverty and homelessness.

Homelessness has been a feature of urban life in New Zealand for over a century, inciting public deliberation as government officials and service providers contend with sourcing an adequate definition to respond effectively to the needs of those affected. No existing definition is fully adequate due to the complexities of homelessness and differing views on causes and solutions (Moore, 2007; Roche, 2004). Most agree that a continuum of housing situations, ranging from street life (the absence of a dwelling) to inadequate and insecure housing is useful (Laurenson, 2005; O'Brien & de Haan, 2000). Kearns, Smith and Abbott (1992) argue that although New Zealand may experience low proportions of primary or street homelessness in comparison to what is experienced internationally, there is striking evidence for a large proportion of people in insecure living situations, inadequate housing, or presenting to agencies with serious housing needs. In light of this, they argue:

> Absolute [primary] homelessness represents only the tip of the iceberg … there are many thousands more who represent the incipient homeless … the plight of the currently homeless is desperate, but just around the corner is a potentially vast population of ill-housed people, ***many of whom are little more than one additional domestic crisis away from being on the streets***. (Kearns, Smith & Abbot, 1992, p. 369)

A prominent feature of New Zealand research is the focus on homelessness as a "situation" in which people find themselves: being without a conventional domestic dwelling. For the purposes of this submission the Statistics New Zealand (2009) definition provides a primary

reference, and is supplemented by research regarding the lived understandings and experiences of homeless people and those at imminent risk.

In 2009 Statistics New Zealand formulated a report with the aim of producing an official definition of homelessness. This national development reflected an acknowledgement of a gap in official statistics that needed to be addressed so government and community groups could better respond to homelessness. The concepts and definitions utilized were adapted from the European typology of homelessness and housing exclusion (ETHOS), while also attempting to recognize the societal, cultural, and environmental contexts particular to New Zealand. The report conceded that a vital consideration for defining homelessness in New Zealand is the large proportion of "concealed homeless" living situations (people with very limited options, such as those temporarily sharing someone else's accommodation with no security of tenure).

The intersections of the social, physical, and legal domains within the housing sector are used as the basis for the Statistics New Zealand framework. The social domain encompasses people being able to enact "normal social relations", maintain privacy and a personal space, and have safe accommodation. The legal domain extends to having exclusive possession or security of occupation or tenure. The physical domain refers to the structural aspect of housing and encompasses people residing in habitable housing. It is with reference to the intersections between these domains that a more complex conceptualization of homelessness emerges. The resulting conceptual categories are: "without shelter" (living on the streets and inhabiting improvised shelters, including shacks and cars); "temporary accommodation" (hostels for homeless people, transitional supported housing, women's refuges, and long-term motor camps and boarding houses); "sharing accommodation" (temporary accommodation for people sharing someone else's private dwelling); and "uninhabitable housing" (people residing in dilapidated dwellings).

The Statistics New Zealand definition constitutes an attempt to capture some of the complexity of homelessness. It also constitutes an acknowledgement of movement between the different forms of living rough, temporary shelter, and depending on the generosity of others. Separate acknowledgement is made for people at imminent risk of homelessness: people in accommodation for immigrants; people receiving longer-term support (residential care for older homeless people); people due to be released from institutions; and those under threat of eviction or violence.

Such official definitions are produced for administrative and governance purposes (Roche, 2004; Whiteford, 2010). If complimented by lived understandings and everyday cultural practices we can develop a more contextualized understanding that supports the needs of homeless people (Groot et al., 2011; Hodgetts et al., 2011; Moore, 2007). For example, the situations in which many Maori find themselves require us to extend such official definitions of homelessness (Groot et al., 2011). Memmott and colleagues (2003) refer to 'spiritual homelessness' in an effort to explain situations in which Indigenous people are displaced from ancestral lands, knowledge, rituals and kinship relationships. These authors problematise the application of conventional notions of home and homelessness - which pervade the academic literature (Moore, 2007) - to Indigenous people. They propose that in pre-colonial Aboriginal Australia 'home' was not primarily associated with a domestic dwelling, but denoted affiliation with a cultural landscape, a repertoire of places and one's

belonging within a tribal group. A person may develop a sense of 'home,' and a sense of belonging to a place (or set of places), and recognition and acceptance in such places, but nevertheless not have any 'conventional' accommodation (Memmott et al, 2003).

