



Queensland Shelter
Submission to:
The Queensland Child
Protection Commission of
Inquiry

September 2012

Queensland Shelter

Queensland Shelter (Q Shelter) is a Peak Housing Policy, Non-Government Organisation, committed to working towards a fairer and more just housing system. We provide an independent voice on housing rights and provide a link between government and the community through consultation, partnerships, research, and policy advice. We are committed to improving housing access for all Queenslanders. Our funding mandate and social justice framework puts particular focus on the interests of low and moderate income housing consumers and others who struggle to meet their housing needs in Queensland.

Q Shelter is a member of National Shelter and we support the National Shelter Policy Platform. Our members are both individuals and community organisations across the State. Q Shelter currently has a total of 18 active branches that are formed either around a geographical area, or represent specific housing needs.

Purpose

Q Shelter commends the Queensland Government's commitment to an open and independent inquiry into Queensland's child protection system. Q Shelter believes that any inquiry into the child protection system must also look into the housing of young people and their families in general and issues of availability, affordability, homelessness and support services, in particular. Children, young people and families (irrespective of any involvement with the child protection system), should be entitled to access a range of services that should be 'universally available' to all families (such as housing, education and health care). This is especially so for children and families from Aboriginal and Torres Strait Islander backgrounds who are over represented in the child protection system. In 2007, the number of indigenous children on care and protection orders and out of home care was 7,591 and 7,917 respectively. In 2011, the numbers were 12,280 and 12,358 respectively. These represented increases of 62% and 64%.¹

Q Shelter believes these are appropriate issues under the terms of reference for the Commission of inquiry – namely:

3. Reviewing the effectiveness of Queensland's current child protection system in the following areas:

- (1) Adequacy of resources across the child protection system and whether resources could be used more efficiently*
- (2) The Queensland Government's current response to children and families within the system*
- (3) Tertiary child protection interventions, case management, service standards, decision making frameworks, etc. and*
- (4) The transition of children through and exiting the system.*

Background

Queensland's portfolio of social housing (including government owned and those managed by non-government agencies) totals 71,275 dwellings.² During 2008-09, young people (aged 24 years and under) represented 37.7% of all people housed in public rental housing in Australia. Of these, 62% were under the age of 15 years. Figures for Stated Managed or

¹ Australian Institute of Health and Welfare (2012), Child Protection Australia 2010-11. Child Welfare Series no 53. Canberra, p. 4

² Qld. Dept. of Housing and Public Works (2012), *Social Housing: Factors affecting sustainable delivery in Queensland*, p.1

Owned Indigenous Housing were even higher, with 58.2% of tenants aged 24 years or younger and of these, 72% were under the age of 15.³

The *National Housing Supply Council Housing Supply and Affordability – Key Indicators, 2012* report estimated Queensland had an absolute housing shortfall of 83,000 dwellings during the period 2001 to 2011. The absolute national shortfall over that period was 228,000 dwellings.⁴

Recent reports and surveys, including the Australian Council of Social Service (ACOSS), Australian Community Sector Survey 2012, show that housing continues to be both the highest area of demand and also unmet need (60% of respondents). ACOSS survey respondents stated they had to turn away 8% of clients because of inadequate or inappropriate housing.⁵

Housing stress for families, in terms of paying rent or a mortgage, can have significant impacts on children. This can arise from the fact that parents or caregivers can't afford to provide adequate food, clothes, health care, pay for school fees and books, tuition, etc., or stem from conflicts between parents/caregivers, mental and general health issues for parents/caregivers.

'There are studies that suggest that children who experience higher rates of residential mobility are at higher risk of school dropout, repeating a grade at school, or being suspended or expelled. The reasons that higher levels of residential mobility influence children negatively usually centres around associated disruptions to social connections within neighbourhoods, particularly if children have to move schools and make new friends.

