

I am a student doing a Masters of Social Work at the University of Western Australia, representing the Social Policy and Community Development class.

Which human rights and responsibilities should be protected and promoted?

In 1989 a report referred to as the Burdekin Report was published by the Human Rights and Equal Opportunity Commission .(Chamberlain & Mackenzie 1998:8) As a result of the media attention focused on this report mainstream Australia became more aware of the problem of youth homelessness within Australia.

Our group project research identified that youth homelessness is a significant social problem in the Town of Victoria Park in Perth, which comprises the suburbs of Burswood, Carlisle, East Victoria Park, Lathlain and Victoria Park. Firstly we needed to determine that homelessness was a Human Rights issue. During the course of our research we discovered that young people facing homelessness face violation of a wide range of human rights. Besides being a breach of the basic right to adequate housing, it impacts upon the right to health, personal safety, education , work, non-discrimination, social security, freedom of movement and freedom of association, and freedom from cruel, inhuman or degrading treatment or punishment.

Based on the United Nations Declaration of Human Rights (cited in Kenny 1994:263), the youth that are homeless face violation of many basic human rights. The following is a summary of articles which are breached when a youth is homeless:

Article 1: All human beings are born free and equal in dignity and rights.

Article 2: Everyone is entitled to all rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3: Everyone has the right to life, liberty and security of person

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law.

Article 21: Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. Everyone has the right to equal access to public service in his country.

Article 22: Everyone as a member of society, has the right to social security.

Article 23: Everyone has the right to work, a free choice of employment, to just and favourable conditions of work and to protection against unemployment.

Article 25: Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control.

Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26: Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

Article 27: Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Article 29: Everyone has duties to the community in which alone the free and full development of his personality is possible.

It is important to protect and promote the basic right of all people to have access to adequate shelter. With this right comes the responsibility of tenants to follow the rules of the tenancy eg paying rent and maintaining the residency in good condition. Therefore the ability of the homeless to maintain stable employment and possess basic life skills is essential. The ability to maintain stable employment depends upon good physical and mental health, which is a problem for many homeless youth. Secondly the ability to obtain and maintain employment depends upon non discriminatory Human Resource practices, which make allowances for the homeless and also providing a non-discriminatory and supportive work environment.

According to Maslow's hierarchy of need model, basic physiological and survival needs are essential to sustain progress to meet the higher human needs. This is supported by research findings of the Salvation Army who found that if homeless people are struggling to meet basic daily physiological and survival requirements then those people have little interest in higher needs such as employment and training. Therefore it is essential that basic human rights related to physical survival are adequately met first in order to sustain progress into employment and training. These basic physiological needs include access to adequate food, shelter, clothing, sleep and maintaining homeostasis or a balanced physiological state which depends on the previous four basic needs being adequately and regularly met. After the basic physiological needs are met then the human rights related to safety should be addressed. These include financial security which depends upon stable employment or welfare, personal security (which also relates to adequate shelter), and health and wellbeing. (Finding My Place: Salvation Army:2008)

Therefore in summary Human Rights and responsibilities related to Maslow's first two levels ie. physiological and safety needs are essential if the cycle of homelessness is to be broken. Centrelink have a responsibility to assist in meeting the first level of needs of homeless youth so that they can aspire to employment or training, health and wellbeing and personal security which then ensures that they can become independent of welfare and thus build their self respect and self esteem.

By following Maslows model and meeting the needs of the homeless youth on the bottom two levels a solid foundation is provided on which to build. If however these basic human rights are not adequately met and higher needs are met there is a strong possibility of the homeless not being able to sustain this and falling back into the cycle of homelessness. An analogy would be like building a house upon sand. Therefore it is important to build on a solid foundation so that backsliding is not an option.

These basic Human Rights are important as they are the very foundations of life and survival which all human beings are entitled to and need in order to have the chance to further develop towards their full potentials. In a wealthy first world country it is shameful that as many as 100,000 people are officially homeless with many more uncounted or on the borderline. There are many categories of homelessness which aren't as visible as primary homelessness such as secondary and tertiary homelessness. Another point is that when the census is taken most homeless people don't participate due to having no fixed address. Also the young homeless population tend to be transient, moving locations often.

Are Human Rights sufficiently protected and promoted?