For Indigenous peoples, spiritual homelessness can occur when one is living in a house whilst being separated from one's ancestral land, family and kinship networks (cf. Memmott et al, 2003). Maori often experience homelessness as a loss of physical connection with whanau, hapu and Iwi which results in cultural and spiritual disconnection to varying degrees. In reaching an agreed definition of homelessness, it is necessary to seek Maori input and acknowledge of the cultural, spiritual and experiential dimensions of homelessness. Such complexities surrounding homelessness, home and place are particularly apparent in emerging research on Maori homelessness. For example, Groot and colleagues (2011) demonstrated through the accounts of Maori who are homeless that tensions can be evoked between the profound sense of whakamā (shame and humiliation) at being dislocated from whanau (family) and hau kāinga (ancestral homeland), wanting to reconnect back with such places and relationships, and affiliating with life somewhere new. Being whakamā is summed up by the following whakataukī (proverbial saying): "waiho ma te whakamā e patu…leave them for shame to punish" (Mead & Grove, 2003b, p.418). Whakamā is a tool of social control, as powerful if not more so than forms of physical punishment.

The experience of Tangata Whenua

While it is common practice to associate Māori strongly with ancestral places, it is also important to recognize that it includes a history of human movement. This is reflected in the rapid emptying of rural tribal homelands through the flood of Māori to towns and cities started in the 1930's (Durie, 1998; King, 2003; Metge, 1964; Pool, 1991; Schwimmer, 1968; Walker, 1990; Wanhalla, 2007). Metge (1964) records that, in 1936, about 13% of the Māori population lived in urban areas. In 1951 the percentage rose to 23%. By 1981, 80% of Māori were living in urban regions (Metge, 1995). At the last national census, 84.4% of Māori lived in urban areas (Statistics New Zealand, 2006). Along with the socio-economic marginalization brought upon Maori by continued colonization, such migrations have contributed to the over-representation of Maori among homeless populations in urban centers.

In recent decades Maori have moved from their traditional rural areas to find employment in the various cities that comprise New Zealand's urban landscape. Upon arrival, for those seeking accommodation in the city and urban areas, Maori home ownership was obtained via the Maori Affairs and State Housing loan schemes. Rental properties were affiliated with employment, which typically paid at the low- moderate end of the wage scale (e.g. Railways, Forestry, Maori Affairs Farm Management, Corrections, Freezing Works). For single peoples hostels and 'single men's camps' were available, often in association with their respective employment.

In 1986 the State Owned Enterprises (SOE) Act was passed which saw a large number of Maori become unemployed resulting in the loss of not only their employment, but also their

homes. This unfettered vast numbers of forestry homes and railway homes. Without a continuation plan in place to transition these properties to home ownership, an enormous surplus of vacant houses was sold to property developers. SOEs have the principal objective of operating as successful businesses. All SOEs are registered as public companies and are bound by the provisions of the Companies Act. The State Owned Enterprises Act stated that nothing in the Act permitted the government to act inconsistently with the principles of the Treaty, and the proposed sale of government assets was found to be in breach of these. This case established the principle that if the Treaty is mentioned in a piece of legislation, it takes precedence over other parts of that legislation should they come into conflict. Prior to the passing of the SOE Act, State Advance would assist Marae to build papakainga housing as banks would not loan money to multiple landowners (such as Marae Trusts). However, following the implementation of the Act and the restructuring of the State Advance to Housing Corporation New Zealand, this changed.

Today, while urban living conditions offer many opportunities, these advantages are not available to all (WHO, 2010). Many Maori experience secondary homelessness in an urban context, where they are disconnected from hapu or Iwi and are in temporary or insecure accommodation. Despite the consistent presence of homeless people, there is no nationwide official census of homeless people. We simply do not know definitively how many homeless people there are in this country or their demographic profiles. In view of this, service providers in Auckland, Wellington and Christchurch developed local street census counts. For example, in 2008 the Auckland Rough Sleepers Initiative (ARSI) conducted its fourth street count (Ellis & McLuckie, 2008) to provide a snap shot of street homeless people within a 3km radius of Auckland's Sky Tower. At least 91 street homeless people were in the area. Almost half were Māori (43). Most were men (approximately 74) and of this group, many were in their forties (approximately 29). A survey of homelessness in Wellington found that 56% were Maori, four times the proportion Maori in the general proportion (Armory et al, 2005).