'There is evidence that Australian families who experience homelessness had a history of being highly mobile. The data indicated 31% of children accompanying adults accessing homelessness support services had lived in 3 or more homes in the 12 months prior to receiving support and over 20% had lived in 2 or more homes in the month prior to receiving support. Over 60% of these children had experienced a house move in the previous 12 months; this was four times the national average for all families.

'Homeless families have particularly poor health and behavioural outcomes, including developmental delays, cognitive and learning difficulties, obesity, alcohol, drug dependence, mental health issues, suicide, accidents, aggression and violence. Couples and singles with children had the highest rates of being turned away from services compared to other groups, mainly because of the unavailability of suitable accommodation.⁶

Despite common beliefs and preconceptions, homelessness is not restricted to elderly single males and now includes families and singles with children who become homeless after losing jobs because of unaffordable rents or family breakdowns. Over seven thousand families are homeless on any given night in Australia and this number is rising. This represents over 16,000 children who are experiencing homelessness daily.⁷

Homelessness in this context includes those "sleeping rough" in public places, squatting in derelict or empty buildings, living in motor vehicles, staying in crisis or supported

³ Australian Institute of Health and Welfare (2010), *Young people and children in social housing*. Bulletin series no. 84. Cat. No. AUS 134. Canberra: AIHW

⁴ National Housing Supply Council (2012), *Housing Supply and Affordability – Key Indicators*, p.25

⁵ Australian Council of Social Service (2012) *Australian Community Sector Survey 2012*, Sydney, p.5

⁶ Ibid, p.6-9

⁷ Taylor, M., Edwards, B. (July 2012). *The influence of unstable housing on children's wellbeing and development*, Australian Institute of Family Studies, Canberra, p.9

accommodation, sharing or "couch surfing" with family and friends - often in overcrowded dwellings and those in inappropriate tenure such as room-only boarding houses, caravan parks and motels. Of the people seeking assistance from specialist services nationally, in the period September to December 2011, almost half were under the ages of 25 and 18% were under the age of 10.⁸ It is for these reasons Q Shelter has provided this submission to the inquiry.

Housing issues and the child protection system

Q Shelter believes the housing related issues identified below would add significantly to the inquiry into Queensland's child protection system -

1. the priority given to people leaving child safety in the Department of Housing and Public Works One Social Housing System (OSHS);
2. housing impacts on households arising after children are removed from their parents care, affordability issues and OSHS eligibility requirements;
3. impacts of homelessness and poor housing conditions on child safety and domestic violence;
4. people not fully disclosing their situations to avoid triggering child safety procedures, which in turn places them lower on the social housing wait list;
5. people losing custody of children while living in other marginal housing, like caravan parks;
6. the role of grandparents and undeclared room use in social housing; and
7. the gap in the child protection system for children between the ages of 12-16 years.

The priority given to people leaving child safety in the Department of Housing and Public Works, One Social Housing System (OSHS)

Crisis accommodation in Queensland for child protection and domestic violence are at capacity and struggle to meet demand. Renting in the private market is unaffordable for young people in Queensland and social housing has large waiting lists – approximately 30,000 people are on the Department of Housing and Public Works waiting list for public housing. A national survey found 20,496 instances of clients turned away from housing services because of a lack of available housing and 81% of service organisations say they could not meet demand for their services.⁹

Existing transitional accommodation services are unable to "transition" young people especially, out of them, because there are inadequate affordable housing exit points and additional crisis accommodation is desperately needed.

Despite the commitment in the 2008 white paper to preventing young people exiting statutory and custodial care into homelessness, this population is still significantly over-represented in homeless figures.¹⁰ Q Shelter strongly supports ongoing high priority be given to young people leaving child safety in Queensland within the OSHS.

