DAY ONE TRANSCRIPT OF DR MARGARET WARD

Good afternoon. Today I'm going to tell you a story, it is a history lesson, really. I guess it is to sober us up a little bit. And I guess, for us all to understand what it takes for universal design to happen.

I've called it 'Keeping COAG to Account', so this is actually a story of betrayal and keeping COAG to account.

I'll start with the higher order values here. This story really started in 2007, though a lot of advocacy had happened beforehand by people with disability, where the United Nations made three declarations here that affect housing, universal design in housing.

First is a right to inclusion and participation in family and community life. The second is the right to choose where and with whom you live. And the third is the adoption of universal design to avoid need for adaption.

So, these are, I guess, the tenets that have shaped my activities and the activities of the Australian Network over the last period of time. And also what called together a group called the National Dialogue on Universal Housing Design in 2009, 2010.

This group, some of you will have heard this all before but for those that haven't, I think it's important to go back over this history to remind us. In 2010, an agreement was struck with these organisations to work towards a strategic plan to get universal design in all new housing by 2020.

Now, here we have an interesting bunch. There was Lendlease, Grocon and Stockland as the main developers in town. We had the peak bodies of the Real Estate Institute, Property Council, Institute of Architects, Master Builders and HIA, so a lot of suits were in the room.

There were some disability organisations, Disability NSW and People with Disabilities and Carers Council, the Local Government Association, and the Australian Network, which was us.

We all signed the agreement to go for this target in 2020. This agreement was then called up under COAG's National Disability Strategy, which Emily talked about earlier today, but which is Australia's response to the Convention on the Rights of Persons with Disabilities.

So this is a very important document for Australia. And in that, they made this commitment that all new homes will be of an agreed universal design standard by 2020. So off we went. There would also be interim targets to be set within that 10-year period.

Livable Housing Australia was set up in 2012, with the agreed three levels of access in housing and a set of guidelines which is now in its fourth edition. And this organisation was the implementation arm for that target.

The actual level of access for private housing for this target was silver level. And for social housing, it was gold level. Now, just quickly for those who haven't done this, I'll give a quick background on what that means. Without measurement, the agreement basically covered step-free access to the dwelling, one level entry, straight stair against the wall if there was a staircase, wider doors and corridors, and accessible toilet on the entry level, step-free shower, reinforcement in the walls for grab rails later.

Now, we have seen lots of voluntary guidelines and these suits signing up to all sorts of agreements. But this one differed because there was a commitment to a transparent process with regular reviews to see how well the strategic direction was going and that there was opportunity to change the strategic direction so that the target would be met.

So just quickly, this diagram shows that we, at that time Australia was building around 140,000 dwellings per year. We have had a peak of around 200,000 along here. So this is a wavy line along the top, but for the sake of neatness let's say it was all 140,000 dwellings per year.

And the yellow lines show the progression of the targets. By 2010, there was a very timid level, right up to 2019/20 and there would be 100% which would be to silver level.

There was also this commitment to the regular reviews. The first in 2013, and every 2-3 years after that. So this was the commitment by COAG. And it was, as I said before, called up under the National Disability Strategy that was the key implementation strategy on the Convention on the Rights of Persons with Disabilities.

OK, so by 2015, we hadn't seen any reviews. And the Australian Network for Universal Housing Design was getting nervous at this point because we have been a signatory and we could not get a rise out of anybody. So what we did, when we couldn't get anyone to do a review, we decided to do one ourselves.

So, going back to that graph of the average housing supply, housing each year, there is the blue, these were the targets, and this was what we were able to decipher as the outputs of the agreement. Now, you see I stopped at 2015. Livable Housing Australia, at that point, had gone broke and staff had been dismissed. And they no longer wanted to give us figures, I don't know why… (Laughs) So it stopped at that.

Now, I need to acknowledge that there have been a number of organisations who do build universal design, to these standards, but even if it was doubled, tripled, quadrupled, of the figures in 2015, we would be nowhere near the target.

So, by 2016, we were getting pretty cranky because we had signed up to this. We considered it to have gravitas, this agreement, because it was to be reported back to the United Nations. So we started to try and stir the possum somewhat, because we just didn't get people from the National Dialogue even answering our letters.

So we went to Standards Australia where the old AS 4299 standard is, which is called up under a number of Planning Acts across Australia, to see if they would want to update that standard to align with the sentiments behind the UN Convention. That went down really well.