Many urban Māori live in impoverished and overcrowded conditions associated with vulnerable housing and, as a result, are over represented in the homeless population (cf. Hanselmann, 2001; Kearns & Smith, 1994; Keys Young, 1998; McIntosh, 2005; Waldram, Herring, Kue Young, 2006). As for other groups, pathways for Māori into homelessness are shaped by various contributing factors. These often stem from vulnerability to poverty and socio-economic exclusion intensified by a combination of traumatic life events such as family deaths, abuse, relationship breakdowns, mental illness, addictions, and job loss (cf. Bang, 1998; Morrell-Bellai, Goering, & Boydell, 2000; Tois, 2005; Toohey, Shinn, & Weitzman, 2004). Scholars have noted that many Indigenous societies have been significantly affected by colonization and processes of cultural, social and economic domination and subordination (Enriquez, 1995). In such colonial contexts, Indigenous people die on average seven years younger than members of settler populations, and are more likely to experience a range of ailments, poverty, and homelessness (Hanselmann, 2001; Waldram, Herring, Kue Young, 2006).

Housing New Zealand's Maori Strategic Plan, *Te Au Roa,* highlighted the projected rapid rise in numbers of Kaumatua by 2012. The prospect that many Kaumatua will seek to return home to their tribal areas, putting pressure on existing housing which may be substandard, raises the concern that the number of Maori who are marginally housed will increase. Māori are clearly disproportionately numbered amongst New Zealand's homeless. In spite of a lack

of national statistics, many social service agencies, policy makers, and social scientists have recognized for some time that homelessness is a pressing societal concern in New Zealand (Kearns & Smith, 1994; O'Brien & de Hann, 2002; Peace & Kell, 2001).

Interest in homelessness and housing affordability from academics, researchers and government leaders has been sporadic (Groot et al., 2011; Kearns, 2006). With the exception of a few, even Māori and Iwi authorities appear to hesitate when responding, perhaps reflecting the increasing social and economic stratification of Māori society, or the position that homelessness is also a Government responsibility. Whatever the argument, there is undeniably a 'Māori Underclass' that comprises a large proportion of the homeless population in New Zealand. It emerges from economic and social deprivation and encompasses substance misusers, mental health clients and long-term recipients of welfare, also known as the permanent poor (Auletta, 1999; Williams, 1994; Zelley, 1995). Members lead lifestyles often referred to by homeless people in New Zealand as 'street life' (Hodgetts et al., 2010). Māori experiencing homelessness struggle daily to achieve what many housed people take for granted, that is, to meet their basic human needs for shelter, warmth, food, safety and respect. They suffer more from physical and mental illness and early death than do members of the domiciled population (Lewis, Andersen & Gelberg, 2003; Quine, Kendig, Russel & Touchard, 2004), are more likely to commit suicide and to be assaulted fatally (Shaw, Dorling & Smith, 1999). Combined, these factors can intensify the situation so that many homeless people can become stranded (Hodgetts, Stolte, Chamberlain, Radley, Nikora, Nabalarua & Groot, 2008).

He Korowai Oranga (the government's Maori Health Strategy, 2002) acknowledges that *"Maori have on average the poorest health status of any ethnic group in New Zealand"*, and factors leading to health inequalities include housing. The Strategy identifies one of the prerequisites to improve whanau ora as **affordable, appropriate housing**. A 'Housing First' approach providing early specialized housing support is widely heralded. Barriers currently inhibiting the development of multiple owned Maori land for whanau housing and papkainga housing should be removed to enable access to building.

Housing as a human rights issue and the Treaty of Waitangi obligations

Under the Universal Declaration of Human Rights every person has the right to an adequate standard of living, including housing, food, clothing, and healthcare. The International Covenant on Economic, Social and Cultural Rights was ratified by New Zealand in 1978. This document provides the most significant legal basis for the right to adequate housing. The Covenant requires countries to use all appropriate means, including legislative, judicial, administrative, social and educational methods to realize this right for all citizens. The meaning of 'adequate housing' was clarified by the United Nations in 1991 as more than just a roof over one's head. It encompasses the right to live in security, peace and dignity. As a signatory, New Zealand has a duty to fulfill the right to adequate housing (www.hrc.co.nz). This duty has not been fulfilled. Many citizens live without housing, in insecure and inadequate housing situations, and present to both governmental and private sector

agencies with serious housing needs. Despite this situation there is no coordinated response to homelessness or nationally resourced programme of research and action. While many New Zealanders may support the abstract principle of all citizens being entitled to decent housing, their comprehension of the nature and extent of homelessness in their own country is minimal (Winter & Barnes, 1998).

No single government department has a statutory responsibility for homeless people or for coordinating services. As a result, service provisions have developed in a fragmentary manner in New Zealand. Alongside private charities and faith-based social services, Government agencies such as Ministry of Social Development, Housing New Zealand Corporation, The Department of Corrections, Child, Youth & Family Services, and District Health Boards are involved in addressing the complex needs of homeless people.