Housing impacts on households after children are removed

If households in the private rental market have children in custody, they are eligible for various federal and state benefits and subsidies, including the family tax benefit. Under the OSHS, households may be granted larger properties and potentially, in more desirable neighbourhoods, if they have children within the household. Having a child removed from their custody would entail a review of the household's housing need and possible moves to

⁸ Speech by The Hon. Julie Collins MP, Federal Minister for Community Services, Indigenous Employment and Economic Development and Minister for the Status of Women (Melbourne), 7 August 2012 – Launch of National Homeless Persons' Week

⁹ Australian Council of Social Service (2012) *Australian Community Sector Survey 2012*, Sydney, p.5

¹⁰ Queensland Shelter (2012), *What does it take to house a young person?* Brisbane, p. 4

smaller, less appropriate, dwellings and possibly even removal from the housing register. This could also entail reductions, or termination of various income streams and benefits, such as parenting payments and family tax benefits, meaning such households could either not afford to rent in the private market, or be placed in rental stress.

An additional impact on families who have children taken into care and then try to gain custody of them again, is that it may not be granted if they are deemed to be living in "unsuitable" housing (dwellings that are too small, in unsuitable neighbourhoods, or marginal housing, such as caravan parks, boarding houses, share dwellings)

It would be appropriate for child safety case managers to work with housing services to address the family's housing needs, given the impact of suitable housing on the parents' capacity to care for their children.

Impacts of homelessness and poor housing conditions on child safety

New research shows that unstable and insecure housing has a negative impact on children's development and future potential, including impacts on cognitive development and social-emotional functioning. Previous research indicates that family breakdown often leads to unstable housing and possibly risk of homelessness.¹¹

As Taylor and Edwards state in their report, "having a home is a fundamental need of all children."¹² They also argue there is an association between unstable housing tenure, housing stress and residential mobility that affects children's cognitive development and learning and social-emotional functioning. Parental relationship breakdown often leads to unstable housing and both are key risk factors for homelessness.¹³

Secure housing affects the mental health and wellbeing of parents and children and family stability. Social housing properties in disadvantaged areas have been found to be detrimental to children's emotional, behavioural and learning outcomes. Children who live in better areas with better housing quality and attend a fewer number of schools have better stability in their lives, perform better educationally, have higher rates of completion and lower rates of dropping out of education. This in turn leads to better educational outcomes and therefore better employment and higher earnings. There are also better health and behavioural outcomes in turn leading to lower costs to the community overall.

Many young people, with family or on their own, are being placed in inappropriate accommodation such as boarding houses, caravan parks and other forms of insecure tenure, where they are at risk and have few rights and inadequate legal protections. Many of these share-accommodation services are often the only places that provide accommodation to people exiting corrective services and/or have mental health or other issues which preclude them from obtaining other more secure tenancies and who may present a safety risk to vulnerable young people.

"Young people from indigenous backgrounds face enormous barriers to becoming successfully housed, including lack of income and employment opportunities, a history of care or incarceration, the experience of racism and discrimination, and added layers of compliance requirements. Many live in overcrowded households which can, in many situations, threaten their health and well-being."¹⁴

¹¹ Taylor, M., Edwards, B. (July 2012). *The influence of unstable housing on children's wellbeing and development*, Australian Institute of Family Studies, Canberra, p.2

¹² *Ibid*, p. 4

¹³ *Ibid*, p.2

¹⁴ Queensland Shelter (2012), *What does it take to house a young person?* Brisbane, p. 4

People who are not fully disclosing their situations (e.g. living in cars) to avoid triggering child safety procedures, which in turn places them lower on the social housing wait list and people losing custody of children while living in low cost accommodation (e.g. caravan parks)

Many families are living in insecure and inappropriate accommodation and not fully disclosing their true housing situation, for fear of triggering child safety protocols and procedures and losing their children. There are many families living in unsuitable accommodation in caravan parks, boarding houses, or sharing with family and friends in overcrowded and sometimes unhygienic conditions. Q Shelter is aware of families living in tents in the backyards of family and friends homes and recently became aware of a homeless family with four small children who were living in a shed. These families have expressed fears that reporting their situations may mean having their children taken away from them.

