

Homelessness

The purpose of this document is to collate published research, government reports and inquiries and academic commentary in relation to the experience of homelessness, and the effects this may have on a person's behaviour; development; physical, mental and social well-being; and links to contact with the criminal justice system.

Introduction

- 1 Homelessness is 'one of the most potent examples of disadvantage in the community, and one of the most important markers of social exclusion'.¹
- 2 The homeless population typically includes people who have complex needs resulting from multiple compounding issues.² The Australian Government has recognised that:

Many people who become homeless have struggled with considerable personal disadvantage throughout their lives. This may include poverty or long-term unemployment, poor education, violence, mental health problems, disability and substance abuse. For these people the path into homelessness, can start many years earlier. A specific event can trigger homelessness. This may be losing a job, domestic violence, being evicted from stable housing or a period of high financial stress. Major changes and transitions, such as young people leaving home early, can place people at greater risk.³

- 3 Homeless people are overrepresented in the Australian prison population, and ex-prisoners are also overrepresented in the homeless population.⁴ Research has found that:

Strong links have been found between homelessness and offending, with the experience of homelessness contributing to an increased likelihood of being imprisoned. For ex-prisoners, homelessness can increase already-present risks of re-offending and re-incarceration.⁵

Terminology

- 4 The Australian Bureau of Statistics ('ABS') classifies a person as homeless if they do not have suitable accommodation alternatives, and their current living arrangement:

¹ Department of Human Services (Vic), *Victorian Homelessness Strategy: Action Plan and Strategic Framework* (2002), cited in Australian Bureau of Statistics, [Census of Population and Housing: Estimating Homelessness, 2011](#) (Catalogue No 2049.0, 12 November 2012).

² Eileen Baldry, 'Complex Needs and the Justice System' in Chris Chamberlain, Guy Johnson and Catherine Robinson (eds), *Homelessness in Australia: An Introduction* (UNSW Press, 2014) 196, 197.

³ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [The Road Home: A National Approach to Reducing Homelessness](#) (2008) 6.

⁴ See Australian Institute of Health and Welfare, [Specialist Homelessness Services Annual Report 2017–18](#) (February 2019); Justice Health and Forensic Mental Health Network, [2015 Network Patient Health Survey Report](#) (May 2017).

⁵ Australian Institute of Criminology, *Ex-Prisoners, SAAP, Housing and Homelessness in Australia: Final Report to the National SAAP Coordination and Development Committee* (Report, 2004) vi.

- is in a dwelling that is inadequate;
 - has no tenure, or if their initial tenure is short and not extendable; or
 - does not allow them to have control of, and access to space for social relations.⁶
- 5 People living in severe overcrowding (‘usual residents of dwellings which needed four or more extra bedrooms to accommodate them adequately’) are also considered to be homeless by the ABS and have been ‘the largest homeless group in each of the last four Censuses’.⁷
- 6 The Australian Institute of Health and Welfare additionally defines the experience of homelessness as living in either non-conventional accommodation (i.e. living on the streets) or living in short-term or emergency accommodation due to a lack of other options.⁸

Prevalence

- 7 The 2016 Census estimated that, nationally, there were 116,427 people classified as homeless on Census night.
- 8 The three principal groups that comprise the Australian homeless population are homeless youth, homeless people displaced due to domestic and family violence, and homeless Aboriginal and Torres Strait Islander people.⁹ Women comprised 42% of the total homelessness population according to the 2016 Census.¹⁰

Aboriginal and Torres Strait Islander peoples

- 9 Aboriginal and Torres Strait Islander people are 10 times more likely to experience homelessness than non-Indigenous people.¹¹ In the 2018 [Pathways to Justice](#) report, the Australian Law Reform Commission cited research which ‘identified housing issues—particularly homelessness, inadequate housing, and overcrowding—as disproportionately affecting Aboriginal and Torres Strait Islander peoples.’¹²
- 10 In 2016, Aboriginal and Torres Strait Islander people accounted for 20% of the homeless population.¹³ Of the 23,437 homeless Aboriginal and Torres Strait Islander people counted in the Census, 70% lived in severely overcrowded dwellings.¹⁴
- 11 The Northern Territory has the highest rate of homelessness in Australia, predominantly explained by overcrowding in Indigenous communities.¹⁵

⁶ Australian Bureau of Statistics, [Census of Population and Housing: Estimating Homelessness, 2016](#) (Catalogue No 2049.0, 14 March 2018).

