Violence, Harassment and Bullying and Homelessness

1 Homelessness in Australia ................................................................. 1

2 Homelessness and human rights ..................................................... 2

3 Why are violence, harassment and bullying human rights issues? .... 2
   (a) Protection from violence, harassment and bullying is a stand-alone human right .......................................................... 2
   (b) Violence, harassment and bullying as a cause of homelessness ..... 3
   (c) Violence, harassment and bullying against people experiencing homelessness .................................................. 3

4 Hidden, under-reported and under-recorded .................................. 3

5 How do people who are homeless tend to experience violence,
   harassment and bullying? .............................................................. 4

6 Different groups experiencing violence and homelessness ............. 4
   (a) Women .......................................................................................... 4
   (b) Children and young people ............................................................. 5
   (c) People living with mental ill-health or disability ............................... 6
   (d) Aboriginal and Torres Strait Islander Peoples ................................. 6
   (e) People leaving prison ..................................................................... 6
   (f) Lesbian, Gay, Bisexual, Trans and Intersex people .......................... 7

Violence, harassment and bullying can be both a cause and consequence of homelessness. This means that a person may become homeless as a result of family violence and/or be exposed to violence, harassment and bullying because they are homeless. Violence, harassment and bullying are unacceptable in any context and violate a range of human rights.

A person experiences homelessness when they do not have somewhere to live in security, dignity and peace.¹ This can include those who live on the streets, those who stay temporarily with family or friends or in crisis accommodation as well as those in boarding houses with no secure lease.²

1  Homelessness in Australia

Homelessness is a significant issue facing Australia. There are an estimated 105,000 people experiencing homelessness in Australia, with one person in every 105 having received support from a specialist homelessness agency in 2008/09.³

Homelessness affects people of all ages and backgrounds but some people may be particularly vulnerable to experiencing homelessness.⁴ There are increasing numbers of children and families experiencing homelessness. There has also been an
increase in older women accessing homeless services. Evidence also suggests that people living with mental ill health or disability, Aboriginal and Torres Strait Islander peoples, lesbian, gay, bisexual, trans and intersex (LGBTI) people, and people that are leaving prison may also be particularly vulnerable to homelessness.5

2 Homelessness and human rights

Every person has the right to an adequate standard of living, which includes the right to adequate housing.6

The right to housing is more than simply a right to shelter. It is a right to have somewhere to live that is adequate. Whether housing is adequate depends on a range of factors. For more information see the Commission’s webpage on Housing, Homelessness and Human Rights.

People experiencing homelessness face violations of a wide range of human rights. A person who is homeless may be facing violations of the right to an adequate standard of living, the right to education, the right to liberty and security of the person, the right to privacy, the right to social security, the right to freedom from discrimination, the right to vote and many other rights.7

These human rights are protected by a number of international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Rights of the Child (CRC).

3 Why are violence, harassment and bullying human rights issues?

(a) Protection from violence, harassment and bullying is a stand-alone human right

Everyone has the right to be respected and safe,8 regardless of their race, ethnicity, religion, gender, sexual orientation, disability or age.9 Violence, harassment and bullying are violations of this human right.

People who are homeless experience higher rates of violent victimisation than the general population.10 Violence, harassment and bullying are significant violations of the right of every person to life, liberty and security of the person.11 It is vital that people experiencing homelessness are provided with adequate support to protect them from violations of their right to personal safety.12
(b) **Violence, harassment and bullying as a cause of homelessness**

There are many different causes of homelessness. They include structural causes (such as poverty, unemployment and discrimination), social causes (such as the lack of safe, affordable housing and policies about health care and education), cultural causes (such as inappropriate support to Indigenous communities) and individual causes (such as ill health, alcohol dependency and domestic violence).\(^{13}\)

Violence, harassment and bullying may cause some people to become homeless. Research has shown that people who become homeless may have experienced high rates of childhood sexual, emotional and physical abuse.\(^{14}\) The most common reason that people give for seeking assistance from government-funded homelessness services is domestic or family violence.\(^{15}\)

(c) **Violence, harassment and bullying against people experiencing homelessness**

Access to safe and secure housing is a fundamental human right. However, homelessness is not just about housing.\(^{16}\) People experiencing homelessness face violations of a wide range of human rights.