That was thrown out, even though we got 100 organisations to support it, the key organisations that signed the National Dialogue did not support it, so it was thrown out.

We went to the Australian Building Codes Board and we submitted a process for change, which is the formal process for access in housing so that by 2020, there would be a standard in place within the national construction code so that all housing would be up to silver level, as required under the National Disability Strategy. That was rejected as well.

We were told to go back to Standards Australia at that point. And the other document that came out at that time was COAG's interim report on the National Disability Strategy, and they had made no mention of the Livable Housing Design agreement that had been left out of the COAG's interim report at that point.

So that's how we felt, we were a bit bemused. People had gone AWOL here. And the agreement, even with all the rhetoric back in 2010, it had meant nothing. It was betrayal of the highest order. And I do wonder, at this point, what were the motives of the signatories of the Livable Housing Design agreement who knew this all along.

So, 2017, on we go. And the Australian access consultants advised us to go to the Building Ministers Forum at this point. The Building Ministers Forum is the committee of COAG that looks at all planning and building issues. After an intense letter-writing campaign to all the State and Territory ministers, the Disability Reform Council ministers and members on the ABCB, reminding them of this commitment within the national Disability Strategy, we did get a win.

And that was that the forum decided a national regulatory impact assessment is to be undertaken as soon as possible to consider applying a minimum accessibility standard for private dwellings in Australia to be included in the national construction code.

And the other interesting development was that not only did they want to consider silver level, which was in the original agreement, but also gold level.

So we were happy. We were making some ground here. In 2017, we went back to the Australian Building Codes Board to discuss this with them and it became clear that we were too late. This direction by the Building Ministers Forum was too late to have any changes into the national construction code by 2019, which was the next review.

So we would not see any changes until 2022. Cranky. The Australian Building Codes Board were very sweet to me, really. What is going to happen now as part of the process is by 2018/2019, there will be an options paper and a regulatory impact assessment done.

The options paper will be in September 2018, and the regulatory impact assessment will be in early 2019. So, this is where we are going forward in history, and we need to look at what this means.

First of all, who are the stakeholders here? We have, with the ABCB, there are now four stakeholders. There are the builders of housing, the providers of housing. There are the investors, the people who buy housing and put money into housing. There is the community, that is you and me, that live in housing that has been built and move out of it and another family moves in, and on we go. The general community that use housing.

And then there are the services that are affected by housing design. And Nicki talked about this earlier, about hospitals that have avoidable stays by people, the NDIS who doesn't want to pay for a two-person lift when a one-person lift would work, if the bathroom works.

And certainly the aged care reforms that are trying to keep people out of residential aged care.

They are the four stakeholders. But who are most affected by this piece of work that is now in the hands of the Australian Building Codes Board?

I maintain it is the community and services sector that are the most affected by these decisions. And whenever I go to forums – and this became clear in our survey in 2017, which Courtney Wright will be presenting on tomorrow – we did a survey of issues around cost benefit of the Livable Housing Design and it was the community sector and service sector that responded most bly here.

So who are the most consulted? It is the builders and investors. If you look at who the members of the Australian Building Codes Board are, it is simply these groups here. And the government departments that represent these groups.

The Australian Building Codes Board have heard this and they are going to put out this options paper and we're working with them to get that options paper out to as many people as possible in the community sector and the service sector.

The Australian Building Codes Board have not asked me to put this one up, but the Australian Network suggests it is the gold level for all new construction in the national construction code is what your mantra needs to be.

And that you attend a consultation. There are faces in the room that are representing these two groups, the community sector and the service sector. So, the Australian Network are asking those three things of you – to respond to the ABCB paper, secondly, to be clear about your ask, and we suggest it should be the gold level in the construction code, and that you attend a consultation.

The consultation dates are here. They may change. But if you register your interest at that email at the bottom, you will not only get a copy of the options paper, but any information if those consultation dates are changed.

I have a handout here if you would like one, of those dates. And what else can you do? You can remind COAG of its 2020 commitment. Now, the Australian Network is taking the high moral ground here and continuing to ask for this.

The Australian Building Codes Board suggests that a robust consultation, thorough and rigorous, is important to get everyone agreeing and getting a good outcome. The nice side of me agrees with that, but I am still cranky that it has taken so long, so we will continue with the 2020 mantra.