⁷ Ibid.

⁸ Australian Institute of Health and Welfare, [Homelessness Services – Glossary](#) (Web Page, 27 November 2018).

⁹ Australian Bureau of Statistics, [Census of Population and Housing: Estimating Homelessness, 2016](#) (Catalogue No 2049.0, 14 March 2018).

¹⁰ Homelessness NSW, [Women Experiencing Homelessness](#) (Web Page).

¹¹ Launch Housing, [Australian Homeless Monitor Overview 2018](#) (Report, 2018) 5.

¹² Australian Law Reform Commission, [Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](#) (Report No 133, December 2017) 71, citing Productivity Commission, *Overcoming Indigenous Disadvantage: Key Indicators 2016—Report (2016) box 4.4.1.*

¹³ Homelessness NSW, [Aboriginal Homelessness in Australia](#) (August 2018).

¹⁴ Ibid.

¹⁵ Ibid.

Young people

- 12 Young people aged 12–24 years accounted for 24% of the homeless population according to the 2016 Census.¹⁶ In NSW, 33% of the homeless population were aged 12–24.¹⁷

Culturally and linguistically diverse people and asylum seekers

- 13 People born overseas who had arrived in Australia within the previous five years accounted for 15% of all persons who were homeless on Census night in 2016.¹⁸

Causes of Homelessness

- 14 The Commonwealth-funded [Australian Homelessness Monitor 2018](#) report recognised that the causes of homelessness ‘are complex, with no single trigger’,¹⁹ with individual, interpersonal and structural factors (such as housing market trends) all playing a role.²⁰ Australian research has found that the most consistent predictors of long-term homelessness are interactions with substance abuse, mental illness and the out-of-home care system.²¹

- 15 The Australian Housing and Urban Research Institute (AHURI) similarly found that:

Housing, homelessness and mental health are interrelated. A number of structural and individual factors increase the likelihood of mental ill health onset and the likelihood of poor housing outcomes among persons with lived experience of mental ill health. For example, homelessness may act as a trigger for mental health issues and persons with lived experience of mental ill health are more vulnerable to common risk factors for homelessness, such as domestic and family violence, alcohol and other drug addiction, and unemployment.²²

- 16 In 2015, a national longitudinal study funded by the Department of Social Services found:

The average prevalence of homeless is much higher for: those recently experiencing family breakdown; those with current health problems, particularly when considering respondents’ self-assessed general health and psychological distress; the jobless and those reliant on Centrelink payments; risky drinkers and those using illicit substances (cannabis or other substances); and those recently incarcerated, with those recently incarcerated particularly prone to primary homelessness. Homelessness and recent experiences of physical and sexual violence are also closely related.²³

¹⁶ Homelessness NSW, [Youth Homelessness in Australia](#) (August 2018).

¹⁷ Homelessness NSW, [Youth Homelessness in NSW](#) (August 2018).

¹⁸ Australian Bureau of Statistics, [Census of Population and Housing: Estimating Homelessness, 2016](#) (Catalogue No 2049.0, 14 March 2018).

¹⁹ Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 26.

²⁰ Ibid.

²¹ Rosanna Scutella et al, ‘Understanding Lifetime Homeless Duration: Investigating Wave 1 Findings from the Journeys Home Project’ (2013) 48 *Australian Journal of Social Issues* 83, 84. See also Australian Human Rights Commission, [Homelessness is a Human Rights Issue](#) (Report, 2008).

²² Australian Housing and Urban Research Institute, [Housing, Homelessness and Mental Health: Towards Systems Change](#) (Report, November 2018) 13.

²³ Andrew Bevitt et al, [Journeys Home Research Report No 6: Complete Findings from Waves 1 to 6](#) (May 2015) 3. See also David MacKenzie and Chris Chamberlain, *Homeless Careers: Pathways in and out of Homelessness* (Report, 2003), cited in Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [The Road Home: A National Approach to Reducing Homelessness](#) (2008) 24.

