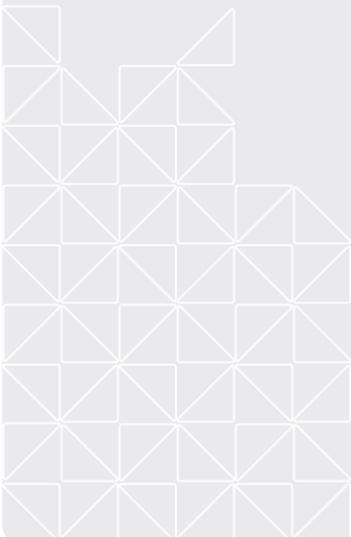


## The City Clinics – Next generation outreach and holistic access to justice

Portland House Foundation Grant Acquittal

July 2014



# Acknowledgements

Justice Connect Homeless Law takes this opportunity to express our sincere thanks to the Portland House Foundation for its generous, collaborative support, which has allowed us create innovative and effective responses to legal need amongst people experiencing homelessness.

We would also like to thank our partners at Central City Community Health Service whose collaboration has helped us provide accessible, holistic legal services at a 'one stop shop' for people experiencing homelessness in Melbourne.

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# 1. Executive summary

This financial year, Homeless Law has provided legal representation and non-legal support to 90 people experiencing or at risk of homelessness through our integrated legal outreach clinic at Central City Community Health Service (CCCHS).

The case studies in this report – including a single mother who avoided going to prison for unpaid fines and a young man whose eviction into homelessness was prevented – highlight the impact of this holistic service for vulnerable Melburnians and their families.

In an environment where the number of people sleeping rough in the City of Melbourne has risen by an alarming 40%,<sup>1</sup> there are 22,789 people experiencing homelessness in Victoria,<sup>2</sup> and the links between homelessness and interactions with the legal system are well-recognised,<sup>3</sup> an accessible, holistic, specialist legal service for people experiencing or at risk of homelessness has an important role to play.

## 1.1 Next generation outreach and holistic access to justice

We are grateful for the support of the Portland House Foundation, which has enabled Homeless Law to:

- **Improve access to legal services for clients who are homeless or at risk** – Homeless Law runs two outreach legal clinics per week at CCCHS. Through these clinics 63 men and 27 women have been provided with legal assistance. Our clients are experiencing or at risk of homelessness and without outreach based services, integrated with a range of other specialist homelessness and health service providers, would face significant barriers to accessing legal help.
- **Prevent homelessness and resolve fines and debts for people experiencing homelessness** – Homeless Law pro bono lawyers undertake legal casework (including ongoing representation and court and VCAT appearances) for clients. Forty-two clients had tenancy issues and were facing eviction into homelessness and 45 clients had overwhelming fines and debts related to homelessness. Legal assistance has a significant role to play in preventing homelessness and ameliorating the hardship of homelessness.
- **Develop strong relationships and referral pathways between legal and non-legal services** – Homeless Law has been able to dedicate resources to building strong relationships with non-legal health and homelessness experts located at CCCHS. These relationships and the two-way referral pathways have been strengthened through the co-location of Homeless Law's Homeless Persons' Liaison Officer who spends one day per week at CCCHS and assists staff and clients to access appropriate legal services.
- **Implement a 'legal health check' and training program** – 10 staff and outreach workers (including from the Homeless Outreach Mental Health and Housing Service, the Community Connections program and other allied health professionals such as the physiotherapist, podiatrist and dietician) participated in a legal health check training and assessment program, which Homeless Law ran over two days in April. Eighty-six percent of the workers found the training raised their awareness of client legal issues; all participants found the training helpful and said they will use the legal health check in the future.
- **Work with partners to host the Homeless Persons' Memorial Service** – Homeless Law worked with leading agencies and organisations, including Anglicare Victoria, Council to Homeless Persons, Cohealth, Melbourne City Council, Lazarus Centre, St Peter's Eastern Hill and Youth Projects to hold a memorial service for people who have died for reasons related to homelessness. Over 100 people attended the memorial on 26 March 2014. The aim of the day was to commemorate the lives of homeless Melburnians who have passed away

<sup>1</sup> City of Melbourne, *Homelessness StreetCount 2014* (July 2014), which identified 142 sleeping rough in the City of Melbourne (available at <http://www.melbourne.vic.gov.au/communityservices/socialsupport/streetcount/Pages/StreetCount.aspx>).

<sup>2</sup> Australian Bureau of Statistics, *Census of Population and Housing: Estimating homelessness 2011* (12 November 2012) 12 (available at: [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/EB59F237159F7102CA257AB100170B61/\\$File/20490\\_2011.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/EB59F237159F7102CA257AB100170B61/$File/20490_2011.pdf)) (**Census 2011**).

<sup>3</sup> Christine Coumarelos, Deborah Macourt, Julie People, Hugh M McDonald, Zhigang Wei, Reiny Iriana & Stephanie Ramsey, Law and Justice Foundation of NSW, *Legal Australia-Wide Survey: legal need in Australia* (2012) (**LAW Survey**).

and to send a message that we need to work together to end homelessness in Victoria. A registry of names of people who have died will be kept in the State Library of Victoria. The memorial will now be held annually.

