

What you can expect from HPLS

- Legal help from HPLS is free.
- HPLS will respect your right to privacy: everything you talk about with the lawyer will be confidential unless you agree otherwise.
- HPLS will treat you with respect.
- HPLS will give you advice, but it is your decision how you use it.
- If HPLS can't help with your legal problem, we will tell you who can.

To contact HPLS

Visit one of the HPLS Clinics.

Phone: (02) 8898 6545

E-mail: homelessproject@piac.asn.au

For an electronic copy of this newsletter send us an e-mail to the above address.

Contributors to this edition of STREET RIGHTS_{NSW}

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Cartoons: Ross Carnsew; Layout: Karen Kwok

Your views and ideas

HPLS welcomes contributions to *STREET RIGHTS_{NSW}*. If you have a comment about anything that's covered in this newsletter please contact HPLS.

HPLS would also love to hear from artists and cartoonists who want to contribute.

HPLS is very keen to get contributions from people who are homeless or at risk of homelessness.

Acknowledgements

Special thanks to the PILCH members that provide lawyers for the clinics: Allens Arthur Robinson, Baker & McKenzie, Corrs Chambers Westgarth, Deacons, DLA Phillips Fox, Ebsworth & Ebsworth, Gilbert + Tobin, Henry Davis York, Legal Aid Parramatta and Minter Ellison.

And to the host welfare agencies: Edward Eagar Lodge, Matthew Talbot Hostel, Newtown Mission and Newtown Neighbourhood Centre, Norman Andrews House, Parramatta Mission, The Station Ltd, Street Level Café, Wayside Chapel, Women's and Girls' Emergency Centre.

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THE HPLS CLINICS

Day (weekly)	Time	Location
Monday	10:00 am - 12:00 noon	The Station Ltd 82 Erskine Street, Sydney
Monday	10:00 am - 12:00 noon	Wayside Chapel 29 Hughes Street, Potts Point
Tuesday	11:00 am - 1:00 pm	Matthew Talbot Hostel 22 Talbot Lane, Woolloomooloo
Tuesday	12:30 pm - 1:30 pm	Norman Andrews House 77 Roscoe Street, Bondi
Wednesday	11:00 am - 1:00 pm	Parramatta Mission 119 Macquarie Street, Parramatta
Wednesday	12:30 pm - 2:00 pm	Streetlevel Mission Derby Lane (off Albion St), Surry Hills
Thursday	1:00 pm - 3:00 pm	Edward Eagar Lodge 348a Bourke Street, Darlinghurst
Friday	11:00 am - 1:00 pm	Women's & Girl's Emergency Centre 361 Riley Street, Surry Hills
Friday	1:30 pm - 2:30 pm	Newtown Mission 280a King Street, Newtown

Beware! New laws about public housing

From the middle of 2008, there will be some new laws relating to public housing.

Keeping Housing NSW informed

If you live in public housing, and you don't tell Housing NSW about something that's changed for you, like you get a job, or who you live with changes, you could get a fine of up to \$2,200 and/or three months' jail.

To avoid this, you must tell Housing NSW about any changes in your circumstances that change what you would be entitled to. If you're not sure, ask the Department of Housing or see an HPLS lawyer.

These changes also mean that it's extremely important that you put your exact financial situation on the forms when you're applying for public housing.

Duties of those living with public housing tenants

If:

- you have ever lived with someone who has got something, eg, a rental rebate, from Housing NSW that they shouldn't have, and
- they shouldn't have got that benefit because they are or were living with you, and
- you should have suspected that they were doing the wrong thing,

then anything Housing NSW can do to the other person, they can also do to **you**.

One example of what this means is that if:

- your partner is in public housing, and you move in with him/her, and
 - your partner doesn't tell Housing NSW what your income is and that you've moved in,
- then Housing NSW can make **you** pay any rental debt owed by your partner because you moved in.

What if you have told Housing something wrong?

There's still time to let Housing NSW know about your situation and not get into trouble. From 1 July

2008 to 1 October 2008, there will be a special period, called an amnesty. During this period, you have a chance to tell Housing NSW the correct information about your household, and Housing NSW will not take action against you under the new laws and will not make you pay back any debt you would owe. But be careful! This amnesty only applies to things that would be wrong and debts that you would get under the new laws.

So, make the most of it by owning up during the amnesty if you need to, but make sure you know what you are owning up to for before you contact Housing NSW.

The new laws are there to catch people who mean to do the wrong thing. There might be a good reason that someone didn't tell Housing NSW about their situation. So, if you do get into trouble, make sure you don't accept what's happened to you until you've spoken to a lawyer about it.



What does it mean when a lawyer has a 'conflict'?