- 17 In respect of Indigenous peoples, the [Australian Homelessness Monitor 2018](#) report found:

Disproportionate rates of Indigenous homelessness are inseparable to their high rates of unemployment, exclusion from education and training, mandated engagement with the child protections system, family violence and engagement with the criminal justice system, including incarceration ... the high rates of Indigenous disadvantage interact with the housing market and drive the disproportionate extent to which Indigenous people experience homelessness in Australia compared to non-Indigenous Australians.²⁴

Poverty and lack of affordable housing

- 18 International research has emphasised ‘the centrality of poverty, especially childhood poverty, to the generation of homelessness’.²⁵

First, experience of (childhood) poverty very often predates, and is a powerful predictor of, (adulthood) homelessness ... Second ... while a range of health and support needs and behavioural issues, particularly in the teenage years, do significantly contribute to the risks of homelessness in young adulthood, their explanatory power is less than that of poverty.²⁶

- 19 The [Australian Homelessness Monitor 2018](#) reported that people reliant on social security benefits are widely considered to be at risk of homelessness and housing stress, and found that the long-term erosion of social housing across Australia was a key driver of homelessness.²⁷ This lack of affordable housing is ‘compounded by the insecurity experienced by tenants in Australia’s lightly regulated private rental markets’, with stakeholders reporting that legislation across the country ‘favours private rental owners’.²⁸ Likewise, the intensifying shortage of social housing and affordable private rentals make it increasingly difficult to exit homelessness.²⁹
- 20 The report also found that homelessness as experienced by Indigenous people, whether as overcrowding or rough sleeping, is ‘largely driven by an inadequate supply of affordable housing in remote Indigenous communities, particularly in the Northern Territory’.³⁰

Domestic and family violence

- 21 Domestic and family violence ‘is the main reason women and children leave their homes in Australia’³¹ and ‘is consistently one of the most common reasons clients seek assistance from specialist homelessness services’.³²

²⁴ Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 26.

²⁵ Glen Bramley and Suzanne Fitzpatrick, ‘Homelessness in the UK: Who Is Most at risk?’ (2017) 33 *Housing Studies* 96, 97.

²⁶ Ibid 113.

²⁷ Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 61.

²⁸ Ibid 20.

²⁹ Ibid 61.

³⁰ Ibid 66.

³¹ Australian Housing and Urban Research Institute, *Home and Safe? Policy and Practice Innovations to Prevent Women and Children Who Have Experienced Domestic and Family Violence from Becoming Homeless* (Final Report No 196, 2012), cited in Australian Institute of Health and Welfare, [Specialist Homelessness Services Annual Report 2017–18](#) (February 2019).

³² Australian Institute of Health and Welfare, [Specialist Homelessness Services Annual Report 2017–18](#) (February 2019). See also Australia’s National Research Organisation for Women’s Safety, [Domestic and Family Violence, Housing Insecurity and Homelessness: Research Synthesis](#) (Report, 2019); Andrew Bevitt et al, [Journeys Home Research Report](#)

- 22 In a survey of 288,800 clients of specialist homelessness services, the Australian Institute of Health and Welfare found that, in 2017–18, 42% of clients (121,100) reported experiencing domestic and family violence at some point during the reporting period.³³
- 23 Many victims who leave their homes following domestic or family violence struggle to find suitable accommodation, and these problems are compounded for women in regional and remote areas.³⁴

Child abuse

- 24 The Australian Institute of Family Studies has found that maltreatment experienced in adolescence increases the risk of offending, and homelessness may play a role in this link.³⁵
- 25 The Royal Commission into Institutional Responses to Child Sexual Abuse found that housing insecurity can be an outcome of experiencing childhood sexual abuse.³⁶ The Royal Commission found that these impacts are often long-lasting:

While some survivors experienced homelessness as young people after running away from school, home or out of home care because of abuse, others experienced periods of homelessness throughout their adult lives resulting from alcohol and other drug dependency, inability to maintain employment, and/or experiences of significant mental health issues.³⁷

