

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.

Your views and ideas

HPLS welcomes contributions to *STREETRIGHTS 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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Contributors to this edition of *STREETRIGHTS NSW*

Julie Hourigan Ruse and Chris Hartley
Cartoons: Ross Carnsew; Layout: Karen Kwok

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	12:30 pm - 2:30 pm	Women's & Girls' Emergency Centre 361 Riley Street, Surry Hills
Friday	1:30 pm - 2:30 pm	Newtown Mission 280a King Street, Newtown

Centrelink and Alternate Proof of Identity

A very common complaint that we hear from homeless people is about the difficulty they have meeting Centrelink's Proof of Identity requirements. Centrelink generally asks you to provide your Birth Certificate plus 100 points of ID from the list below.

Summary of approved documents for ID purposes

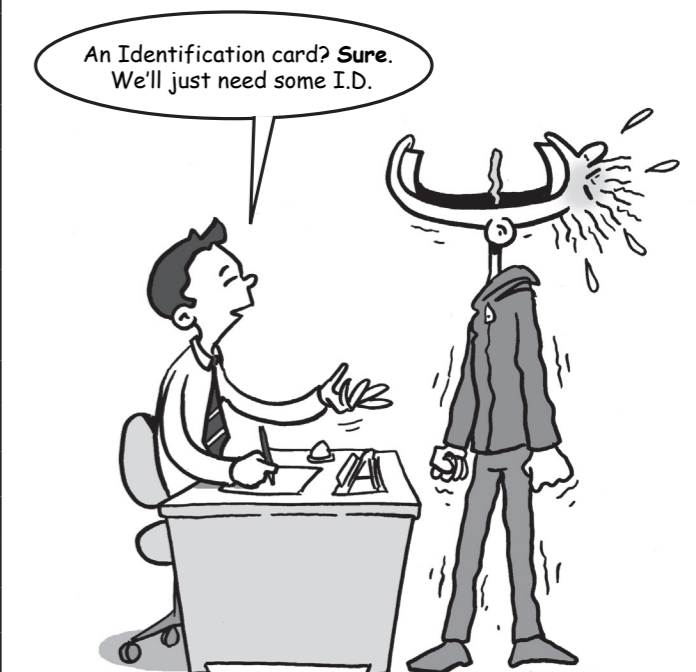
Document	Points
Certificate of Australian Citizenship	70
Australian Passport (current)	70
Australian Birth Certificate	70
Certificate of identity	70
Current Australian Visa	70
Current bank card or passbook	40
Bank statement showing name and address (not ATM receipt)	40
Child's birth certificate showing your name as parent / guardian (not sibling)	40
Driver's licence motor vehicle	40
Australian divorce papers	40
Educational certificate	40
Australian marriage certificate	40
Overseas passport	40
Reference from ATSI organisation	20
PAYG payment summary (formerly a group certificate)	20
Medicare card	20
Motor vehicle registration	20
Proof of Age card	20
Rates notice	20
Utility account	20
Electoral Enrolment	10
Health Insurance Card	10
Taxation Notice of Assessment	10
Employment Records	10

But sometimes it just isn't possible to get that many documents together to prove who you are to Centrelink.

There is another option. Centrelink has a policy that gives staff the discretion to allow Alternate Proof of Identification. This means that you can provide less than the full 170 points of ID and still be eligible to receive Centrelink payments. As long as you make an effort to provide some ID, you can start receiving Centrelink payments.

Also, if you ask Centrelink they can get a copy of your birth certificate from Births Deaths and Marriages for you. If you need an original birth certificate you will still need to apply, but getting the copy through Centrelink means your payments won't be held up.

So, if you are having trouble getting all your ID together, remember to ask Centrelink about applying for Alternate Proof of ID. If you need help, you can always ask one of the HPLS lawyers at a clinic.



Homeless Advocacy Advisory Group

Earlier this year, the Public Interest Advocacy Centre (PIAC) applied for a funding grant from the City of Sydney to establish an advocacy and advisory group made up of people who are homeless, formerly homeless or at risk of homelessness.

The role of the Group

The role of the Homeless Advocacy Advisory Group will be to:

1. give input into the development of policy, advocacy and community development activities;
2. give input into ongoing advocacy activities of the Homeless Persons' Legal Service (HPLS);
3. provide guidance and recommendations, particularly to government agencies, about the most appropriate methods of ensuring proper and adequate consultation with homeless people;
4. participate in training, community education programs and talking to the media.

The Homeless Advocacy Advisory Group will be the first of its kind set up in New South Wales. HPLS hopes the Group will have up to 16 members and include members who are homeless, formerly homeless, exiting prison, women escaping domestic violence, youth and Indigenous people.