- **Collaborate with other leaders and partners** – Homeless Law has been able to dedicate resources to contribute to leadership conversations and collaborations with other partners at CCCHS, including through the Senior Leadership Forum; Women’s Working Group; CCCHS Site Meetings; and the Line Managers Meetings. In this way, CCCHS represents a collaborative partnership where Homeless Law is an active and cooperative participant in the development and progress of CCCHS.
- **Support and supervise high quality pro bono legal services** – Homeless Law’s model involves the provision of free legal services to people who are homeless or at risk of homelessness in cooperation with pro bono law firm partners. The Homeless Law team trains, supervises and coordinates pro bono lawyers from Clayton Utz and Minter Ellison to make sure high quality, effective services are provided to meet the legal needs of our client group. Our pro bono law firms have provided positive feedback about the effectiveness of the integrated service delivery model:

*‘Being at a service like CCCHS makes our service more accessible to the broader homeless community. At residential facilities ... it was more intimidating for non-residents to attend the service.’*

*‘It’s a central point for resources and services – it’s a no brainer. If I was a social worker working with homeless clients, I would be rapt with what CCCHS can offer.’*

## 1.2 Outcomes for clients experiencing or at risk of homelessness

Homeless Law’s goals of building stronger relationships and an integrated service have been achieved. We have been able to spend more time at CCCHS speaking with services and workers about the law and their clients, and working together to provide comprehensive and integrated services for a range of vulnerable clients.

One example of the impacts outreach based legal services, integrated with non-legal supports, can have for clients who are homeless or at risk is in the case study below. In addition to Eliza, Homeless Law assisted 89 other clients with legal issues that were either (a) caused by; or (b) at risk of causing, homelessness. The integrated legal service model fosters early intervention and prevention. It also provides holistic services to highly vulnerable and hard to reach clients that may otherwise be unable to access legal help.

## Mother avoids homelessness for rent arrears in public housing

Eliza attended a Homeless Law appointment at CCCHS to seek assistance with her public housing tenancy. The Office of Housing was attempting to evict Eliza and her son from their home due to rent arrears that had accumulated over the past 18 months.

Eliza had been struggling with a drug problem for a couple of years. This had caused unemployment and some issues with her memory and motivation. Eliza is the primary carer for her son, but the drug issues meant that her unemployment benefits were cut off and she could not afford to pay rent and pay for food and other essential expenses. By the time Eliza came to Homeless Law, she was undergoing treatment for her drug problem, but the Office of Housing had obtained a possession order, purchased a warrant, and the police were about to evict her and her son from their home.

Eliza managed to have the eviction put on hold for three weeks with the help of Homeless Law and a legal aid lawyer, but she needed assistance negotiating with the Office of Housing and showing VCAT why she should remain in her home. In the weeks leading up to her Homeless Law appointment, Eliza enrolled in a 6-week drug treatment program, reinstated her unemployment benefits and enrolled in a Certificate II course to improve her job skills. She also offered to commit to a payment plan for the rent arrears. Eliza's lawyers presented evidence of all these steps to the Office of Housing, but they still wanted to evict her.

At the VCAT hearing, Eliza's lawyers prepared submissions and appeared with her. VCAT was satisfied that Eliza was getting help and could commit to a sustainable payment plan. VCAT ordered that the warrant be cancelled, the possession order revoked, and allowed Eliza and her son to remain in their home, as long as she continued making additional repayments to the Office of Housing. Eliza and her son avoided homelessness, and she could continue seeking employment and undertaking drug treatment.

## 1.3 Building on the work we've done

Two main insights we've gained from this work are:

- Genuine integration and collaboration is not just about running a service at another site, it requires sharing time, energy, insight and expertise. It is about exchanging knowledge, building partnerships and improving our understanding of other service providers. When done well, integrated service provision can significantly increase the ability of isolated clients to access a range of different services to meet their needs.
- Outreach based, integrated legal services are an effective model for providing access to justice and improved outcomes for clients who are homeless or at risk and who would otherwise be unlikely to access legal assistance. They are a creative, innovative and effective response to the legal and non-legal needs of people experiencing homelessness.

With the knowledge gained from the work that this grant enabled, as well as the strengthened relationships with our co-located homeless services providers, Homeless Law aims to continue to provide high quality, targeted and holistic legal services to clients experiencing or at risk of homelessness. Now more than ever, these services have a significant role to play in preventing people slipping into homelessness and helping people to avoid or address escalating legal issues that too often stem from homelessness.

## 2. Homelessness and access to justice

### 2.1 Homelessness and legal issues

Established 12 years ago, Justice Connect Homeless Law is a specialist legal service for people experiencing or at risk of homelessness. Homeless Law staff work closely with over 400 pro bono lawyers to provide legal information, advice and representation to hundreds of people experiencing or at risk of homelessness each year. Our services are outreach based and client centred, and we don't just focus on legal issues. Our Homeless Law social worker and our relationships with the homelessness sector build our capacity to understand and respond to clients with a range of non-legal needs.

Our vision is to improve outcomes for our clients through the provision of holistic legal services and evidence-based advocacy.