Out-of-home care

- 26 The *Australian Homelessness Monitor 2018* found the young people leaving out-of-home-care ‘creates a clear risk of homelessness’.³⁸

Research shows that young people ‘ageing out of care’ have to manage multiple transitions – moving into independent accommodation, leaving school, and trying to find work or other means of support and becoming financially independent – in a shorter time, at a younger age, and with fewer resources and supports than their peers.³⁹

No 6: Complete Findings from Waves 1 to 6 (May 2015) 26; Chris Chamberlain and Guy Johnson, ‘Pathways into Adult Homelessness’ (2011) 49 *Journal of Sociology* 60; Mission Australia, *Out of the Shadows: Domestic and Family Violence, a Leading Cause of Homelessness in Australia* (Report, 2019).

³³ Australian Institute of Health and Welfare, *Specialist Homelessness Services Annual Report 2017–18* (February 2019).

³⁴ Australia’s National Research Organisation for Women’s Safety, *Domestic and Family Violence, Housing Insecurity and Homelessness: Research Synthesis* (Report, 2019) 2.

³⁵ Australian Institute of Family Studies, ‘[Child Maltreatment, Homelessness and Youth Offending](#)’ (4 October 2017).

³⁶ Royal Commission into Institutional Responses to Child Sexual Abuse, [Final Report](#) (2017) vol 3,155. The Report states: ‘The flow-on effects of the sexual abuse, including mental health impacts, alcohol and other drug abuse, and poor education, had at times led to extreme economic hardship and homelessness and other housing problems. A recent Australian longitudinal study suggests a relationship between childhood trauma – such as sexual abuse – and homelessness, with nearly one-third (31.5 per cent) of those who had been homeless for four years saying that they had been sexually assaulted during childhood’: 155.

³⁷ Royal Commission into Institutional Responses to Child Sexual Abuse, [Final Report](#) (2017) vol 3,155.

³⁸ Launch Housing, *Australian Homelessness Monitor 2018* (Report, 2018).

³⁹ *Ibid* 37.

Substance abuse

- 27 Research has found that ‘there is a significant relationship between the use of illicit drugs and homelessness’.⁴⁰ While the links between substance abuse and homelessness are complex, international studies have shown that substance-use disorders are ‘very prevalent among homeless people’.⁴¹ A 2003 study of homeless people in Sydney found that participants were six times more likely to have a drug use disorder and 33 times more likely to have an opiate disorder than the general Australian population.⁴²

Mental health

- 28 The Australian Institute of Health and Welfare’s [Specialist Homelessness Services Annual Report 2017–18](#) found that the second most commonly reported issue associated with homelessness was mental health, affecting 27% of service applicants.⁴³

- 29 Research cited in a 2019 report by Mission Australia found that ‘psychiatric disorders are usually at least twice as high among homeless youth compared with youth in the general population’.⁴⁴ The report also cited ‘very strong evidence’ for

an association between a history of psychiatric hospitalisation and homelessness, with de-institutionalisation of persons with mental illness leading to a rise in the proportion of mentally ill persons among the homeless. Homeless mentally ill people are also 40 times more likely to be arrested and 20 times more likely to be imprisoned than those with stable, suitable accommodation.⁴⁵

- 30 In 2018, the Australian Housing and Urban Research Institute (AHURI) conducted a comprehensive review of the evidence on housing and mental health and made a number of findings, including the following:

- housing, homelessness and mental health are interrelated;
- there is a lack of affordable, safe and appropriate housing for people with lived experience of mental ill health;
- discharge from institutions poses significant risks for homelessness and mental health.⁴⁶

- 31 The report also found that there is ‘a complex bi-directional relationship between housing, homelessness and mental health’:

Contrary to a widely held belief that most homeless people have mental health issues and that mental illness is a primary cause of homelessness, the evidence shows that while a mental health episode can plunge someone into homelessness, the isolation and trauma often associated with rough sleeping can also precipitate mental illness. A study of 4,291 homeless people in Melbourne found that 15 per cent of the sample population had mental health issues prior to becoming homeless, and a further 16 per cent had developed a mental

⁴⁰ Rosanna Scutella et al, ‘Understanding Lifetime Homeless Duration: Investigating Wave 1 Findings from the Journeys Home Project’ (2013) 48 *Australian Journal of Social Issues* 83, 99.