These violations are intensified by high rates of violence, harassment and bullying. A lack of secure housing increases a person’s vulnerability to acts of violence, harassment and bullying. Violent victimisation may also prolong the length of time for which a person is homeless.\(^{17}\)

4 **Hidden, under-reported and under-recorded**

Violence, harassment and bullying are often hidden, under-recorded and under-reported.\(^{18}\) This makes it difficult to gain an accurate representation of the extent of the problem. Reasons for the lack of accurate statistics are multifaceted and linked to the entrenched and complex nature of violence, harassment and bullying in the community. There can be considerable fear and stigma associated with reporting violence and sexual abuse. This can be exacerbated when there are no appropriate and accessible support services available. There is also widespread societal acceptance of bullying and harassment, including some forms of violence, which are seen as “normal” in many settings.

While it is difficult to know accurately the extent that people who are homeless are subject to violence, harassment and bullying, research consistently shows that people experiencing homelessness suffer from extremely high levels of violence.\(^{19}\)
5 How do people who are homeless tend to experience violence, harassment and bullying?

People experiencing homelessness encounter violence, harassment and bullying in a number of ways, for instance, sexual and physical assault and abuse; racial and sexual discrimination; domestic and family violence; and exploitation (e.g. prostitution).20

6 Different groups experiencing violence and homelessness

Homelessness affects a wide range of people from different regions, of different ages and from different cultural backgrounds.

Some groups are particularly at risk of becoming homeless and of experiencing violence, harassment and bullying as part of being homeless.

(a) Women

Women can be particularly vulnerable to homelessness.21 One in 50 young women between the ages of 15 and 19 accessed homeless services in 2008/09.22 Statistics suggest that as much as 42 per cent of Australia’s homeless population is female.

Violence is one of the major causes of homelessness amongst women.23 Domestic or family violence is one of the main reasons that women in Australia seek homelessness support services.24 Almost half of the homeless population first became homeless because of abuse or relationship breakdown.25

There is also a concerning increase in the number of older women seeking emergency housing. A recent study26 found that being older, female and single was a risk factor for homelessness. Qualitative research that looked at the experiences of 31 older women found that most who had experienced homelessness had being in abusive or difficult relationships, had worked throughout their lives and had children. A combination of factors including age discrimination relating to work, a health crisis, lack of family support and difficulties obtaining and keeping work had increased their susceptibility to becoming homeless.

Women who are homeless are often less visible than men and the extent to which homelessness affects women is often underestimated. Women who are homeless tend to remain out of sight, away from areas where other people experiencing homelessness may congregate, for fear of violence, rape or other abuse.27

Women who are homeless are also at greater risk of violence and sexual abuse and are often forced into harmful situations and relationships out of need.28 They may
also experience sexual or physical abuse within emergency accommodation services, shelters and on the streets.29

Violence against women who are homeless violates many human rights. This includes the right to liberty and security of the person and to the highest attainable standard of physical and mental health.

(b) Children and young people

There are increasing numbers of children and families experiencing homelessness with more than a quarter being families with children. One in every 63 children aged under 17 years has accompanied their parents to homeless services.30 Young people are particularly vulnerable to homelessness in Australia.31 At the 2006 Census almost half of the people in Australia experiencing homelessness were under 25 years old. This was made up of 12 per cent who were under 12 years old, 21 per cent were aged between 12 and 18 years old and 10 per cent were aged between 19 and 24 years old.32

Many of these children are part of family groups escaping violence. Homelessness among children and young people is linked closely to relationship and family breakdown, domestic violence, physical and emotional abuse, anxiety or depression, unemployment and substance abuse.

Young people may also find themselves homeless when their families are unable to afford suitable housing or are evicted from their housing.33 Young people experiencing homelessness are particularly vulnerable to violence, abuse and sexual exploitation from others.34

Young people leaving out-of-home care are particularly vulnerable to homelessness. A recent Australian study indicated that almost 35 per cent of young people leaving out-of-home care had experienced periods of homelessness in their first year of independence.35

The type of harm young men and women experience can differ. Young men who are experiencing homelessness are at a high risk of physical abuse.36 Young women who are homeless are at increased risk of sexual assault.37

One of the worst things that happened was one night when a gang of guys tried to rape me while I was sleeping on a park bench. By chance a friend came by and helped me get away. Since that night I cannot sleep outside without feeling a horrible sense of fear.