Through our work, we see that homelessness can be both a cause and a consequence of unresolved legal issues.

This is consistent with the findings of the Legal Australia-Wide Survey (**LAW Survey**), conducted by the Law and Justice Foundation of New South Wales, the largest survey of legal need ever undertaken in Australia. The LAW Survey found that people who are homeless or in basic/public housing are at significantly increased risk of experiencing three or more legal issues.

The LAW Survey found that people experiencing homelessness had a greater prevalence of legal problems of any type and a significantly higher number of problems. Specifically, it found that:

- 85% of people experiencing homelessness experienced at least one legal problem, compared to 54% of those in basic or public housing.
- 50.5% of those who identified as homeless experienced three or more legal issues, compared to 22.8% of those in basic/public housing, and only 15.7% in other types of housing.
- More broadly, people who were experiencing homelessness lived with multiple disadvantages having an average of 2.2 types of disadvantage compared to people in basic/public housing (1.9 types), and those in non-disadvantaged housing (1.1 types).<sup>4</sup>

Furthermore, the study identified that there are considerable barriers to people experiencing homelessness accessing legal services, including the need to prioritise more basic human needs such as food or accommodation. Accordingly, services assisting people experiencing homelessness require 'a holistic or client focused approach, involving an integrated response from legal and broader human services'. This was the aim of Homeless Law's integrated service provision at CCCHS.

### 2.2 Next generation outreach

Homeless Law knew from our work, from research and from our conversations with homeless service providers and people experiencing homelessness that:

- There is a growing and unmet need for specialist homeless services in inner Melbourne.
- People living in suburbs outside inner Melbourne often access services in Melbourne.
- People experiencing homelessness are more likely to have legal problems and have an increased vulnerability to substantial and multiple legal problems.<sup>5</sup>
- Homelessness presents barriers to accessing legal assistance. Legal services targeted at people experiencing homelessness should be holistic and integrated with non-legal services.<sup>6</sup>

<sup>4</sup> Disadvantage includes: indigenous background, long-term illness/disability, low education, unemployment, single parenthood, government payments as the main sources of income, non-English main language and remoteness of area of residence.

<sup>5</sup> Christine Coumarelos, Deborah Macourt, Julie People, Hugh M McDonald, Zhigang Wei, Reiny Iriana & Stephanie Ramsey, Law and Justice Foundation of NSW, *Legal Australia-Wide Survey: legal need in Australia* (2012).

In response to this evidence, Homeless Law undertook to develop our legal services at CCCHS. We wanted to develop a service that was accessible to people experiencing or at risk of homelessness so that they could have their legal needs met and we also wanted to form relationships with the array of health and homelessness experts who can assist clients with their non-legal needs through CCCHS.

In May 2013, the Portland House Foundation granted Homeless Law \$75,000. In June 2013 we prepared a project plan to use the grant to assist in resourcing two 'next generation' weekly outreach legal clinics (**the city clinics**) for people who are homeless or at risk of homelessness in Melbourne.

Our aim with the city clinics is to provide targeted, central, well-resourced legal outreach services at a 'one stop shop' for homelessness services, with the view to providing access to justice for the high number of people experiencing homelessness who circulate through the inner city of Melbourne.

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<sup>6</sup> Forell, McCarron & Schetzer, Law and Justice Foundation of NSW, *No home, no justice? The legal needs of homeless people in NSW* (2005) 176.

### 3. Central City Community Health Service – ‘one stop shop’

CCCHS opened in May 2012 and is located at the ‘Drill Hall’ at 53 Victoria St, near the Victoria Market, in the City of Melbourne. It is a partnership between health and homeless services intended to develop new ways to address homelessness, initially developed by the City of Melbourne with Cohealth (formerly Dousta Galla), who manage the services at the agency.

CCCHS aims to provide a platform for different agencies to work more collaboratively together to achieve the health, welfare, social inclusion and housing outcomes required to assist people who are homeless or at risk of becoming homelessness.

The goal of the service is to ‘improve the quality of life of people experiencing homelessness and alleviate homelessness by providing an assertive outreach and centre based primary health service which is welcoming and responsive, meets gaps in service provision and supports existing agencies’.<sup>7</sup>

Over 10 different agencies are based at CCCHS to provide onsite services and outreach for people who either live in or come to the City of Melbourne to access other services.

Agencies that are co-located at CCCHS include: Cohealth, City of Melbourne, Royal District Nursing Service Homeless Persons Program (**RDNS HPP**), Royal Women’s Hospital, Wintringham, Medicare Local, Australian College of Optometry, Council to Homeless Persons, McAuley Community Services for Women, Homeless Law and Inner Melbourne Community Legal.