⁴¹ Mission Australia, [Out of the Shadows: Domestic and Family Violence, a Leading Cause of Homelessness in Australia](#) (Report, 2019) 15.

⁴² Ibid.

⁴³ Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 81–2.

⁴⁴ Ibid 14.

⁴⁵ Ibid 15 (citations omitted).

⁴⁶ Australian Housing and Urban Research Institute, [Housing, Homelessness and Mental Health: Towards Systems Change](#) (Report, November 2018) 1.

illness since experiencing homelessness. The authors found that ‘for some people, homelessness seems to cause mental health issues, particularly anxiety and depression’.⁴⁷

Exiting custodial arrangements

- 32 The Australian Institute of Health and Welfare has recognised that people exiting custodial settings are at increased risk of homelessness, and ‘are also less likely to exit homelessness’.⁴⁸ The same report noted that finding ‘suitable and stable accommodation is a major concern for people exiting custodial arrangements, especially for those with little or no support networks, such as from family and friends’.⁴⁹
- 33 A national longitudinal study in 2015 found that ‘[r]espondents that have ever been incarcerated, whether in juvenile detention, adult prison, or remand, are particularly prone to homelessness, even when comparing to other similarly vulnerable people’.⁵⁰ Major obstacles facing released prisoners often include ‘a general deterioration of housing conditions post-release due to debt, family breakdown, discrimination, stigma, lack of advocacy support, lack of references, limited income and reduced employment prospects’.⁵¹
- 34 Participants in a 2012 consultation project conducted by the Public Interest Advocacy Centre’s Homeless Persons Legal Service (HPLS) and StreetCare (the HPLS Homeless Consumer Advisory Committee) identified a number of common problems regarding a lack of services and information within prison regarding accommodation and post-release support.⁵²
- 35 They also identified particular difficulties securing stable accommodation following release from prison in New South Wales, including:
- the temporary nature of most accommodation options;
 - lack of social housing, the lengthy waiting list for public housing, and frustration negotiating processes and procedures to access social housing or community housing;
 - lack of availability of crisis accommodation options for people leaving prison, with many services having no beds available;
 - discrimination on the basis of being an ex-prisoner, particularly from boarding houses;
 - not having identification to enable access to social security payments to pay for accommodation;
 - being paroled to crisis or temporary accommodation services which did not have available accommodation, thus placing them in breach of parole;
 - the risk/temptation to reoffend due to difficulties in fitting into society and lack of accommodation options;
 - disconnection from society, institutionalisation and lack of independent living skills;
 - feeling isolated from friends and community support networks; and

⁴⁷ Ibid 13 (citations omitted).

⁴⁸ Australian Institute of Health and Welfare, *Specialist Homelessness Services Annual Report 2017–18* (February 2019).

⁴⁹ Ibid.

⁵⁰ Andrew Bevitt et al, *Journeys Home Research Report No 6: Complete Findings from Waves 1 to 6* (May 2015) 3.

⁵¹ Eileen Baldry et al, *Ex-prisoners and Accommodation: What Bearing do Different Forms of Housing Have on Social Re-integration?* (AHURI Final Report No 46, 2004) 5.

⁵² Public Interest Advocacy Centre, *Beyond the Prison Gates: The Experiences of People Recently Released from Prison into Homelessness and Housing Crisis* (Report, June 2013) viii.

- being exposed to bad influences making reoffending an easy option.⁵³

Impacts of Experiences of Homelessness

Social exclusion

- 36 The Australian Human Rights Commission has recognised that individuals who experience homelessness face greater barriers to accessing ‘education and training facilities on a sustained basis’, as well as difficulties in meeting the costs of education.⁵⁴

Many homeless people lack basic education and skills training, due to disrupted or incomplete schooling. They may also lack community and family connections that can assist in finding employment and providing advice on work-related issues. Lack of knowledge about employment rights and lack of bargaining power make homeless people particularly vulnerable to exploitation and discrimination at work.

