

Attachment F - Enhance the Homelessness Youth Assistance Program (HYAP)

While housing solutions need to be found for many young people to live independently in NSW, for others it is not at all appropriate. Family-like, caring and trauma informed environments that meet the needs of young people of all ages is imperative to their care and protection, and their ability to not just survive but thrive. This is of utmost importance when considering the youth specific homelessness service system in NSW responses to young people as young as 12, officially, and in reality, even younger.

The NSW Government and its child protection system regularly fails its duty of care to young people. As Australia is a signatory to the Convention on the Rights of the Child, children and young people in Australia have the fundamental right to safety, freedom from violence and a stable family environment (UN General Assembly 1989). Child protection systems function to safeguard their lives and future and protect them from abuse and neglect. However, several reviews, datasets and reports demonstrate that that young people, and in particular 'older' young people at risk in NSW are not receiving a sufficient care and protection response.¹ Many of these young people are presenting to the specialist homelessness service system, and it has become the safety net supporting them. Alarming, many of these young people are under the age of 15, and in some instances as young as 10, where the remit of youth Specialist Homelessness Services is 15 -24.

By virtue of their homelessness, such children and young people should almost always fall within the responsibility of the statutory child protection system. But due to the poor response to 'older' young people, instead, in NSW a non-statutory program called the Homeless Youth Assistance Program (HYAP) was developed to provide a package of services to unaccompanied young people aged over 12 and under 16 who are homeless or at risk of homelessness. It aimed to act to 'intervene early' and reunify children and young people with their families and broader support networks; or enable children and young people to transition to longer-term supported accommodation.

A commissioned review of HYAP, released 2020, found that:

- HYAP is successful for 44% young people who were at 'early' stages of risk. 'Early' was determined through whether a young person was known or not known to the child protection system
- But for the 56% of young presenting to HYAP who were known to the child protection system, HYAP had little to no impact, and they may not get an appropriate response.
- Outcomes are short lived. Almost one third of those who had exited HYAP presented to SHS with needs related to housing and family breakdown.
- Younger cohorts appeared to fare worse in outcomes. Family connections for younger people did not show improvements and case management goals for younger cohorts showed no improvement or worsened.

While some herald HYAP as innovative, as it provides some small level of funding for homelessness services to deal with the reality of those who present to them, others find it

¹¹ See, for example, Youth Action, 'Protect Young People and Care Leavers in NSW to Grow up Healthily, Happily and Safely', in *A NSW for Young People: Beyond 2019*: (Sydney: Youth Action), 10–13, accessed 1 December 2021, https://d3n8a8pro7vhmx.cloudfront.net/youthaction/pages/1542/attachments/original/1544592185/A_NSW_for_Young_People_Report.pdf?1544592185.

unnecessarily blurs the line between what is Child Protection and Out-of-Home Care and what is not, to the potential detriment of young people. While homelessness services can provide a safe place for young people while these other options are identified and arranged, they should not be responsible for functions of the statutory child protection system, like intensive family preservation, or out-of-home care. They do not have the same safeguards, regulation or funding commiserate with what is required. To our knowledge, nowhere else in the world does there exist a government program like HYAP.

Yet the evaluation clearly showed that HYAP services were indeed working with young people with Child Protection issues, with complex histories and trauma which was not at all the stated intention of the program, and could undermine young people's basic rights to care, protection and family-like environments. Consultations by Homelessness NSW with HYAP providers also confirmed that it was incredibly difficult to get a child protection response for them, and so they were retained within their service as there was nowhere else for them.

Until improvements are made to the broader service system including prevention and early intervention systems alongside an overarching strategy to improve fragmented policy for highly vulnerable teens, a statutory child protection response is unlikely to occur.

That these young people come into the remit of HYAP but may not receive services that are regulated to the extent of the OOHC system, and resources that are available to young people once they enter child protection, as well as the whole of government approach which brings into play different aspects of health, education, justice does not put their care and protection as paramount.

Until the child protection system improves, HYAP will continue to be the first port of call for young people 12-15 who are experiencing homelessness. Their care and protection should be paramount and therefore funding should be commensurate with their needs, including regulatory environments and support to thrive. The NSW Government should:

Enhance funding for Homeless Youth Assistance Program (HYAP) to ensure that services are resourced to provide the same standard of service and funding to young people as OOHC providers