An impressively wide variety of services are available from CCCHS, including:

- Outreach support services including a duty worker and case workers for clients with multiple or complex needs.
- Services for women and women with children including a women’s health clinic and Homeless Persons Program for women.
- Health services:
  - RDNS HPP;
  - Optometry for people experiencing homelessness.
- Mental health services:
  - Homeless Outreach Mental Health and Housing Service (**HOMHS**);
  - A Psychologist.
- Allied health services:
  - Dietary and nutrition (including basic cooking and nutrition classes, assistance with shopping on a strict budget and meals for \$2 at local cafes);
  - Physiotherapy and occupational therapy;
  - Podiatry (including providing financial support for proper shoes, shoe shopping and general foot health).
- Recreation services:
  - Activity groups for older people (including homeless older people);
  - Cards for free haircuts at a local hairdresser;
  - Free massages;
  - Free books at the CCCHS reception for clients to take;
  - Low cost mobile phone plans.

<sup>7</sup> See Central City Community Health Service (available at: [http://www.doutta.org.au/Page/Page.aspx?Page\\_Id=2457](http://www.doutta.org.au/Page/Page.aspx?Page_Id=2457)).

The CCCHS venue also has a number of facilities for use by people experiencing homelessness, including showers, a laundry, a women's room with a shower, toiletries, kids' toys, books, free clothing and computer access.

CCCHS has a duty worker that can see drop-in clients and those referred for general assistance. The role of the duty worker is to ensure that everyone that accesses CCCHS receives an assessment and referrals to meet their needs.

CCCHS is a 'one stop shop' for people experiencing homelessness to gain access to a range of health and support services. Homeless Law identified CCCHS as an ideal location for a legal outreach clinic accessible to a large number and wide range of people experiencing or at risk of homelessness in and around Melbourne. We were enthusiastic about the potential to build new, strong relationships with a range of services that could work together to meet the health, housing and legal needs of highly vulnerable and hard to reach clients.

## 4. Homeless Law's integrated outreach legal service

Homeless Law joined CCCHS in January 2013. CCCHS provided a new site for Homeless Law's outreach based clinics, which consolidated three of our existing inner city clinics. At CCCHS, Homeless Law provides appointment based outreach legal clinics twice a week, on Thursdays and Fridays at 11:00am – 1:00pm. These legal clinics are staffed by pro bono lawyers from Homeless Law's partner firms, Clayton Utz and Minter Ellison.

Homeless Law provides free legal services to clients who are homeless or at risk of homelessness with civil legal issues, including:

- Housing and tenancy matters (particularly preventing evictions);
- Fines and infringements connected to homelessness;
- Credit and debt issues; and
- Guardianship and administration orders.

Homeless Law uses a 'centralised triage' model where enquiries and bookings are made via a central line so clients' matters can be assessed for urgency and to see whether it is a legal issue that Homeless Law can assist with.

If a client has a legal issue that Homeless Law can assist with, he or she will be booked into one of Homeless Law's seven outreach clinics, two of which are located at CCCHS. If Homeless Law is not able to assist, we refer clients to the most appropriate service, including our partners at CCCHS, Inner Melbourne Community Legal (IMCL) (formerly North Melbourne Legal Service), who can often assist with criminal or family law issues. IMCL provided a legal service one day a week at CCCHS, coinciding with Homeless Law's Thursday outreach clinic. The Homeless Law and IMCL services were intended to be complementary so together we would be able to provide comprehensive coverage for clients at CCCHS.

The model of service provision and the outcomes it has achieved for clients is discussed below.

### 4.1 Legal representation for 90 clients who were homeless or at risk

Between 1 July 2013 to 30 June 2014, Homeless Law has seen 90 new clients at CCCHS. The breakdown is:

- 42 clients have been assisted with tenancy and eviction matters;
- 39 clients have been assisted with fines and infringements directly related to homelessness (for example, fines for being drunk in public, not having a ticket on public transport, having an open container of liquor or begging);
- 3 clients have been assisted with guardianship and administration matters; and
- 6 clients have been assisted with credit and debt issues.

Almost half the clients Homeless Law has seen at CCCHS since July 2013 were homeless.<sup>8</sup> The details of clients' housing types or statuses are:

- 13 clients experiencing primary homelessness (no conventional dwelling i.e. rough sleepers, sleeping in cars, squatting);
- 15 clients experiencing secondary homelessness (moving from one dwelling to another i.e. crisis accommodation, couch surfing or transitional housing);
- 13 clients experiencing tertiary homelessness (i.e. medium to long term rooming houses, caravan parks or substandard accommodation); and
- 49 clients in other types of housing (i.e. public or community housing, private rental or unknown).

A greater proportion of clients who have been assisted through CCCHS have been male, with 63 male clients and 27 female clients. This may be partly attributable to the transition of Homeless Law's previous city-based clinics from male residential facilities, Ozanam House and Flagstaff Crisis Accommodation, to CCCHS. Homeless Law

<sup>8</sup> According to Chamberlain and McKenzie's cultural definition of homelessness.

was committed to making sure we were still accessible to the residents of Flagstaff and Ozanam House, so have encouraged and facilitated referrals from these services to the CCCHS clinics.

## 4.2 Preventing homelessness and addressing overwhelming fines and debts – case studies

These case studies provide an idea of the holistic services and positive legal outcomes that we have secured for clients who have been assisted through the Homeless Law clinic at CCCHS.

### Single mother of five and victim of family violence - future without homelessness

Donna attended a Homeless Law appointment at CCCHS for assistance with a \$5,500 debt for damage to an Office of Housing property from 2009. Donna was pregnant with her fifth child and was couch surfing with various friends and family at the time.