Women with children are often not reporting domestic violence and abuse to themselves and/or their children for fear of their children being taken away by child protection services. With the increase in the cost of all housing and the declining access to social housing and the private rental market, the risk of homelessness grows; within this environment there is a parallel risk that women and children will remain in an unsafe environment, subject to ongoing violence (and abuse), simply to avoid becoming homeless.¹⁵ It is a vicious cycle, whereby not reporting their situations honestly, their needs are not properly assessed and families with children are forced to stay longer in unsuitable and unsafe conditions for their children.

The situation of domestic violence and fear of losing custody of children is not restricted to women only and various shelters. Emergency accommodation providers and even the Police are reporting cases of men with children approaching them for assistance. The recent report, *'More than just me: supporting fathers who are homeless'* stated "...accommodation for single fathers who were homeless and had children in their care was grossly inadequate. Services are generally not set up in a way that can support the involvement and contact of single fathers with their children. Services also identified a considerable need for homeless fathers to access parenting support programs, but these were generally targeted at single mothers."¹⁶

The role of grandparents and undeclared room use in social housing

At times, the full-time caring and supervision of children is left to grandparents, extended family, kinship carers, or friends, because in some cases parents are forced to seek work away from home, send their children away to urban/regional centres for better educational opportunities, cannot afford high child care costs, or because of family breakdowns. In Australia in 2009-10 there were 16,000 grandparent families in which the grandparents were guardians or main carers of resident children aged 0-17 years.¹⁷

In many cases, these elderly carers are not able to properly supervise young children, or the accommodation they live in is not safe, appropriate, or conducive to a child's development and wellbeing. Many others had grandchildren living with them in private rental or social housing on a permanent or semi-permanent basis and were often undeclared. The outcome of this is under the current state government's proposed rent policy, these undeclared tenants or household members will have to pay additional rent, thereby affecting their income and leading to housing stress, they may be rehoused, face possible eviction, or have their fixed term tenancies affected because of potential "breaches."

¹⁵ Queensland Shelter (December 2008), *Housing issues for women escaping domestic violence*, Brisbane, p. 9

¹⁶ Institute of Child Protection Studies (August 2011), *More than just me: Supporting fathers who are homeless*, Melbourne, p. 9-10

¹⁷ Australian Bureau of Statistics (27 May 2011), Product 4442.0, *Family Characteristics, Australia 2009-10*, Canberra, p. 7

The gap in the system for children between the ages of 12-16 years

While current policies and funding focus on the very young, there has been a gap identified by child safety and youth homelessness workers for those children between the ages of 12 to 16, who come from households experiencing family breakdowns, out-of-home, or foster care. Often these children present at homeless shelters, or to homelessness agencies who report these incidents are increasing.

The child safety system appears concentrate on those under the age of 12 because they are extremely vulnerable and those 16 and over, because they are considered to have a capacity for independence and are perceived to be more capable of taking care of themselves. However, agencies report a gap for those between the ages of 12-16, who are also vulnerable, lack maturity and can't cope with circumstances affecting their lives. Many of the crisis and homelessness shelters and homelessness agencies are already stretched to capacity and are not funded or resourced to accommodate these young children. These shelters also run the risk of placing a child in harm by accommodating them with other older, service users. There needs to be resources made available to address this gap through strategies that tackle family breakdown issues and adequately fund agencies and programs that deal with children within the gap years of 12-16, as well as all other children.

Crisis workers have reported to Q Shelter that there is often a slow response in providing assistance from case workers from the child protection system, or from child safety agencies because they are often not resourced to assist young people, or are working to capacity.

The costs / benefits of housing versus child protection

In considering the housing issues raised in this submission as part of the Inquiry into the Queensland Child Protection System, the Commission needs to examine the overall costs to the community and the Queensland economy of current spending on the various aspects of child protection and weigh those against the costs of providing suitable housing and accommodation services for vulnerable children and their families.