We are also going to go for the gold level. What the heck. We build the biggest houses in the world, we are one of the most wealthy communities in the world. I think we can afford to design well.

And we will call for an interim amendment, which means we don't wait for the 2022 amendment to the National Construction Code, but see if we can get an earlier amendment.

For any information on this piece of work, you can go to the Australian Network on Universal Housing Design's website. All the documents we have written are there for your reference, including copies of letters from the ministers, which is fascinating reading in itself.

Please make yourself available of that website and enjoy. And I will finish now with our little ad for the consultation. Can we go louder?

(Video plays)

(Music plays)

DR MARGARET WARD:
Thank you.

(Applause)

JANE BRINGOLF:
I want to say that that video is out on the Twitter feed, so if you can find it, retweet it and keep it going. Question?

COMMENT FROM FLOOR:
Maybe not so much a question but a thank you to the Australian Network for many years of tenacity and vigorous advocacy. That is the definition of advocacy - tenacious and vigorous. I think it is fantastic that you tried every point of entry and found one that got things moving. I just want to thank you.

(Applause)

BRYCE TOLLIDAY:
Margaret, I would agree with Michael. Just a question about the ABCB and where they might be heading. Having a bit of involvement with them and being extremely disappointed with Livable Housing Australia, will they be actually making what is currently a voluntary guideline a normative set of performance requirements instead of criteria? And with normative requirements, which is the way the current building code works, are you aware of that at the moment?

DR MARGARET WARD:
Can I say that tomorrow, Keiran O'Donnell, he is from the Australian Building Codes Board, he is my liaison person and has agreed to speak tomorrow about those issues. Would it be alright to get it from the horse’s mouth?

BRYCE TOLLIDAY:
It saves me posting this letter to him.

DR MARGARET WARD:
I could say at this point the Australian Building Codes Board couldn’t be more helpful. We shout at them sometimes for fun. But they still pick up the phone and speak to us and I believe if we work together we will get a better outcome.

THEA KURDI:
Thea from Canada. We have a building code that exempts housing from accessibility requirements. I am working with a bunch of groups who are trying to change this, so we have universal design and accessible housing. I am wondering what your lessons learned might be, how might we avoid some of the pitfalls and mistakes, perhaps? What would you suggest would be smart planning on our part?

DR MARGARET WARD:
I think, with some exceptions, the housing industry is not interested at all. In fact, a good colleague of mine in the Housing Industry Association said to me, "Margaret, we don't do inclusion policy. We build widgets for profit."

That nailed it for me and at that point, I backed off. We were barking up the wrong tree trying to get the housing industry to lead the way. It is a government commitment, it is an issue of inclusion, and it goes right back to the Convention.

I think that is the starting point. I'm not sure if Canada is a signatory to the Convention, I certainly hope they are, and I hope they have signed the Optional Protocol. They haven't? OK, Australia has, and I think that is your starting point here.

And when we got that clear in our heads and stopped playing sweethearts with the suits in the room, we started to get action. I think that is the key point here.

QUESTION FROM FLOOR:
Trish, I am an OT. Margaret, the length of the journey has obviously been painful. Are you feeling more optimistic because you can ride on the coattails of the increase in demand from the baby boomer population hitting that age? Or have you seen no benefit to that?

DR MARGARET WARD:
I think there is a blip there. Again, I don't think it is a demand issue. It is a public policy issue about inclusion and we need to think and consider housing. We need to have a public interest in the design of housing. And how it affects our inclusion of all people.

So I don't think we can wait for baby boomers to stop fantasising that they are Peter Pan. It will not happen.

Regarding whether we are winning, I believe in the 15/16 rule , I think we're about 14/16 on the journey. But you can be knocked out of the water before you get to 16.

We have a very volatile, uncertain government. We have a minister of deregulation right now. I am not counting on him being ideologically on side. He has changed. I haven't caught up. Is that right?

So, we win when we win. That is it.

JANE BRINGOLF:
Thank you very much, Margaret. Time is up. And in case you had a question about why we're going for gold instead of silver, it is because it would be great to visit my own house, but what if I cannot actually live in it? And that is the difference between silver and gold, yes, you can visit me in my silver house, but you cannot come and live here.

So, just those extra little tiny things make a big difference. Anyway, please join me in thanking Margaret for all of her work.