

To contact HPLS

Visit one of the HPLS Clinics.

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

**Contributors to this edition of
STREETRIGHTS_{NSW}**

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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 (Monthly)
Wednesday	11:30 am - 1:00 pm	Parramatta Mission 119 Macquarie Street, Parramatta
Wednesday	12:30 pm - 2:00 pm	Salvation Army Streetlevel Derby Lane (off Albion St), Surry Hills
Thursday	12:00 pm - 2:00 pm	Vincentian House (by appointment only) 361 Crown Street, Surry Hills
Thursday	1:00 pm - 3:00 pm	Edward Eagar Lodge 348a Bourke Street, Darlinghurst
Friday	11:30 pm - 1:30 pm	Women's & Girls' Emergency Centre 361 Riley Street, Surry Hills
Friday	1:30 pm - 2:30 pm	Newtown Mission 280a King Street, Newtown

New Clinic at WISH hub

HPLS is very pleased to announce that in 2012, we will be offering legal advice at the monthly WISH (Woolloomooloo Integrated Services Hub).

The Woolloomooloo Integrated Services Hub (WISH) is a one-stop-shop providing direct services to people in Woolloomooloo to assist them to exit homelessness.

WISH is co-ordinated by the City of Sydney Council and is held once a month on a Friday at the Mary McDonald Centre in Tom Uren Square, corner of Bourke and Cathedral Streets, Woolloomooloo.

Doors open from 9.30am and a barbecue lunch is provided.

The upcoming dates for the WISH in 2012 are:

- 10 February 2012
- 16 March 2012
- 20 April 2012

The WISH brings approximately 13 services together with remote-access to their office computer systems to help people sort out their matters directly. The services include:

- Housing NSW
- Centrelink
- Medicare
- Homeless Persons Legal Service (HPLS)
- Attorney Generals



- Commonwealth Ombudsman
- Homeless Persons Information Centre
- Max Employment
- Mission Australia
- St Vincent's Hospital
- TAFE
- Way2Home
- The Big Issue

HPLS is grateful to the law firm Corrs Chambers Westgarth, who will be staffing the HPLS WISH clinic with their lawyers on a volunteer basis.

How HPLS can help people in housing crisis

A family in crisis came to HPLS in the early new year. Housing NSW had told them that their 28 days of temporary accommodation was up. They had nowhere else to go. No welfare agency in Sydney had room to accommodate them both. The prospect of being separated and put into crisis accommodation was grim. A series of calls by the HPLS to Housing NSW found that they in fact had 3 days of temporary accommodation left. HPLS then wrote to Housing NSW for a special extension of time, which granted them a further 3 days to sort some things out. Small gains, but if it were not for some agitation by HPLS, the family would have been on the street that night.

Policy News

Protocol for People in Public Places

The Protocol for Homeless People in Public Places was introduced in 2000 prior to the Sydney Olympics. It is a guide to how government authorities should interact with homeless people in public places. The Protocol states that it was introduced to help ensure that homeless people are treated appropriately and receive services if they need, or request them. Basically, the Protocol states that a homeless person should be left alone unless they request or need assistance or their behaviour warrants intervention for public safety or security.

The Protocol is currently under review. The review is being co-ordinated by Housing NSW.

The Homeless Persons Legal Service has been working with the Housing NSW Consumer Advisory Committee (CAC), which is also known as StreetCare, in the review process.

Street Care has expressed its disappointment about not having been involved at an earlier stage of the Review. Being a representative group for people who have experienced homelessness with direct links to that community, they can be given a voice for what aspects of the Protocol are working, and what needs greater attention. Street Care has

many examples of the Protocol not being followed, particularly in the outer urban areas.

The Homeless Persons Legal Service and Street Care have recommended:

1. That the powers of signatory authorities be stated clearly and concisely to avoid negative arbitrary discretion or abuse by individual officers;
2. A greater emphasis on authorities actually following through with supported care and referrals;
3. That monitoring and future review of the Protocol should involve people who have had experience with homelessness;
4. That homeless people be made aware of their rights under the Protocol;
5. Greater enforceability of the protocol, in particular a specific complaint mechanism in cases where it has not been followed.

Current signatories to the Protocol include Housing NSW, NSW Police, Community Services, Office of Environment and Heritage (who have responsibility for National Parks and the Royal Botanic Gardens), NSW Health, Rail Corp, State Transit Authority,

Farewell Sarah Bartley

In late 2011, PIAC was saddened to learn of the passing of Sarah Bartley, one of the founding members of Street Care.

Sarah was foundational in establishing Street Care and was known for her home made cakes that she would make whenever a member of Street Care had their birthday. She also loved to laugh and often snuck her faithful companion, Snoopy the puppy into meetings (or when she was travelling in taxis) in her handbag.

Sarah was a passionate and persistent advocate for the rights of people experiencing homelessness and she had a particular concern for those whom had been in prison. As a Street Care representative, Sarah worked on the National Human Rights Consultation and helped set-up the Street Care Hunter Group.

Sarah will be dearly missed by her friends at PIAC and Street Care.



Policy News

Sydney Harbour Foreshore Authority, Sydney Olympic Park Authority, Aboriginal Affairs NSW. It is hoped that all the NSW Local Government Councils will also become signatories to the Protocol.

PIAC submission for people not to be discriminated against on the basis of homelessness or domestic violence

The Australian Government has decided to consolidate federal anti-discrimination laws into a single, comprehensive law, and is seeking community views on this until 1 February 2012.

The consolidation project aims to reduce complexity and inconsistency in regulation; ensure simple, cost-effective mechanisms for resolving discrimination complaints; and clarify and enhance protections.

PIAC is making a submission to Government and is recommending, amongst other things, that homelessness be added as a protected attribute under the new legislation. This would mean, for example, that a person who is homeless cannot have their employment terminated for that reason. The PIAC submission is also recommending that domestic violence be added as a protected attribute so that people cannot be discriminated against (eg in the workplace) on the basis that they are suffering domestic violence.

NSW Attorney General wants more use of community-based sentences as an alternative to jail

The NSW Attorney-General Greg Smith has recently described jails as a “university of crime” and wants to

encourage greater use of non-custodial and community-based sentences as a viable alternative to prison.

His comments followed the recent release of a Background Report by the NSW Sentencing Council reviewing the use of suspended sentences in NSW. The report makes significant reference to the submission provided by the Homeless Persons’ Legal Service which highlighted that for offenders who are homeless, with a history of alcohol or drug abuse, mental illness, or chronic disability, community service orders, intensive correction orders and home detention, are often not available. A suspended sentence is often the only sentencing alternative to a full-time custodial sentence for a person who is homeless. The abolition of suspended sentences would place homeless people at an even higher risk of going to jail.

The HPLS believes that additional intermediate sentencing orders should be available for people who are homeless, have a mental illness or have drug/alcohol dependency. These orders need to be flexible as to the amount of supervision and treatment, and the capabilities and needs of offenders. The orders also need to be accompanied by appropriate support services.

The Sentencing Council report has agreed with the HPLS submission that current provisions relating to breaches of suspended sentences operate in a manner which places homeless people at a higher risk of being sentenced to a full-time prison sentence than others in the community. HPLS has stated that there is a need to expand diversionary programs and sentencing options in respect of breaches of suspended sentences.

Problems with Housing NSW?

We would like to hear about your experiences with Housing NSW.

We have an ongoing policy project aimed to improve Housing NSW policies and procedures for people accessing their services. Please call 02 8898 6500.