Homeless people may also face discrimination in the employment process on the basis of their inability to provide a fixed address or satisfy identity requirements, or because they have a criminal record from offences associated with homelessness.⁵⁵

- 37 Homeless people also face barriers to accessing social security and health care:

Homeless people have significantly less access to health services than the broader population. Reasons for this may include financial hardship; lack of transportation to medical facilities; lack of identification or Medicare Card; and difficulty maintaining appointments or treatment regimes.⁵⁶

- 38 Stigma and the public use of negative and exclusionary language to describe homeless people have also been recognised as factors which keep homeless people ‘dissociated and disconnected from society’.⁵⁷

Poor physical and mental health outcomes

- 39 The Australian Human Rights Commission has recognised that ‘some health problems are consequences of homelessness’.⁵⁸

These include depression, poor nutrition, poor dental health, substance abuse and mental health problems. According to recent studies, homeless people also experience significantly higher rates of death, disability and chronic illness than the general population.⁵⁹

- 40 The Commonwealth has also recognised that, while homelessness ‘can be caused by mental illness ... unstable housing arrangements can also contribute to the deterioration of mental wellbeing’.⁶⁰ The Mental Health Council of Australia has stated:

⁵³ Ibid

⁵⁴ Australian Human Rights Commission, [Homelessness is a Human Rights Issue](#) (Report, 2008).

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Graham Tipple and Suzanne Speak, ‘[Attitudes to and Interventions in Homelessness: Insights from an International Study](#)’ (Conference Paper, Centre for Urban and Community Studies’ International Conference on Adequate and Affordable Housing for All, 24–27 June 2004) 2.

⁵⁸ Australian Human Rights Commission, [Homelessness is a Human Rights Issue](#) (Report, 2008).

⁵⁹ Ibid.

The treatment of mental illness becomes more difficult when a person is homeless or in unstable housing ... Outside of hospital, transient lifestyles may increase the likelihood of people not sticking to their treatment as many find it almost impossible to take medicine regularly while living on the streets. Thus, regardless of whether mental illness precedes homelessness or vice versa, what is apparent is that homeless people experiencing mental illness find it extremely difficult to continue appropriate treatment.⁶¹

Trauma and intergenerational homelessness

- 41 Research suggests that trauma often plays a role in ‘causing and sustaining homelessness’, with nearly 50% of participants in the Inner City Sydney Registry Week 2015 surveys having experienced emotional, physical, psychological, sexual or other abuse prior to experiencing homelessness.⁶²
- 42 Having a parent who also experienced homelessness at some point in their lives significantly increases the risk of homelessness for young people.⁶³ The Commonwealth report *The Road Home* found:

Homelessness removes stability and connection in people’s lives. People who move away from their home and local community often leave behind important supportive relationships and networks ... Homelessness can become part of a cycle of intergenerational disadvantage, in which younger generations in some families miss out on the opportunity to participate in the economy and community.⁶⁴

Links to Contact with the Criminal Justice System

- 43 Homelessness can be both a cause and consequence of involvement with the criminal justice system.⁶⁵
- 44 A 2015 study of data from the Australian Institute of Criminology’s Drug Use Monitoring in Australia (‘DUMA’) program estimated that 22 percent of police detainees are ‘homeless or experiencing housing stress in some form’.⁶⁶
- 45 The NSW Justice Health *Network Patient Health Survey 2015* found that ‘9.7% of participants were homeless or in unsettled accommodation prior to incarceration while the ABS reports the rate in the community at 0.5%’.⁶⁷ The proportion of survey participants who reported living in their own home or a private rental property prior to incarceration was ‘also

⁶⁰ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [The Road Home: A National Approach to Reducing Homelessness](#) (2008) 7.

⁶¹ Mental Health Council of Australia, [Home Truths: Mental Health, Housing and Homelessness](#) (Report, March 2009) 15.

⁶² Homelessness NSW, [Inner City Sydney Registry Week 2015 Report](#) (Report, February 2016) 12.