The \$5,500 debt arose from her previous public housing tenancy. Donna (and her children) abandoned that tenancy as she was a victim of family violence. She was too fearful of her previous partner to return to the property to collect her belongings. Her previous partner trashed the property when she abandoned it. As she was the only tenant listed on the lease, the Office of Housing invoiced her for the damage and clean-up costs.

Donna was unable to access public housing again for her and her children until the debt was repaid.

The lawyers had to take a number of steps in order to have the matter reopened at VCAT and to prove that Donna had not caused the damage. In preparation, the lawyers had to prepare an affidavit setting out details of the family violence that Donna had experienced, and her account of how the damage to the property was caused. At the initial hearing, VCAT ordered that the matter be reopened but that more evidence to support Donna's story was required.

Donna explained that she had made numerous calls to the police regarding family violence during the tenancy. After making an application to VCAT, a notice to produce was issued to Victoria Police. After liaising with Victoria Police so that the confidential documents produced could be inspected at VCAT, it was evident that Donna had made numerous calls while experiencing family violence, the police attended the property a number of times due to family violence between Donna and her ex-partner, and at least three formal police reports had been made in connection with the property.

At the final hearing, the Tribunal took into account the police reports, considered Donna's affidavit, and the submissions Homeless Law lawyers had prepared on her behalf. The Tribunal was then advised by the landlord that in light of the evidence it would withdraw its claim for compensation.

As a result of the Tribunal's decision, Donna was free to apply for a new public housing tenancy and did not have to repay the debt.

### Preventing homelessness allows man to address multiple non-legal issues

Danny attended a Homeless Law appointment at CCCHS because his landlord had served him with a notice to vacate his apartment. Subsequently, his landlord made an application for possession of the premises. Danny had previously been served with several notices for alleged breaches of section 60 of the Residential Tenancies Act, which requires tenants to not cause a nuisance at rented premises.

Homeless Law lawyers successfully negotiated with the landlord on Danny's behalf, who eventually agreed to withdraw the application for possession. This outcome was achieved by working with the Homeless Persons' Liaison Officer at Homeless Law to address the underlying causes of Danny's behaviour and linking him with appropriate services to address his non-legal needs.

This was successful because the landlord saw and acknowledged that Danny was motivated to improve his personal circumstances and therefore agreed to preserve the tenancy.

Danny would almost certainly have become homeless had Homeless Law not been able to negotiate a preferable outcome with his landlord. If he was made homeless he would not have had the opportunity to address his non-legal issues which would prevent him from being offered and sustaining long term housing options in the future.

### Family with significant trauma dealing with \$30,000 worth of infringements

Lana attended a Homeless Law appointment at CCCHS to seek assistance with approximately 104 infringements, totaling almost \$30,000. Due to her circumstances she had not addressed her infringements and had been served with a 7 day notice by the Sheriff.

Lana had suffered from mental illness since she was 21 and had a history of poly substance abuse. As a result of a significant trauma, Lana and her children had experienced difficulties with finances and obtaining permanent housing. Lana and her children had also been affected by domestic and sexual violence. At the time Lana sought the assistance of Homeless Law, she was taking significant steps to address her issues to provide a safe and secure environment for her children.

Homeless Law initially contacted the Sheriff to request that they hold off enforcing the 7 day notice. Homeless Law lawyers prepared a special circumstances application with letters of support from Lana's family doctor. With Lana's assistance, the lawyers filed additional information to support her application from her social worker and a number of support workers who had assisted Lana in the past five years.

The Infringements Court granted her application for special circumstances and we are currently awaiting a hearing. Homeless Law is optimistic that Lana's circumstances will be considered by the court when deciding how to deal with her fines and that a positive outcome will be achieved.

## Single mother avoids prison for unpaid fines

Susie attended a Homeless Law appointment at CCCHS to seek assistance with infringements. Due to her circumstances she had been unable to address a series of fines which had resulted in her being arrested and meant she was facing imprisonment.

Susie had been struggling following the breakdown of her relationship a number of years ago. Her children had been exposed to significant trauma and her housing, finances, health and mental health had been affected by the ongoing impacts of the family violence she had endured. By the time she came to Homeless Law she had acquired a transitional property and started to address some of the issues that had been neglected while she was transient and unsafe. Susie was pregnant again and her two children were settling into new, more permanent surrounds.

Susie initially appeared in the Magistrates' Court and the matter was adjourned so that Susie's lawyers could gather more evidence of her circumstances. Her lawyers also sought the assistance of the Homeless Law social worker to collect relevant information from housing agencies regarding Susie's situation. The Homeless Law social worker contacted housing agencies and Centrelink and encouraged the lawyers to contact Department of Human Services (with the client's permission) and request further information from General Practitioners. The Homeless Law social worker provided a brief letter to the Court outlining what they found during their enquiries.

Susie, with the assistance of her Homeless Law lawyers, also prepared written evidence of her circumstances, her capacity to repay the fines and the consequences for her and her children if an order for her imprisonment was made.