In the report '*The economic cost of child abuse and neglect*' Child Family Community Australia claims that approximately \$2.8 billion was spent on child protection and out-of-home care services in 2010-11¹⁸. In Queensland, an estimated 8,000 children are in state care (a third of them being of Aboriginal and Torres Strait Islander background) and senior officers from the Queensland Department of Communities estimate it costs the state approximately \$200,000 per annum to house each child in out of home residential care.¹⁹

The 2012 Productivity Commission Report on Government Services states that in 2010-11, Queensland spent a total of \$694.8 million on child protection services, out of home care and intensive family support services²⁰. Q Shelter recognises not all of these costs are directly related to housing and includes funding for support, administration and other associated costs. However, even if a percentage of this expenditure was dedicated to housing, this would provide several million dollars per year to invest in social and affordable housing. This funding alone would generate several hundred new properties per year (see Figure 1).

¹⁸ Child Family Community Australia (June 2012) *The economic costs of child abuse and neglect*, Melbourne, p.1

¹⁹ Statement to the Commission of Inquiry into Queensland's Child Protection System by Mr Brad Swan, Deputy Director General of the Queensland Department of Communities, Monday, 13 August 2012.

²⁰ Productivity Commission, *Report on Government Services 2012*, Chapter 15: Protection and Support Services, Table 15A.1, State and Territory Government real recurrent expenditure on child protection and out-of-home care services, (2010-11 dollars), Canberra, 31 January 2012

Ensuring children and families have stable housing will prevent some of the issues that arise when families are under housing and financial stress. This will lead to better outcomes such as decreasing the OSHS waiting list for accommodation, children being taken away from families because of unsafe or insecure housing and also ensure families who regain custody of their children will be able to get them back in a more expedient manner. This is better than the current double bind of families losing custody of children because of inappropriate housing and then not being able to get them back because of 'inappropriate housing'. This is because, once custody of children has been lost, the household is often reclassified under the OSHS and can't move to more appropriate housing.

Figure 1 – Comparison of annual out of residential care costs in Qld and percentages of those dedicated for additional affordable housing dwellings (*Productivity Commission, Report on Government Services 2012, Table 15A.1, Queensland Government real recurrent expenditure on child protection and out of home care services – 2010-11 dollars*)

Annual out of residential care spending per annum in Qld: \$694,804,000	30% of annual spending dedicated to housing provision	20% of annual spending dedicated to housing provision	10% of annual spending dedicated to housing provision
	\$208 Million	\$139 Million	\$69 Million
Average cost to build a 3 bedroom average size home ²¹	\$300,000	\$300,000	\$300,000
New houses funded	693	463	230

Recommendations

Q Shelter recommends that as part of the consideration of the housing related issues raised above, the Inquiry consider the following:

1. Encourage the Queensland government to increase funding to expand affordable housing properties. This would improve the capacity to provide stable and secure housing to parent(s) and children to enable both the community and individuals to reap future dividends arising from the removal of negative impacts on children's development and their future potential.
2. Consider dedicating a small percentage of the approximately \$1.6 billion spent each year in Queensland on out of home care to the provision of additional housing.
3. Review reporting processes to encourage full disclosure without fear of losing custody of children, or punitive measures against the family.
4. Support young people leaving Child Safety in Queensland continue to be given high priority within the OSHS.
5. Urge Queensland government departments, including Communities, Housing and Public Works, Aboriginal and Torres Strait Islander and Multicultural Affairs, Justice and Attorney General, Police and Community Safety and Treasury to work together to consider an analysis of current costs of the child protection system against potential benefits from expanded investment in housing.
6. Review allocation and eligibility requirements so parents who regain custody of children are immediately reclassified under the OSHS to obtain a larger dwelling and

²¹ Based upon online HIA and MBA cost calculators ***NB: Costs for renovating/rebuilding is more than new buildings

