

Uluru Statement from the Heart Submission

About us

For over 40 years, Yfoundations has served as the NSW peak body representing children and young people at risk of and experiencing homelessness, as well as the services that directly support them. Our membership and board is made up primarily of youth Specialist Homelessness Services (SHS) and Homeless Youth Assistance Program (HYAP) providers, who have a wealth of knowledge about the issues facing homeless youth in our state.

Yfoundations wrote this submission in collaboration with the two other NSW homelessness peak bodies, Domestic Violence NSW Inc (DVNSW) and Homelessness NSW (HNSW). DVNSW represents over 100 specialist domestic and family violence services providing accommodation and support across the state. Its members include people experiencing domestic and family violence, homelessness peak bodies, non-government organisations, academics and other individuals. HNSW represents organisations that aim to end homelessness across NSW. Its members include small, locally based community organisations, multiservice agencies with a regional reach and large state-wide service providers.

Together, Yfoundations, DVNSW and HNSW form the Industry Partnership. Since 2014, we've provided training, resources and support to help SHS respond to current issues and to support the sector to deliver high quality services now and into the future.

Introduction

The Uluru Statement from the Heart (the Statement) is a document that lays out a path forward for Indigenous sovereignty. It affirms that Aboriginal and Torres Strait Islander peoples have been the sovereign nations in this country from 'time immemorial,' and that this sovereignty has never been ceded. Yfoundations, DVNSW and HNSW acknowledge this sovereignty and the strength and resilience of Aboriginal and Torres Strait Islander communities.

The Statement calls for constitutional change and structural reform. This includes establishing a First Nations Voice to Parliament which is enshrined in the constitution. The Voice would be a constitutional body that advises on policies and legislation affecting Aboriginal and Torres Strait Islander peoples.

We, as the peak organisations for homelessness and domestic and family violence in NSW, support this call. We know that it is only through listening to First Nations communities that all Australians will be able to solve structural social issues. In light of our expertise, this submission will focus on the overrepresentation of Aboriginal and Torres Strait Islander peoples amongst those experiencing homelessness and sexual, domestic and family violence (DFV). This submission will discuss how a constitutional Voice is crucial for closing the gap and ensuring that Aboriginal and Torres Strait Islander peoples live in safe, secure and culturally appropriate homes.

Aboriginal and Torres Strait Islander peoples are at greater risk of homelessness and domestic violence

Colonisation and systemic racism continue to impact First Nations people's lives. Aboriginal and Torres Strait Islander people experience higher rates of poverty (Markham & Biddle, 2016), negative health outcomes (AIHW, 2018a) and incarceration (ALRC, 2017) than the general population. Last week marked thirty years since the Royal Commission into Aboriginal Deaths in Custody, and yet Aboriginal people are still dying in police custody at more than six times the rate of the wider community (AIC, 2020).

Aboriginal and Torres Strait Islander people are also overrepresented amongst Australia's homeless population. On Census night, 20% of all people experiencing homelessness identified as Indigenous. This is despite Aboriginal and

Torres Strait Islander people making up 3% of the total Australian population (ABS, 2018). Aboriginal and Torres Strait Islander people are also 2.3 times more likely to experience rental stress than the rest of the population (AHURI, 2017). This is particularly true in NSW, where there is currently a shortfall of 11,000 social housing homes for Aboriginal families. Unfortunately, this deficit is only predicted to increase in the next ten years (AHURI, 2017).

Aboriginal and Torres Strait Islander young people and women are disproportionately impacted when it comes to homelessness. Last year, 1 in 3 young people aged 15 to 24 who sought assistance from homelessness services in NSW identified as Aboriginal and/or Torres Strait Islander (AIHW, 2020). On Census night, 4 in 10 Aboriginal people experiencing homelessness were under the age of 18 (AIHW, 2019). This is largely due to domestic and family violence, which drives women and children into homelessness. In fact, DFV is the leading cause of homelessness amongst women (FaHCSIA, 2008).

Aboriginal and Torres Strait Islander women are also vastly more likely to experience gendered violence than the general population (AIHW, 2018b), with some studies estimating that rates are up 40 times higher (Mouzos & Makkai 2004). Family violence and unstable housing are drivers for the concerning high rates of removal of Aboriginal and Torres Strait Islander children and young people into out-of-home care (OOHC). Aboriginal and Torres Strait Islander children in NSW are eight times more likely to enter OOHC than non-Indigenous children, and represent 40% of the total OOHC population (Davis, 2019).

The importance of a constitutional Voice in ending homelessness and violence

As the Uluru Statement from the Heart notes, social problems like homelessness and DFV are structural in nature. Homelessness and gendered violence are deeply linked to colonisation, genocide and dispossession of land. Research has shown that policies aimed at addressing the impacts of these structural issues on Aboriginal and Torres Strait Islander communities achieve better outcomes when there is genuine partnership and control (Productivity Commission, 2016). This has been acknowledged by the Australian Government's own Closing the Gap strategy, which is underpinned by a belief in Aboriginal and Torres Strait Islander self-determination. Indeed, the Closing the Gap's Retrospective Review found that initiatives were much more likely to be successful where they enabled Indigenous communities to lead (2018).

