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**FOR IMMEDIATE RELEASE**

## **NSW youth held in detention due to homelessness**

### **Peak body Yfoundations releases six key recommendations to address the cycle of adolescent homelessness and incarceration in new report**

**New South Wales, 05 October 2021:** Unsentenced adolescents in NSW are being held in detention simply because they are homeless. Under Section 28 of the Bail Act 2013 (NSW), 10 to 17-year-olds can be refused bail until suitable accommodation is found. In 2019/20 alone, 236 highly vulnerable adolescents were locked up because they had nowhere else to go.

Alarming numbers of adolescents are also exiting detention to homelessness in NSW. Every year, around 8% of adolescents exit detention to accommodation that NSW Youth Justice case workers deem 'unsafe' and 'insecure'.

These hard truths are the subject of Yfoundations' recently released report, **Young, in trouble and with nowhere to go: Homeless adolescent's pathways into and out of detention in NSW**.

"The criminalisation of homelessness sets young people on a downward spiral, with limited opportunities for change," said Pam Barker, CEO of Yfoundations, the peak body for youth homelessness in NSW. "Young people are being held in detention in NSW simply because they are homeless. The NSW government must undertake critical reform to help our young people. This includes expanding the Bail Assistance Line program and amending the NSW Bail Act," said Pam Barker.

Based on 143 interviews with caseworkers, managers and leaders in the youth justice system and Specialist Homelessness Services (SHS), the new report sheds light on the complex, bi-directional link between adolescent homelessness and incarceration in our state.

Previous researchers have found that the stress of homelessness can exacerbate underlying mental health, behavioural and substance use issues among adolescents, and increase their exposure to negative peer influence. Yfoundations new report builds on these findings, revealing that unstable living conditions make it difficult for homeless adolescents in NSW to comply with strict court orders. This makes it more likely that they'll reoffend and breach bail conditions and community-based orders, which greatly increases their risk of being locked-up.

Yfoundations new report also reveals that committing offences – particularly violent offences in the home – often leads to adolescents becoming homeless. Families are often reluctant to have their offending child return to the home, and they may also be prevented from doing so by a legal order, such as an Apprehended Domestic Violence Order.

Alarming gaps in the NSW youth housing system make it extremely difficult for caseworkers to find alternative accommodation for these highly vulnerable adolescents. Yfoundations interviews show that there is a major shortage of suitable placement options across the SHS and out-of-home care (OOHC) systems, particularly for those with complex needs. These gaps are compounded by the fact that there is ongoing confusion about the departmental responsibility for homeless adolescents who end up in detention.

Yfoundations' report includes six recommendations to address these gaps. These recommendations aim to decrease the number of homeless adolescents entering detention and ensure that those leaving detention secure the most appropriate accommodation and are successfully reunified with their families where possible.

"No adolescents in NSW should be held in detention because they are homeless, and we must ensure that adolescents who leave detention are exiting into safe and secure accommodation," Barker said.

"We see a lot of young people who come in and out of youth justice and experience chronic homelessness. We know that an integrated approach between child protection, youth justice and homelessness services is the way to break this pattern. We need to undertake legal, social and cultural change to break this pattern. The flow-on effects of not addressing this go beyond the life of one person and can impact future generations and entire communities."

In the report foreword by the President of the Children's Court of NSW, Judge Peter Johnstone acknowledged the contributions of Yfoundations to the understanding of the criminalisation of homeless adolescents in NSW.

"This report draws upon the invaluable insights of Children's Magistrates, lawyers working with the Aboriginal Legal Service and Legal Aid NSW as well as Youth Justice managers and caseworkers including those who staff the Bail Assistance Line," he said.

"It also discusses a number of pressing issues including the over-representation of Aboriginal children and young people in the homelessness, youth justice and care and protection systems. I would regard it as essential reading for anyone working in child protection or the youth justice space."

Expanding upon Yfoundations' 2019 research on Section 28 of the Act; this report maps the pathways of homeless adolescents in and out of detention. Yfoundations stresses the crucial nature of ongoing and improved inter-agency collaboration to alleviate the vicious cycle of homelessness and incarceration.

"Vulnerable young people need a safe place to call home to overcome instability and hardship. The current youth justice system is letting these young people down. We need to see more inter-agency collaboration as well as social, cultural and legal change to ensure our young people find safety and stability" Barker said. "Without this, our young people will continue to risk becoming homelessness."

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## About Yfoundations

Yfoundations is the peak body for youth homelessness in NSW. It represents young people at risk of and experiencing homelessness in NSW, and also represents the services that provide direct support to children and young people.

Since it was founded as the Youth Refuge Action Group in 1979, Yfoundations has been supporting young people who are at risk of and experiencing homelessness and works collaboratively with members, NGOs, government departments and community members, to provide policy and structural advocacy, services for young people, health projects, and research and sector development.

Yfoundations believes that with access to mechanisms that support the development and attainment of each foundation, a young person is more likely to enter adulthood with the skills, interests, competencies and healthy behaviours necessary to build a productive and bright future.

[www.yfoundations.org.au](http://www.yfoundations.org.au)

## Report Credits

**Young, in trouble and with nowhere to go: Homeless adolescent's pathways into and out of detention in NSW**

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