Why do we need a Group?

What HPLS often hears is that government and other initiatives aimed at reducing homelessness do not involve genuine consultation with homeless people themselves. Or when consultation does occur it is last minute, badly prepared, not inclusive and not respectful of the needs of those being consulted.

One of the aims of the Group is to be a central point of contact to help arrange appropriate and meaningful consultation with homeless people on issues affecting them. The Group will be able to make recommendations to government agencies and other organisations to ensure that homeless people have a strong voice in the community.

We also hope that the Group will work closely with HPLS in providing feedback guidance and assistance on HPLS initiated policy and law reform projects.

As well as responding to requests from government for information and feedback on policy, the Group will be encouraged to put forward their own ideas for policy and law reform.

Get involved!

PIAC will seek Expressions of Interest to participate in the Group during late 2008 or early 2009. HPLS will run a couple of information sessions to talk about the Group's aims and objectives and to answer any questions.

The knowledge and experiences of the Group's members will be important to making the project a success. Chris Hartley, HPLS Policy Officer, will attend the meetings to support the Group. Before the Group has its first meeting, PIAC will run a half-day training course to explain different types of advocacy.

During this first training session, participants will get training in how to conduct an advocacy campaign with emphasis on the role consumer representatives may play. Over time, further training will be available to the Group covering topics like presentation skills and media skills.

We hope that the first meeting of the Group will take place during the first half of January 2009. The Group will then meet once a month for the first three months, then meet every second month after that. Members of the Group will also receive a sitting fee in order to show respect for their time and expertise.

The City of Sydney is extremely keen for the work of the Group to be communicated back to the broader community. To make that happen, the Group will publish a regular newsletter, with administrative assistance from PIAC and HPLS, to be distributed electronically to the homeless sector, government agencies and others interested in the work of the Group.

This is a really exciting project and HPLS looks forward to your support. For more information contact Chris Hartley at HPLS on 8898 6510.

Changes to the Bail Act

All HPLS clients facing minor criminal charges where bail is an issue should be aware of the amendment to section 22A of the *Bail Act 1978* (NSW). This section came into effect in late 2007 and restricts the number of bail applications that you can make to a Court.

In short, if bail has been refused a Court cannot hear a second bail application unless:

1. you were unrepresented at Court at the last bail application; or
2. there are new circumstances since the previous bail application was made.

The practical effect of this new rule has been that the local court will refuse to even consider another bail application unless the above criteria are fulfilled.

This means that HPLS clients need to be careful when they appear in Court the first time after arrest as to whether that is the best time to ask for bail to be granted, or whether further information is needed before making an application. This is especially the case if you have a long record or have breached

bail before or did not turn up at Court for a serious offence in the past.

In these cases the prosecution will oppose bail as there is no automatic right in favour of bail.

Sometimes, it may be best for you to represent yourself at the first bail hearing or ask the court to stand the matter over for a short time until your solicitor can obtain information that will assist the application, such as an address, a treatment provider or a hostel that can be used for the purposes of bail.

If bail is refused the first time and you had a solicitor representing you then you will need to obtain evidence of changed circumstances. That can be letters, reports or even oral evidence to support the second application.

Section 22A of the Bail Act is especially onerous for homeless people. Where it looks like the Police are likely to refuse Police bail and oppose any application at the first Court appearance, then you should get advice from either Legal Aid NSW, Aboriginal Legal Services or the Homeless Persons' Legal Service.

Changes to operating times during Christmas/New Year

The last HPLS legal clinic for the year will be on Tuesday 23 December 2008 and there won't be a clinic again until Monday 5 January 2009.

Streetlevel Mission will be closed until 19 January 2009 and Newtown Mission will be closed until 6 February 2009.

If you need urgent legal information or advice between 24 December 2008 and 5 January 2009, you should phone either:

LawAccess: 1300 888 529

LawAccess can provide legal advice and referral and is an excellent first point of contact for people wherever they are in NSW.

Legal Aid: 9219 5000 or 9891 1600

Legal Aid can provide legal advice in most areas of law. You should ring first to see if you need to make an appointment.

Tenants' Union Hotline: 1800 251 101

Tenants' Union provides advice on tenancy related issues for people living in NSW.

Translating and Interpreting Service: 131 450

If English is not your first language you can call this free service and they will call the phone number you require.

Thank You

Julie, Jeremy and Chris would like to thank all of the staff at the agencies that host our legal clinics and all of the PILCH members and their lawyers who staff the clinics for their support and professionalism during 2008. We look forward to continuing the work of HPLS together with you all during 2009.