The Voice offers us a structural mechanism to hear Indigenous perspectives on policies and legislation which will directly affect First Nation peoples. However, a Voice which is not enshrined in the constitution will not achieve the same results. Removing the Voice from a referendum on constitutional reform goes against the wishes of the many Aboriginal and Torres Strait Islander leaders and communities involved in creating the Statement from the Heart. It is not a fair interpretation of the Statement, which calls for genuine structural change implemented through constitutional reform. It also risks entrenching the current model of government consultation, which is seen as 'top down' and is failing in its efforts to close the gap (DPC, 2018).

Conclusion

If we want to end homelessness and gendered violence, we must listen to and prioritise First Nations voices, which are calling for a constitutional Voice to Parliament. We note that support for the creation of a Voice is also echoed by the wider community. In 2020, four in five Australians supported the establishment of a representative Aboriginal and Torres Strait Islander Body which is protected by the constitution (Reconciliation Australian, 2020 Barometer).

It has been eleven years since the establishment of the panel on the Recognition of Aboriginal and Torres Strait Islander People in the Constitution, and four years since the release of the Uluru Statement from the Heart. This year, Yfoundations, DVNSW and HNSW call on the Australian Government to honour their election commitment and hold a referendum to enshrine a Voice to Parliament in the constitution.

Reference List

- Australian Bureau of Statistics (2018). Census of Population and Housing: Estimating Homelessness. Retrieved from <https://www.abs.gov.au/statistics/people/housing/census-population-and-housing-estimating-homelessness/latest-release#:~:text=Aboriginal%20and%20Torres%20Strait%20Islander%20peoples%20made%20up%203%25%20of,on%20Census%20night%20in%202016.>
- Australian Housing and Urban Research Institute (2017). How can Aboriginal housing in NSW and the Aboriginal Housing Office provide the best opportunity for Aboriginal people? Retrieved from https://www.facs.nsw.gov.au/__data/assets/pdf_file/0008/547145/AHURI-Report.pdf
- Australian Institute of Criminology (2020). Deaths in custody in Australia 2018-19 – Statistical Report 31. Retrieved from https://www.aic.gov.au/sites/default/files/2020-12/sr31_deaths_in_custody_in_australia_2018-19.pdf
- Australian Institute of Health and Welfare (2018a). Australia's health 2018. Canberra: AIHW. Retrieved from <https://www.aihw.gov.au/reports/australias-health/australias-health-2018/contents/table-of-contents>
- Australian Institute of Health and Welfare (2018b). 'Family, domestic and sexual violence in Australia.' Canberra: AIHW. Retrieved from: <https://www.aihw.gov.au/reports/domestic-violence/family-domestic-sexual-violence-in-australia-2018/summary.>
- Australian Institute of Health and Welfare (2019). Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness. Cat. no. HOU 301. Canberra: AIHW. Retrieved from <https://www.aihw.gov.au/getmedia/1654e011-dccb49d4-bf5b-09c4607eccc8/aihw-hou-301.pdf.aspx>
- Australian Institute of Health and Welfare (2020). 2019-20 Specialist Homelessness Services data, commissioned by Yfoundations.
- Australian Law Reform Commission (2017). Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples, Final Report No 133. Retrieved from <https://www.alrc.gov.au/publication/pathways-to-justice-inquiry-into-the-incarceration-rate-of-aboriginal-and-torres-strait-islander-peoples-alrc-report-133/>
- Department of Families, Housing, Community Services and Indigenous Affairs (FaHSCIA) (2008). The Road Home A National Approach to Reducing Homelessness. Retrieved from <http://www.nwhn.net.au/admin/file/content2/c7/The%20Road%20Home.pdf>
- Department of the Prime Minister and Cabinet (DPC) (2018). Closing the Gap Retrospective Review. Retrieved from <https://www.niaa.gov.au/sites/default/files/publications/closing-gap-retrospective-review-accessible.pdf>
- Davis, M. (2019). Family is culture: Independent review of aboriginal children in OOHC. Sydney, NSW Government.
- Markham, F. & Biddle, N., (2018). Income, poverty and inequality - Census Paper 2. Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.
- Mouzos, J. & Makkai, T., (2004). Women's experiences of male violence: findings from the Australian component of the International Violence Against Women Survey (IVAWS). Research and public policy series no. 56. Canberra: Australian Institute of Criminology. Retrieved on: <https://www.aic.gov.au/publications/rpp/rpp56>
- NSW Bureau of Crime Statistics and Research (2011). Trends and patterns in domestic violence assaults: 2001 to 2010. Issue paper no. 61 May 2011. Retrieved from <https://www.bocsar.nsw.gov.au/Publications/BB/bb61.pdf>

Steering Committee for the Review of Government Service Provision (SCRGSP) (2016). Overcoming Indigenous Disadvantage: Key Indicators 2016, Productivity Commission, Canberra. Retrieved from <https://www.pc.gov.au/research/ongoing/overcoming-indigenous-disadvantage/2016/report-documents/oid-2016-overcoming-indigenous-disadvantage-key-indicators-2016-report.pdf>

Submission partners

