

Three decades ago, after a two year national inquiry, the Human Rights Commission advised the Federal Government that Australia had nearly 25,000 homeless children and young people – some of whom were dying from neglect — while many others were living in squalid conditions, reduced to petty crime and prostitution to survive and frequently subjected to violence on the streets. A disturbingly large number of these children were or had been wards of the state and many of them had fled families where they had been sexually, physically or emotionally abused. Many young people were suffering from an undiagnosed mental illness or serious mental health problems left untreated. The public perception was generally that these were “bad kids” – and if they hadn’t run away from home there wouldn’t be a problem. However, the evidence clearly established that most of the “homes” they had fled from were violent, abusive or dysfunctional. Some of the children were as young as nine or ten.

Our findings and recommendations identified many factors contributing to the problems confronting these children and young people. They included family poverty and isolation; the scarcity of low-cost housing alternatives; the failure to provide any follow-up support for children who had been wards of the state; the inadequacy or complete absence of mental health facilities in rural and regional areas (where the youth suicide rate was 300% higher than in our cities); and failure to implement programs for family support and early intervention and prevention strategies which could assist children at risk of becoming homeless.

The Federal Government responded to public pressure generated by the Commission’s widely reported findings with increased supported accommodation for young people and several health initiatives and employment and training support programs. However, this funding stagnated after a few years. Several programs for early intervention and support for families where children were at risk were funded and various States also took initiatives based on our recommendations. However,

many of these programs were not effectively coordinated and by the year 2000 the number of our homeless children had increased to almost 30,000.

In 2007-8 The National Youth Commission conducted an extensive national inquiry using methodology similar to that which I had used as Human Rights Commissioner. Today, Youth Development Australia will release a "Report Card" on progress, or the lack of it, in the decade since that report. The Report concludes that, notwithstanding a commitment by one of our former Prime Ministers, to halve homelessness by 2020, the number of homeless children and young people has substantially increased and there are now 43,000 homeless children and young people seeking help from various agencies.

The past decade began well with significant promises by Government. However, those promises have largely remained unfulfilled and several major areas have been neglected.

The most important of these include the failure to adequately fund early intervention programs – programs which had proven effective in stemming the flow of young people into homelessness – and failure to implement housing strategies recognising the need young people have for appropriate low cost housing.

There has also been an abject failure to implement appropriate programs for state wards leaving care. Evidence which was emblematic of the extremely disturbing findings in our 1989 Report, came from the Salvation Army officer, working with homeless children in Kings Cross, who reported that most of the young boys prostituting themselves on the infamous wall were wards of the State.

At the time I was accused of exaggerating the importance of this appalling fact, but evidence given to the Senate Community Affairs Committee 15 years later in 2004

established that: in 2001, 65% of the Victorian female prisoner population had a “protective care” history; in 2007, 42% of Australia’s homeless youth had a “protective care” history; and that once they enter the juvenile justice system, as many as 90% of “protective care” clients will graduate to the adult criminal justice system. In 2015, a national homelessness survey found that 63% of homeless youth had previously been in “state care”!

Australia’s “care and protection” programs are in crisis – and in most states severely underfunded. Children have rights – including the right to adequate shelter and protection from abuse and exploitation – as the High Court held in 1994 in a case I was obliged to initiate (the TEOH case). Our governments have a legal as well as moral responsibility to ensure the rights of state wards and homeless children are respected. It is outrageous that they are spending billions of dollars on unnecessary off-shore detention facilities and football stadiums when a fraction of that money, spent on appropriate programs, could ensure the rights of our most vulnerable children are protected.