In recognition of her exceptional circumstances, Susie's fines were discharged in full by the court.

Susie avoided jail and was able to return to reconstructing her life without further consequences in relation to the infringements.

## 4.3 Holistic services – generating cross-referrals

Internal referrals between workers and services at CCCHS and Homeless Law were slow to begin with. Although Homeless Law's clinics were located at CCCHS twice a week, this wasn't meaningful integration and more was required to build referral pathways and shared understanding of the various services operating out of CCCHS and their expertise.

The Portland House Grant has allowed us to undertake a number of activities aimed at increasing Homeless Law's visibility at CCCHS amongst the wide variety of services and workers based there. We understood that higher levels of engagement with workers would lead to stronger referral pathways between Homeless Law and the many services at the agency and, ultimately, to better legal outcomes for clients experiencing or at risk of homelessness.

With respect to our relationships with CCCHS, we found:

- Providing the legal health check tool and training to the non-legal workers at CCCHS has developed a rapport between our services. Staff and workers at CCCHS feel more confident talking to clients about legal issues, they are aware of what Homeless Law can assist with and how to access our legal services on a client's behalf.
- The co-location of a Homeless Law social worker at CCCHS one day a week has been successful in raising awareness of legal issues, and, subsequently, increasing the accessibility of our legal services to CCCHS clients.

As a result of this activity, we have seen an increase in inquiries and referrals from non-legal workers at CCCHS to Homeless Law.

The Homeless Persons' Liaison Officer (**HPLO**) started co-locating at CCCHS one day per week from 1 October 2013 (see 6.1 below for further details on the co-location). The co-location of the HPLO at CCCHS has been successful in raising awareness of legal issues and, consequently, increasing the accessibility of Homeless Law's legal services to CCCHS clients. This work has also increased Homeless Law's understanding of the range of services available at CCCHS and our inward referrals have increased, meaning that clients are more likely to receive holistic services that respond to a range of their legal and non-legal needs.

- Between July to December 2013 there were only two recorded referrals from Homeless Law to services at CCCHS (one to case management/support and one to housing and accommodation support). During this time Homeless Law still had strong numbers of appointments at its CCCHS clinics, but they came through external referral pathways.
- In the past six months, from January to June 2014, Homeless Law referred five clients to services at CCCHS (two to housing and accommodation, and three for case management/support).
- From the 14 May 2014 until the end of June 2014, Homeless Law has received 14 enquiries from workers at CCCHS and five of these clients were eligible to receive assistance from Homeless Law.

These figures show that concerted efforts at integration, including knowledge sharing and relationship building through face-to-face interactions, play an effective role in improving the ability of people experiencing homelessness to access legal services and health, housing or support services that can assist to address factors that contribute to or prolong homelessness.

## 4.4 Building skills and knowledge of pro bono lawyers

Homeless Law's targeted, outreach-based legal representation carried out by pro bono lawyers requires strong in-house support from Homeless Law staff. As discussed above, all Homeless Law clients are assessed for eligibility prior to being booked into a clinic. After matters have been triaged, the intake lawyer prepares an intake memorandum for the pro bono lawyers who will be attending the outreach clinics. These memos set out the legal issue, key timeframes, relevant law, scope of assistance, suggested steps and key resources.

Homeless Law also runs specialised and compulsory training for all pro bono lawyers who attend outreach clinics and work on Homeless Law files.

In response to the change in legal issues that Minter Ellison Lawyers were seeing at the CCCHS outreach clinic, Homeless Law provided tenancy law training specifically to the team in December 2013 to refresh and renew the skills of lawyers that were going to the clinic and promote further positive legal outcomes. In June of this year, our Homeless Persons' Liaison Officer provided non-legal training to Minter Ellison on housing options for people at risk of homelessness and an overview of affordable and crisis housing in Victoria.

All the Minter Ellison Lawyers attended rolling induction sessions beginning on 8 August 2013 at CCCHS, which were conducted by Brian Sardeson, Program Manager of Cohealth Complex Needs Programs, and a Homeless Law staff member. The lawyers were trained in all the services that are available at CCCHS, introduced to the staff and workers, shown the facilities available to clients, and educated about Occupational Health and Safety, duress alarms, and the processes in case of an emergency.

In March this year, after conversations with Cohealth staff, Homeless Law provided an email update to our pro bono firms, outlining the range of services available at CCCHS and how to access those services. The aim of this support was to make sure pro bono lawyers were supporting clients to access any non-legal support they might need through linking clients with the onsite duty worker at CCCHS. In this way, Homeless Law was reminding our lawyers that an effective integrated service model involves two-way referrals i.e. both to and from the non-legal experts co-located at CCCHS.

Our pro bono law firms which staff the city clinics, Clayton Utz and Minter Ellison Lawyers, provided positive feedback about the effectiveness of the integrated service delivery model. Minter Ellison Lawyers commented:

*'being at a service like CCCHS makes our service more accessible to the broader homeless community. At residential facilities ... it was more intimidating for non-residents to attend the service.'*

Clayton Utz comments on the strength of the partnerships between the different services at CCCHS:

*'It's a central point for resources and services – it's a no brainer. If I was a social worker working with homeless clients, I would be rapt with what CCCHS can offer.'*



Minter Ellison Lawyers at the first induction training at CCCHS

## 5. Legal Health Check – spotting legal issues early

In 2013 Homeless Law developed a Legal Health Check with the generous support of the Portland House Foundation.