⁶³ Paul Flatau et al, [Lifetime and Intergenerational Experiences of Homelessness in Australia](#) (Australian Housing and Urban Research Institute Final Report No 200, 2013) 1.

⁶⁴ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [The Road Home: A National Approach to Reducing Homelessness](#) (2008) 10.

⁶⁵ Public Interest Advocacy Centre, [Facing the Outside World: The Voices of Those Who Exit the Prison into Homelessness](#) (2017).

⁶⁶ Australian Institute of Criminology, [Homelessness and Housing Stress among Police Detainees: Results from the DUMA Program](#) (Trends and Issues in Crime and Criminal Justice Report No 492, February 2015).

⁶⁷ Justice Health and Forensic Mental Health Network, [2015 Network Patient Health Survey Report](#) (May 2017) 13. The survey sample size was 1,132 adult prisoners: see 13 for further information on the survey sample and methodology. Of the prisoners surveyed, 77.2% were serving a sentence while the remaining 22.8% were on remand: at 33.

lower in comparison to the general population which further suggests that inmates experience less housing stability, at least in the period preceding their incarceration'.⁶⁸

- 46 Journeys Home, a longitudinal survey commissioned by the Australian Government, also found that the prevalence of homelessness was higher for respondents who had a history of contact with the criminal justice system, 'with homeless rates 15 to 20 percentage points higher than for those that had no contact'.⁶⁹ In respect of young people, respondents who had been in juvenile detention prior to Journeys Home

had, on average, a 27.7 per cent chance of being homeless at any particular point-in-time over the survey period. In comparison, individuals that had no prior contact with juvenile detention had a 20.4 per cent chance. Further, individuals that had been in juvenile detention were almost twice as likely to have slept rough or in squats (primary homelessness) on average compared to those who had not been in juvenile detention (5.5 and 2.9 per cent respectively).⁷⁰

Offending and police interactions related to homelessness

- 47 The Australian Institute of Criminology has observed:

In the literature, a number of different explanations are commonly used to describe the correlation between homelessness and crime, including that:

- by virtue of living in a public place, people who are homeless are more susceptible to committing public order offences such as trespassing and public urination;
- those without stable accommodation may have little choice but to engage in 'survival offending' such as shoplifting and squatting;
- substance abuse as a coping mechanism may lead to offending behaviour in order to fund habits; and
- police may specifically target homeless populations because of perceived community safety issues, or because homeless populations are more visible to street policing operations.⁷¹

- 48 The Australian Institute of Health and Welfare has found:

Young homeless people are often unable to support themselves, ineligible for benefits, and unlikely to find employment. Consequently, they may engage in survival behaviours—begging, theft, drug dealing and prostitution—to earn income for food and shelter. Not only are some of these behaviours illegal, they are also more visible to police due to the lack of privacy experienced by homeless people.⁷²

- 49 A report prepared by the Mental Health Council of Australia found that people who are homeless and people with a mental illness in particular are more likely than the rest of the

⁶⁸ Ibid 29.

⁶⁹ Andrew Bevitt et al, *Journeys Home Research Report No 6: Complete Findings from Waves 1 to 6* (May 2015) 67. Over approximately two and a half year period from late 2011, Journeys Home tracked a national sample of over 1,000 individuals exposed to high levels of housing insecurity: see 9 for further information regarding the survey methodology.

⁷⁰ Ibid 69.

⁷¹ Australian Institute of Criminology, *Homelessness and Housing Stress among Police Detainees: Results from the DUMA Program* (Trends and Issues in Crime and Criminal Justice Report No 492, February 2015) 2.

⁷² Australian Institute of Family Studies, '[Child Maltreatment, Homelessness and Youth Offending](#)' (4 October 2017).

population to come into contact with the criminal justice system.⁷³ The report cited Australian research which found that

at least 75 per cent of homeless participants received fines and charges in relation to behaviour directly related to their homelessness or mental illness, including begging, drinking in public, other public space offences, activities performed due to extreme poverty such as shoplifting, or drug and alcohol related offenses.