In the framework of the Treaty of Waitangi, Article 1 relating to kawanatanga/governance requires the Crown to provide services that meet the needs of Maori. Maori service users and providers need to be included in the research, definition, planning, implementation, and evaluation of homelessness prevention services to ensure they are informed by Maori values. Maximising the use of urban marae could be a positive way to provide support for Maori who are homeless, and kaupapa Maori service providers are best able to provide support for those Maori with mental health and addiction issues. Government agencies and many non-Maori service providers are frequently not well equipped to offer a culturally sensitive service due to an undersupply of speakers in te reo Maori, staff trained in bi-cultural protocols and referral processes that allow for working constructively with Maori service providers. This often leads to short-term solutions which result in many Maori homeless people re-entering the cycle of homelessness on multiple occasions.

Article III of the Treaty refers to oritetanga or equity of health outcomes for Maori. Maori are over-represented in the areas that compound the risk of becoming homeless. It is important that people have access to Maori specific services to reduce the negative impact of homelessness on health and to assist in their re-integration longer term. For example, Marae-based programs are doing preventative work to address problems that create and put people at increased risk of homelessness. Education and welfare initiatives are contributing to positive Maori futures (Groot et al., 2011). This signals an important link in New Zealand, Iwi/marae based groups can support agencies. This link typifies the type of partnerships that need to be formed around service providers as a means of integrating it into a broader service mix.

Recommendations and Solutions to the lack of housing affordability for Maori

This submission has raised a number of issues that contribute to a lack of housing affordability for Maori. In this section we look at how interventions may be developed to better meet the needs and to build on the interests and strengths of Māori. While providing housing will not solve the broader issue of homelessness in its entirety, it is an important component for addressing this growing issue. It is important to realize the diversity of Māori as much as it is to recognise diversity within the homeless population. This helps avoid the

risk of dehumanizing people by reducing their lives to the problems they face to one particular set of factors without recourse to their own understandings and strengths.

Below we offer a number of solutions and recommendations to address housing affordability for Maori:

- Seminars held throughout New Zealand to educate Maori Land Trusts about how they can build papakainga housing on their multiple-owned land;
- Greater inclusion of Iwi and Iwi leaders when responding to the growing number of Māori homelessness in both the physical, cultural and spiritual sense;
- In a rural setting many whanau are living on their land, but their homes are derelict, in an urban setting these would be considered unliveable. Responding to housing affordability needs to be considered in both the rural and urban setting;
- "Sweat equity" like that of programs offered by Habitat for Humanity could be considered. Specifically, in rural areas, little consideration is given to construction from locally sourced material (e.g. rammed earth, tires, straw and earth bags). Combined with the Habitat model where they coordinate and negotiate all resource consents, building plans, construction expertise, sweat equity and loans presents an affordable housing option;
- Discussions with KiwiBank could be held to provide a low interest loan scheme; Make available the interest from the Maori Trustee Fund for low fixed term loans (no more than 3%) for Maori families to borrow a deposit for home ownership. These loans to be made available for low income families and the home to be 'whanau-owned' so that children have a home for their lifetime
- Māori academics, researchers, service providers and policy makers work collaboratively to better understand Māori / Iwi homelessness;
- The Government has recently established the Social Housing Fund which should provide a key source of funding for service providers working to address the needs of Homeless Maori. However, the fund has stated that night shelters (a key step in rehousing) do not qualify for funding. This short sighted decision needs to be revised so as not to contradict the Universal Declaration of Human Rights;
- Initiatives listed above be integrated within broader frameworks offered by initiatives such as Whanau Ora, which are designed to rebuild whanau ties and links to ancestral homelands and traditions; thus addressing the human dimensions of homelessness.

Barriers to housing affordability for Maori are also being responded to through a collaboration of local and central government organisations, the business sector, researchers, the Tangata Whenua Community and Voluntary Sector that comprise the National Coalition to End Homelessness (NZCEH). This Caucus comprises a national network of Tangata Whenua and Tangata Tiriti representing service agencies responding to the needs of Māori with serious housing needs throughout the country. Some of the services represented by the Tangata Whenua Caucus are specifically aimed at Māori and staffed by Māori and others are generic in orientation and seek cultural input to better meet the needs of Māori who access their services. As a pan-Iwi and national issue, homelessness requires a coordinated response. The broadly focused yet targeted response advocated by the National Coalition to End Homelessness requires cooperation between and support from Māori and non-Maori scholars, Iwi leaders, government agencies and non-government service providers.

New Zealand Coalition to End Homelessness

Tangata Whenua Caucus

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