The Legal Health Check serves two main purposes:

- Strengthening Homeless Law's engagement with non-legal experts, including increasing awareness and understanding of Homeless Law and our services amongst homelessness service providers; and
- Attracting early, appropriate referrals to Homeless Law or other legal services that may be able to assist clients with legal issues (including through building confidence of non-legal workers to identify legal issues).

To achieve these aims the Legal Health Check focuses on supporting workers in the homelessness sector to:

- Have conversations with their clients about legal issues;
- Identify legal issues; and
- Respond to legal issues.

As a specialist legal service, we know that legal issues can cause or contribute to homelessness, and prevent people from getting on with their lives. We also know that the timing of identification of legal issues can have a significant impact on the resolution and outcome of legal matters.

From our experience and the outcomes of the LAW Survey, often people experiencing disadvantage will have multiple issues which they do not identify as a legal matter. Identification of legal issues is of fundamental importance to providing people experiencing disadvantage with legal assistance.

The Legal Health Check has been a key tool in building Homeless Law's relationships with non-legal experts at CCCHS.

### 5.1 The process – training, surveying and legal health checking

The first step in the process was that a Homeless Law lawyer facilitated training for agency staff and outreach workers at CCCHS in how to use the Legal Health Check and also to gauge their general understanding of, and ability to identify, legal issues.

To measure the effectiveness of the training and the agency workers' understanding of legal issues, referral pathways for identified legal issues and what legal services Homeless Law provided, Homeless Law developed accompanying agency worker surveys, which workers completed both prior to the training and after the training. Homeless Law then provides a report on the results to the manager of the agency.

Homeless Law held two sessions at CCCHS on 3 and 4 April 2014. These sessions were available to all staff and outreach workers (including from the HOMHS team, the Community Connections program and other allied health professionals such as the physiotherapist, podiatrist and dietician).

### 5.2 The results – building confidence to identify legal issues

Ten workers in total attended the training sessions, and seven of those workers completed the pre and post training survey that was made available online to the workers. The key results are below.

#### **Prior to the training:**

- All the workers identified that their clients either do have legal issues or might have legal issues, and of all the clients that had legal issues, they all had issues with infringements.
- None of the workers felt absolutely confident identifying legal issues; 71% of workers felt somewhat confident identifying legal issues; the rest of the workers did not feel confident at all.
- All of the respondents would refer the client to Victoria Legal Aid or a community legal centre if a client had a legal issue.
- 71% of workers had heard of Homeless Law, but only 57% knew how to access our services.

#### After the training:

- All participants found the training helpful and said that the training made it more likely that they would use the Legal Health Check.
- All surveyed workers found that the training raised the awareness of Homeless Law and our services for the workers.
- 86% of the workers found the training raised their awareness of client legal issues.
- Only one person used the Legal Health Check prior to completing the post training survey and this person found it useful to help spot legal issues. This worker also felt more confident talking to clients about their legal issues after completing the Legal Health Check.
- 67% of workers did not use the Legal Health Check because they didn't think it was appropriate for the client, the other 33% didn't use it because the client's other needs took priority.
- All surveyed workers said they will use the Legal Health Check in the future.

### 5.3 Reflecting on the Legal Health Check

Insights from the roll out of the Legal Health Check include:

- The current model of combining the Legal Health Check with training is effective (the Legal Health Check alone would probably be less effective). The Legal Health Check is a useful tool or vehicle for providing training to homelessness workers about legal issues and how to identify them.
- The Legal Health Check has a role to play in improving understanding of legal issues and confidence in raising legal issues with clients. This result is highlighted by the worker who completed the survey and noted that the Legal Health Check and training increased the worker's confidence when talking to clients about legal issues.
- Workers may not complete the Legal Health Check with clients because of constraints on time or resources.

We will continue to review the Legal Health Check form and process to make sure that it is:

- As easy as possible for workers to use;
- Effective as an engagement tool; and
- Helpful in terms of identifying client legal issues and facilitating early access to appropriate legal services.

In addition to developing, implementing and refining the Legal Health Check tool for Homeless Law's partners and clients, Homeless Law has been able to share our work and insights with other programs within Justice Connect (including Seniors Law and our specialist legal service for migrants based in Sydney) who have been able to adapt and use this tool to improve identification of legal issues within their respective client groups.

## 6. Strengthening relationships at CCCHS

Homeless Law engaged in a range of collaborative activities at CCCHS to strengthen our relationships with services and workers, and encourage knowledge sharing to develop a more holistic service delivery model.

These activities include:

- Co-locating a team member one day per week at CCCHS;
- Contributing to leadership conversations at working groups and forums; and
- Co-ordinating the annual Homeless Persons' Memorial.