Some homeless people have asked us why there are times when HPLS can't give them legal help. Although we would love to be able to give legal help to all homeless people all the time, there is one problem that sometimes arises that we really can't get around. This is called a 'conflict of interest'. It means that a lawyer can't give legal help to someone in a dispute if the lawyer has information from the person on the other side of the dispute (either because they helped them with the particular dispute or even sometimes with some other problem).

For example, imagine HPLS has given some advice to John. From that, the lawyers might have found out where John lives, how much money he has and what John did one night when he was drunk. Then, say, Sally comes along to HPLS and wants to get an AVO (apprehended violence order) against John. HPLS lawyers have to say that they can't assist Sally. In that case, they may know things about John from helping him that might help Sally in her case against John and so John would be disadvantaged by the lawyers then helping Sally. Even if they don't know something that would help Sally, it could still look that way to John. This is a conflict of interest: the lawyer is torn between the interests of the two



clients. This is why the Law Society says that no lawyer can give legal assistance to people who are on both sides of a dispute. In our example, this means that, if any HPLS lawyer has acted for John, then no HPLS lawyer can act for Sally in her case against John. However, on the rare occasions that this arises, we will always refer you to another legal service, usually the closest community legal centre.

Another example of 'conflict of interest' is one you might not immediately think of. HPLS has lawyers that go to nine different locations around Sydney. So as to be able to have HPLS lawyers go to places where homeless people already go for other reasons, HPLS has partnerships with the various organisations that house the HPLS clinics. Because of these partnerships, HPLS lawyers can't give legal assistance to help a person who has a complaint about one of these organisations. This is not because we do not support homeless people; quite the opposite! If we did not have these partnerships, we could not keep operating HPLS. Remember, that although we can't assist you in these situations, we will find a lawyer from another legal service to help you.

Feel free to ask the HPLS lawyers about this if you are not sure about what it means, or call the HPLS Co-ordinator on 8898 6545.

Housing NSW processes that need changing

Most people know how hard it can be to get into public housing. But HPLS is aware that sometimes it's even harder for rough sleepers to get a place because of things like having no mailbox or phone. HPLS would like the process to be easier for homeless people, not harder! So, we're going to meet with Housing NSW to suggest some ways to do things differently. If you've got some suggestions about this, contact Chris on 8898 6510 or e-mail homelessproject@piac.asn.au.

'New Approaches to Homelessness' forum

On 17 April, HPLS held a public forum on homelessness at the State Library. There were over 150 people there including many homeless people. It was great to hear some of the life experiences of those who've



(Back L to R) Chris Hartley, HPLS Policy Officer; The Hon Tanya Plibersek, Minister for Housing; Elisabeth Baraka, HPLS Co-ordinator; Robin Banks, CEO PIAC; (seated L to R) Kerrie, Kevin and Dwayne who told their stories.

been homeless. The Sydney Street Choir also sang with great joy and enthusiasm. The Federal Minister for Housing, Tanya Plibersek, spoke about the Federal Government's plans to address homelessness. She encouraged everyone to send in their comments about the Homelessness Green Paper when it's released in May this year.

Homelessness Green Paper

The Federal Government has recently said that it wants to find out the best ways of addressing homelessness. HPLS believes it would be a good start to ask homeless people themselves! In collaboration with the City of Sydney, HPLS will be running some sessions that homeless people can come along to and have their say about this, so look out for posters about this in the next few weeks. If you would like HPLS to pass on your ideas to the Government about how to fix homelessness, please contact Chris on 8898 6510.

Welfare to Work

Many of HPLS's clients have had their payments cut-off by Centrelink for things such as not showing up to interviews. If you have had your payment cut-off by Centrelink recently, HPLS would like to hear your story so that we can get better results for homeless people. Please contact Chris on 8898 6510.

Mental Health Legal Services

As mentioned in the last StreetRights NSW edition, the Mental Health Legal Services (MHLS) Project is being run by the Public Interest Advocacy Centre, the same organisation that manages the Homeless Persons' Legal Service.

The MHLS Project staff visited Matthew Talbot Hostel on Wednesday, 23 April 2008. This was the first of several consumer consultations that the Project's staff will run over the coming months. They talked with consumers at the Talbot about their access to justice experiences. Some people talked about the difficulties they sometimes had in approaching service providers, the barriers to getting into public housing and problems with the care while in hospital.

Another concern raised by homeless people was how hard it can be to find a support person when they need one. It was agreed that having an onsite liaison person would be a good idea. A significant message that MHLS took away from the meeting was this: people felt that because they are homeless, sometimes that means they're not listened to. Of course, the staff at the MHLS Project are always keen to hear from people who are mentally unwell about their experiences accessing the legal system. Please feel free to call Stephen, the Project Co-ordinator, on 8898 6513, to add your voice to improving access to justice for people who are mentally unwell.