The MHCA's *Not for Service* report found that homeless people with a mental illness were more than 40 times more likely to be arrested and more than 20 times more likely to be imprisoned than those with stable accommodation; and offenders without stable accommodation were more than three times more likely to offend than those with stable accommodation. *Not For Service* uncovered evidence suggesting that some homeless people with a mental illness actually seek imprisonment so that they will not be living rough.⁷⁴

- 50 The Australian Homeless Monitor 2018 found that Aboriginal and Torres Strait Islander people in northern Australia who are homeless are at increased risk of experiencing interactions with police:

Indigenous people sleep rough or experience other forms of homelessness in northern cities such as Cairns, Townsville, and Darwin because the housing available in remote communities is inadequate to accommodate them. People therefore move from homelessness in remote Indigenous communities into homelessness, as experienced as rough sleeping, in urban centres ... Indigenous people sleeping rough are more likely to be targeted for police intervention than non-Indigenous people sleeping rough.⁷⁵

Mental health and substance abuse

- 51 The literature recognises that 'people with mental disorders (such as psychosis, anxiety disorder, affective disorder, personality disorder or neurasthenia)', people with cognitive impairments, and people who experiencing homelessness are over-represented at all levels of the criminal justice system:⁷⁶

Having a disability, being poor and disadvantaged and being in the criminal justice system can lead to homelessness. Conversely, homelessness is sometimes criminalised, and this can lead to offending, arrest and imprisonment, which can exacerbate the disabling experiences of having a mental disorder and/or cognitive impairment ... In negative and disadvantageous situations, this can create a vicious cycle in which people face increasing marginalisation and disadvantage.⁷⁷

- 52 Data from the Australian Institute of Criminology's DUMA program showed that 80% of police detainees experiencing homelessness tested positive to at least one drug at the time of their arrest, compared with 62% of detainees who were not experiencing homelessness.⁷⁸ The most common drug type amongst homeless police detainees was amphetamine, while

⁷³ Mental Health Council of Australia, [Home Truths: Mental Health, Housing and Homelessness](#) (Report, March 2009) 16.

⁷⁴ Ibid (citations omitted).

⁷⁵ Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 66.

⁷⁶ Eileen Baldry, 'Complex Needs and the Justice System' in Chris Chamberlain, Guy Johnson and Catherine Robinson (eds), [Homelessness in Australia: An Introduction](#) (UNSW Press, 2014) 196, 196.

⁷⁷ Ibid 197.

⁷⁸ Australian Institute of Criminology, [Homelessness and Housing Stress among Police Detainees: Results from the DUMA Program](#) (Trends and Issues in Crime and Criminal Justice Report No 492, February 2015) 7.

60% of detainees had consumed alcohol in the 48 hours prior to their arrest, significantly higher than the non-homeless detainee population (41%).⁷⁹

Holistic Approaches to Addressing Homelessness

- 53 Research [cited by AHURI](#) reports positive outcomes from housing models which promote ‘safe and permanent housing as the first priority for people experiencing homelessness. Once housing is secured, a multidisciplinary team of support workers can address complex needs through services like drug and alcohol counselling or mental health treatment’.⁸⁰
- 54 AHURI states that such holistic models assist individuals ‘in sustaining their housing as they work towards recovery and reintegration with the community at their own pace’.⁸¹
- 55 In respect of young people, the Australian Institute of Health and Welfare has recognised that:

Homeless young people have often experienced complex and multiple traumas, and are particularly vulnerable to continued victimisation and offending. To prevent further involvement with the criminal justice system (both as a victim and offender), it is vital to support maltreated youth for whom living at home is not an option.

Interventions should address both the physical and psychosocial needs of homeless young people, such as appropriate safe housing and complex trauma interventions. These young people require support through the processes of transitioning to adulthood, staying in school, finding employment and forming healthy relationships.⁸²

⁷⁹ Ibid.

⁸⁰ Australian Housing and Urban Research Institute, ‘[What is the Housing First Model and How Does It Help Those Experiencing Homelessness?](#)’ (Web Page, 25 May 2018).

⁸¹ Ibid.

⁸² Australian Institute of Family Studies, ‘[Child Maltreatment, Homelessness and Youth Offending](#)’ (4 October 2017).