During our research we found that Homeless youths human rights in the area of Victoria Park in Perth were not sufficiently protected. The reasons for this include:

According to a local newspaper article titled 'Help for the Homeless' by Reynolds the general public do not like the youth homeless population and view them as a nuisance. The shopkeepers in particular do not like the homeless begging on the main shopping precinct of Victoria Park. (Reynolds 2009:6)

Whilst local government in Victoria Park are aware of the problem of homelessness in their precinct, however they claim that in order to address the problem they need State Government support.

According to Rev. Ron Davies (White Paper Conference), local governments deal with the problem of homelessness by attempting to move the homeless to other suburbs, so that homelessness does not appear to be a problem within their own community.

This approach only exacerbates the problem by disrupting the networks of the homeless, and can lead to crime in the outer suburbs along with increased incarceration of the homeless. Rev. Ron Davies stated that the homeless youth feel discriminated against by the general public.

Young homeless people are often unsafe in the family home, in conflict with family members, at risk of abuse and assault on the streets and in state care: and unable to earn enough income to access a reasonable level of housing. These problems are often exacerbated due to young peoples relatively low income earning capacity, their low level of power within society, unacceptably high rates of youth unemployment, and discrimination in accessing housing. (Chamberlain C & Mackenzie D, 1998)

The white paper maintains that “young homeless people experience poor physical and mental health, usually as a result of poor nutrition, poor hygiene, drug and alcohol misuse, and exposure to extreme trauma. Homeless and other at-risk young people have multiple health issues that need urgent attention.” (Homeless White Paper:2009)

The Salvation Army found that Depression, Anxiety, self-harm and suicide ideation were major health issues for young homeless people. The young homeless are exposed to exploitation by sexual predators and some turn to prostitution in order to survive.

How could Australia better protect and promote human rights?

A human rights approach acknowledges that homelessness is more than just a housing issue. Addressing homelessness requires a comprehensive and integrated approach that takes into account its many and varied causes and effects. A rights based approach also seeks to involve homeless youth in the development of solutions to homelessness.

It is important for all levels of government including local council to become committed to taking solid and targeted legislative, policy and budgetary steps towards meeting the needs of homeless youth.

A grass-roots community development approach or bottom up approach is needed to involve and thus empower the homeless youth in Victoria Park. One of our objectives was to encourage homeless youth to become part of their community by involving them in various community organisations and activities.

We found that accurate statistical data was not available concerning youth homelessness in the Victoria Park area. When we contacted the ABS we were informed that the homeless youth population in Victoria Park was zero. However from our practical research of talking to homeless youth in the area we discovered that there was a large underground or non-visible community. As part of our change strategy we proposed a youth homeless register which encouraged the homeless youth to register as members of the Town of Victoria Park with no fixed address. This would also serve to provide policy makers and authorities with more accurate data on which to formulate policies and provide funding for essential services. Also drawing on the communities assets we would encourage the homeless youth to register with voluntary and government organisations within their community.

Another strategy recommended to meet the need of providing the youth with appropriate accommodation would be to submit a report to the Housing Commission asking for additional assistance with housing. Signatures and petitions from the homeless youth and

members of the community will be sent to the housing commission to encourage them to assist to meet this social problem.

A longer term strategy to address the homeless youth problem in the town of Victoria Park would be to establish youth centres which would assist homeless and disadvantaged youth to access educational facilities, job-search training, practical assistance with essentials such as resumes, interviews, clothing, transport, computers and phones.

Another important function of the youth centres would be providing information about the rights and responsibilities to claim social security payments. Forty-five percent of the homeless youth interviewed in a sample group from the Town of Victoria Park expressed that they did not obtain social security payments because they were not aware of the process and did not know what their rights were to obtain government assistance.

These community youth centres would be managed by social workers who would liaise with organisations such as Centrelink, community organisations, employers and any organisation or individual who could offer practical assistance.

According to the white paper which is a government strategy, "Homelessness is everyone's responsibility"(Homeless white Paper:2009) As homeless youth feel excluded from the community and discriminated against they need to become officially recognised as members of the Town of Victoria Park and thus become the responsibility of this local council. Although these individuals are not tax or rate payers they need to be officially recognised , ignoring the problem will not make it go away and it could become worse if nothing is done.

It has been mentioned by Goldman and La Castra (2000) that homelessness is a career progress and if the issue is not addressed many homeless youth will make the transition into long-term homelessness.

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