- therefore avoid having custody denied because they are living in unsuitable housing (dwellings that are too small, in unsuitable neighbourhoods, or marginal housing)
7. Ensure young people are placed in appropriate accommodation and not in boarding houses, caravan parks and other insecure tenure, where they are vulnerable and at risk.
 8. Address the policy gap to ensure children between the ages of 12-16 years are not lost to the system and become homeless.
 9. Increase funding for additional crisis and transitional accommodation services and supports.
 10. Fund additional support services for mothers or fathers with children fleeing domestic violence and abuse.
 11. Provide a range of supports and services to grandparents, kinship and family carers who are the main carers and guardians of young people.
 12. Urge the Queensland Government to consider additional funding for frontline service, homelessness prevention and support agencies for children at risk and their families.
 13. Strengthen existing and develop new strategies to build upon and better connect existing services through adequate resourcing, flexible service agreements that support outreach activities and use of a common information technology language and systems across government and non-government sectors that reflect both program outputs and client outcomes. This would address the current disconnected relationships between different types of agencies (child safety, crisis accommodation, housing services, homelessness services, support services, health/mental health, domestic violence) and would meet the objective of addressing housing and tenancy issues that underscore a family's capacity to secure appropriate housing and care for their children.

Conclusion

Research has shown that unstable and insecure housing has negative impacts on children's development and future potential and that a home is a fundamental need for all children.

For a family, having a child removed from their care could entail reductions, or termination, of various income streams and benefits, such as parenting payments and family tax benefits, meaning such households could either not afford to rent in the private market, or be placed in rental stress and may not be able to regain custody of the child – even when this has been approved, depending on their housing situation. Fear of having children removed from their care and the consequent impacts on housing has been shown to be a major reason for people not fully disclosing their situations, thereby forcing children to live in unsafe, unsuitable accommodation.

Crisis accommodation in Queensland for child protection and domestic violence are at capacity, but demand continues to grow as more children are removed from family care. Removal of a child from family or kinship care may not necessarily be the best or only solution in many cases, especially from Aboriginal and Torres Strait Islander communities. Additional funding for family intervention and structured parenting programs to prevent problems may be a better option than tertiary interventions. Grandparents and kinship carers are already carrying the burden of raising children and as noted, there were 16,000 grandparent families in Australia in 2009-10, where the grandparents were guardians or main carers of children aged 0-17 years.

A cause for serious concern and a failing of the system relates to children under the age of 12 who are placed in residential care, despite departmental policy and the many who run

away from out-of-home, or foster care and who end up homeless, or present to crisis support agencies. Many crisis and homeless shelters and homelessness agencies are not funded or properly resourced to accommodate young children. There is often a slow response in providing assistance by child safety agencies, or the child protection system.

It is now time to get the various public housing authorities and governments to act accordingly. The immediate task is to get them to see the broad term perspectives and long term economic commitments that need to be made to address the situation. Figures show that a dollar spent today has a tenfold benefit in the future, when the child becomes an adult and enters the workforce, where it begins a lifetime of earning an income and paying taxes, rents, fees and charges for goods and services. The investment dividend is received by the community and the capital involved is freed up to help others.

Q Shelter believes that expanding the affordable housing base by reforming housing planning, delivery and financing, will ameliorate the risk of insecure, inappropriate tenure and homelessness for young people and their families. Queensland Shelter supports broadening and enhancing outreach by specialist support services, to enable them to work with vulnerable clients in both public and private tenures.

"Homelessness services and other sources providing support to vulnerable young people are experiencing serious funding cuts. The government...should consider protecting such services from cuts, or at the very least working to ensure frontline provision is not affected."²²
Q Shelter strongly recommends establishing an adequately funded system of effective tenancy support across all housing providers to serve the needs of especially vulnerable groups such as children and young people.

Q Shelter strongly believes that any inquiry into the child protection system must look into the housing of young people and their families in general and issues of availability, affordability, homelessness and support services, in particular. Having a home is a fundamental need of all children and stable accommodation has been proven to lead to better outcomes for children and their families and for the community at large.

²² Crisis (April 2012) Research Briefing: *Young, hidden and homeless*, London, p.10

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