

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.

PIAC acknowledges the funding support that makes this service possible, which is received from the NSW Attorney General, through the Public Purpose Fund. *STREETRIGHTS NSW* is produced by the Public Interest Advocacy Centre Ltd.

ISSN 1834-4496 (Print) ISSN 1834-450X (Online)

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

A fine win for homeless people

Important changes to laws about how on-the-spot fines are dealt with in NSW were passed by Parliament in December 2008. The changes reflect a number of reforms that the Homeless Persons' Legal Service (HPLS) has been advocating for to the NSW Government (particularly the Attorney General's department, Office of State Revenue and RailCorp) since 2005.

These reforms will make a very real difference for people who are homeless and others who are disadvantaged. These changes don't affect everyone and are specifically written to help homeless people and others who are disadvantaged. Homeless people will have more options available to them to deal with accumulated fines and will be able to apply to be part of a two-year trial that allows them to 'pay off' their fines in ways other than money by doing things like:

- completing a certain number of hours of voluntary work with a community organisation (this is called a Work and Development Order);
- starting or continuing with a mental health treatment plan;
- starting or continuing with drug and/or alcohol treatment;
- starting or continuing an educational or life skills course; or
- undertaking financial or other counselling.

If you successfully complete one of these programs, you will completely wipe-out your outstanding fines debt. If you only complete a part of the program, your debt will be reduced by the amount of hours completed.

A very important difference between this new system and the court-ordered Community Service Orders is that there is no additional penalty if you

don't complete the full number of hours or the whole treatment plan. You just get credit for what you did complete. So you've got nothing to lose by giving one of these new options a go.

Up to 2,000 people will be able to take part in the trial. The NSW Attorney General's Department still hasn't worked out how many hours of voluntary work or treatment will equal how much money in fines. The good news is the HPLS has been invited to be a part of that process so we will be working very hard to ensure that the rules are fair and the rights and interests of homeless people are protected.

We don't know exactly when the trial will start in 2009, but we will keep a close watch so HPLS clients don't miss the chance to participate.

Some of the other important changes that are due to start very soon are:

- you can ask straight away to pay your fines by instalments through Centapay. This means that you won't have extra enforcement costs added to the fine by the State Debt Recovery Office (SDRO);
- you can ask for a partial waiver of fines so that if you can afford to pay a small amount, but not the full amount, you can offer to pay a part of the debt and the SDRO may agree to cancel the rest; and
- you can ask for an internal review by the Department that issued the fine and ask that they be withdrawn because you are homeless.

If you would like some more information about the new fines system or have any questions about what different options might suit you, please ask an HPLS lawyer at any one of our clinics.

Homeless Advocacy Advisory Group

Late in 2008, the City of Sydney Council gave HPLS funding to set up a Homeless Advocacy Advisory Group. This will be a group of people who are homeless, formerly homeless or at risk of homelessness who will:

1. give input into the development of policy, advocacy and community development activities;
2. give input into the ongoing work of HPLS;
3. provide guidance and recommendations, particularly to government agencies, about the best ways of ensuring proper and adequate consultation with homeless people;
4. participate in training, community education programs and talking to the media.

Chris Hartley, HPLS Policy Officer, has spoken to a large number of people who are interested in being a part of this Group. If everyone is involved the Group would be just too big to get things done so, unfortunately, not all of the people who are keen to be involved will be able to be part of the core Group. There will still be many other chances to be involved and contribute ideas for change to the Group so please don't lose interest in their work.

Some of the things that the Group may be involved in working on are the national human rights

consultation and giving HPLS feedback on the guidelines for the new fines system in NSW (see page 1).

The Group will be up and running by the end of February 2009.



Upcoming events by Milk Crate Theatre

HPLS is very excited to be working with Milk Crate Theatre to put together four events on how homeless people feel their human rights are being protected.

Recently, the Federal Government started asking people around Australia for their views on whether human rights could be better protected in Australia. HPLS wants to ensure that homeless people have their say as part on this process and we hope to send a message to the Government that everyone's rights should be protected!

In order to make sure the events are as fun and interactive as possible, HPLS has asked Milk Crate Theatre to work with us in putting together our consultation. We are hoping that Milk Crate

Theatre can put together and act out some real life examples of how the human rights of homeless people are breached and could be better protected by the Federal Government. After the performance by Milk Crate Theatre, HPLS will then be asking for ideas and suggestions from homeless people in the audience!

We are hoping that the events will be a fun and effective way of letting the Government know the views of people who have experienced homelessness. The events will be taking place in May 2009 so please keep an eye out for the notices of the exact date, time and place for each of the events.

"The Road Home" - Federal Government White Paper on Homelessness

Just before Christmas 2008, the Rudd Government launched its White Paper on homelessness called, *The Road Home: A national approach to reducing homelessness*. This is the most positive step taken by a federal government to tackle the problem of homelessness in Australia.

The White Paper sets some ambitious targets focussed in three key areas of: preventing homelessness; early intervention when a person becomes homeless and breaking the cycle of people returning to homelessness.

The White Paper says that over 300 homeless people gave their views on ways to reduce homelessness in the long term. HPLS is pleased that over 200 of the 300 people the Government got ideas from took part in the HPLS consultation process in May 2008. We are also very happy that many of the ideas and suggestions provided by homeless people influenced the Government's thinking in the White Paper.

The Government has committed to spend \$6.1 billion dollars over the next 11 years, including a plan to expand legal services available to homeless people.

Some of the other key promises made by the Government include:

- reviewing the protection to borders and lodgers and the impact of without ground termination;
- introducing a policy of no exit into homelessness from prisons, hospital, mental health and drug and alcohol services for those at risk of homelessness
- new services to support people maintain their housing (when they get it!);
- expanding support for women and children experiencing domestic violence to stay at home safely;
- making weekly Centrelink payments available to those who need it;
- developing national service standards and accreditation to improve the quality of services available to homeless people;

- introducing more outreach programs to help people that are rough sleepers;
- increasing access to Centrelink services by putting in place 90 Community Engagement Officers;
- a trial location of Centrelink and other government agencies, like Housing NSW, in the same place so it is easier to access services

While it is the Federal Government that has set these targets, it will be up to the state governments ensure that they are met. To make sure the NSW Government acts on the many promises made in the White Paper, HPLS will continue to take the views of people who are homeless, formerly homeless and at risk of homelessness, to NSW Ministers and government departments so that this opportunity to make a real difference is not lost.

HPLS thanks everyone who gave us their permission to send their comments to the Government as part of the HPLS Green Paper submission!