17 year old young woman experiencing homelessness38

Violence, harassment and bullying against children who experience homelessness impacts on many human rights, including the right to leisure and play, the right to
education, the right to the highest attainable standard of health and development and the right to survival.

(c) People living with mental ill-health or disability

Mental illness is one of the primary causes of homelessness.39 People with a mental illness often experience social isolation, have difficulty accessing employment, education and support services. A large proportion of people experiencing homelessness are affected by mental illness, making them one of the most vulnerable and isolated groups in our society. People who are homeless also experience higher rates of disability and chronic illness than the general population.40

There is a strong relationship between homelessness, violence, poor mental health, and substance abuse.41 For instance, having schizophrenia or another psychotic illness has been associated with violent victimisation of people experiencing homeless.42

Violence, harassment and bullying against people who are homeless and who experience mental ill-health or live with a disability impacts on many human rights, including the right to the highest attainable standard of health and the right to live a life with dignity.

(d) Aboriginal and Torres Strait Islander peoples

Aboriginal and Torres Strait Islander peoples are significantly more likely to experience homelessness than non-Indigenous people.43 Seventeen per cent of homelessness service users are Indigenous, making Indigenous peoples eight times more likely to use emergency accommodation than non-Indigenous people.44 Indigenous children make up one quarter of children accessing homelessness services.45

Violence, harassment and bullying against Indigenous Australians who are homeless compounds the high levels of discrimination they already face. It violates a range of human rights, including the right to be respected and safe, the right to life, to physical and mental integrity and to liberty and security of the person.

(e) People leaving prison

People exiting prison are at increased risk of homelessness. Indeed, some people who enter the prison system report being homeless: seven per cent of prisoners reported that they were homeless at the time of their arrest.46

A large proportion of people leave prison without accommodation arranged or without expectation about where they will be living.47 They may not have any housing to go to
or may return to live with family and friends in situations that are not sustainable. Discrimination against people who have been to prison can make it difficult for ex-prisoners to find place to rent.

An Australian Institute of Criminology study of housing and homelessness outcomes for ex-prisoners found that stable accommodation was likely to contribute to a decrease in reoffending and drug use.48

Violence, harassment and bullying against people leaving prison impacts on a range of human rights, including the right to work, the right to the highest attainable standard of health, the right to shelter and an adequate standard of living and the right to liberty and security of the person.

(f) Lesbian, gay, bisexual, trans and intersex people

There is no national data on rates of homelessness amongst LGBTI communities. In NSW, of the 20,000 plus young people who are homeless, it has been estimated that one in four is gay or lesbian.49

Violence, harassment and discrimination are key elements of the experience of homelessness for LGBTI people. International research has shown that young people experiencing homelessness who are sex and/or gender diverse suffer from higher rates of sexual assault and abuse.50 They also face violence, harassment and bullying from homelessness service providers, such as supported accommodation, as well as from their peers.51

Discrimination and harassment because of gender identity can frequently occur when accessing appropriate emergency accommodation. For example, trans women may be refused access to women-only emergency housing and trans men are at risk of violent assault when seeking male-only boarding house accommodation.52 In addition, a large percentage of transgender people report being refused housing.53

People with diverse sex and/or gender identities are also highly likely to experience discrimination in their families and harassment at school.54 These high rates of victimisation and abuse may be one reason for the over-representation of sex and/or gender diverse youth who leave home and become homeless.

Violence, harassment and bullying against LGBTI people who are homeless impacts on many human rights, including the right to freedom of association, the right to freedom of expression, the right to shelter and an adequate standard of living and the right to the highest attainable standard of physical and mental health.


6 *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, 1966, art 11


9 *UDHR*, 1948, art 2; *ICCPR*, 1966, art 2; *ICESCR*, 1966, art 2.


11 *UDHR*, 1948, art 3.


43 ABS, ‘Counting the Homeless Australia’, Australian Census Analytic Program (2006);
48 M Willis, Ex-Prisoners, Supported Accommodation Assistance Program housing and homelessness in Australia, Final Report to the National SAAP Coordination and Development Committee, Australian Institute of Criminology, Canberra, May 2004.
54 E Maberley, P Coffey, *Opening the Door? Exploratory research into LGBT young people’s access to support accommodation in Queensland*, Queensland Youth Housing Coalition (2005).