### 6.1 Co-location at CCCHS

The Homeless Persons' Liaison Officer (**HPLO**) began co-locating with CCCHS one day per week from 1 October 2013. This co-location was with the view to increasing:

- Capacity of workers at CCCHS to identify legal issues;
- Visibility of Homeless Law within CCCHS; and
- Access of people experiencing homelessness to the Courts, legal advice and assistance.

Initially the impact of this co-location was not clear, however in the first quarter of 2014, there was a notable increase in enquiries to the HPLO during the Wednesday co-location.

By May 2014 it was necessary to keep a record of the contacts. From the 14 May 2014 until the end of June, the HPLO received 14 enquiries. Five of these were for matters that Homeless Law could assist with and clients were booked in to see Homeless Law lawyers.

Nine clients received a level of non-legal assistance from the HPLO because they had matters in Victorian courts or tribunals and were experiencing or at risk of homelessness. Homeless Law anticipates that the HPLO's continued presence at CCCHS will mean this trend of enquiries will continue and the legal education of the other health care workers will increase.

With the new recording process adopted in mid-May 2014, Homeless Law will get a picture of the type of referrals that come through CCCHS. Notably the enquiries that came through the HPLO in the final six weeks of this financial year came from a variety of co-located partners including: Wintringham; the Royal District Nursing Service; Housing Outreach Mental Health and Housing Service (**HOMHS**); Community Connections Program; and administration workers. This shows a good spread of legal awareness across the other co-located programs.

This case study shows the impact of the HPLO's co-location for a young man experiencing homelessness who would have been unlikely to access legal services if not linked in through the integrated service model.

### Integrated service model links young homeless man with unpaid fines to legal services

Ben came to the attention of Homeless Law through our co-location at Central City Community Health Service. He was referred from the duty worker at CCCHS.

Ben had just dealt with some criminal matters in New South Wales and was about to attend drug and alcohol rehabilitation as part of a community based order. Having been homeless for four years and struggling with drug addiction for over 20, he was seeking an opportunity to address infringements that had accumulated in Victoria. He had no paperwork about these issues but he met with Homeless Law's Homeless Persons' Liaison Officer at the health service and the HPLO did some follow-up regarding his infringements. The follow-up identified that Ben had over \$3000 in unpaid fines.

By the time this correspondence had been received Ben had been admitted to rehabilitation interstate. The HPLO corresponded with the rehabilitation centre to inform Ben of the nature and quantity of the infringements. He decided he wanted to proceed with legal advice and potentially representation whilst he was in rehabilitation. The HPLO arranged a phone appointment with Homeless Law lawyers for advice, so he could start the process of addressing his infringements. Ben can now be assisted to make an application to have his infringements waived on the basis of his special circumstances (i.e. his homelessness and substance dependence, which caused him to get the fines) and will not have them hanging over him when he exits rehabilitation.

## 6.2 Working groups, leadership forums and conversations with partners

Homeless Law sits on a number of working groups which are convened by Cohealth staff at CCCHS. This is a way for all the agencies that provide services at CCCHS to network and be involved in updates and projects to enhance understanding and utilisation of the integrated service model.

Notably this is a departure from the model that Homeless Law has previously subscribed to. In all other outreach locations Homeless Law partners with a host agency, but we do not participate in leadership teams or working groups. The mechanism that has been put in place for internal referral pathways is also unique. In this way, CCCHS represents a collaborative partnership where Homeless Law is an active and cooperative participant in the development and progress of CCCHS, rather than a passive provider of a legal advice in an already established homelessness service.

Homeless Law is a member of the Senior Leadership Forum (**the Forum**) that meets once per month to oversee the operation of CCCHS. The members of the Forum include senior managers from other agencies that are currently co-located or have sessional arrangements, in order to provide governance for the development of innovative service models and integrated service approaches. There are about 18 organisations that participate in the Forum.

These meetings are held to discuss and act on business such as: the CCCHS Evaluation and Reporting Framework; upcoming changes to homelessness policies in Melbourne and Victoria; intake and recording of client contact; reports and updates from the working groups hosted by CCCHS; funding updates; building issues; and changes in services at CCCHS.

Homeless Law has also contributed to the Women's Working Group, a group of representatives from co-located services who focus particularly on the needs of women experiencing homelessness.

In addition to attending formal working groups at CCCHS, staff from Homeless Law have regular meetings and conversations with the Program Manager of Cohealth and the duty worker at CCCHS for general updates on both services. These meetings provide an opportunity for informal discussions about the homelessness landscape in

Melbourne, including any changes to laws or policies that might affect clients, and any trends that both agencies have been observing.

To date, these conversations have been the starting point for ideas such as CCCHS induction training for new lawyers, the co-location of the Homeless Law social worker, the Homeless Persons' Memorial Service and training CCCHS workers to use the Legal Health Check.

## 6.3 Working with Inner Melbourne Community Law

Homeless Law has always had a strong working relationship with IMCL, but being co-located at CCCHS has been an excellent opportunity to collaborate more closely.

IMCL was originally providing a weekly drop in legal service at CCCHS on Thursdays. While Homeless Law's service focussed on civil law (including fines, tenancy, credit/debt and guardianship and administration), the focus of IMCL was on criminal law and family law, which meant that together our services could meet a wide range of clients' legal needs.

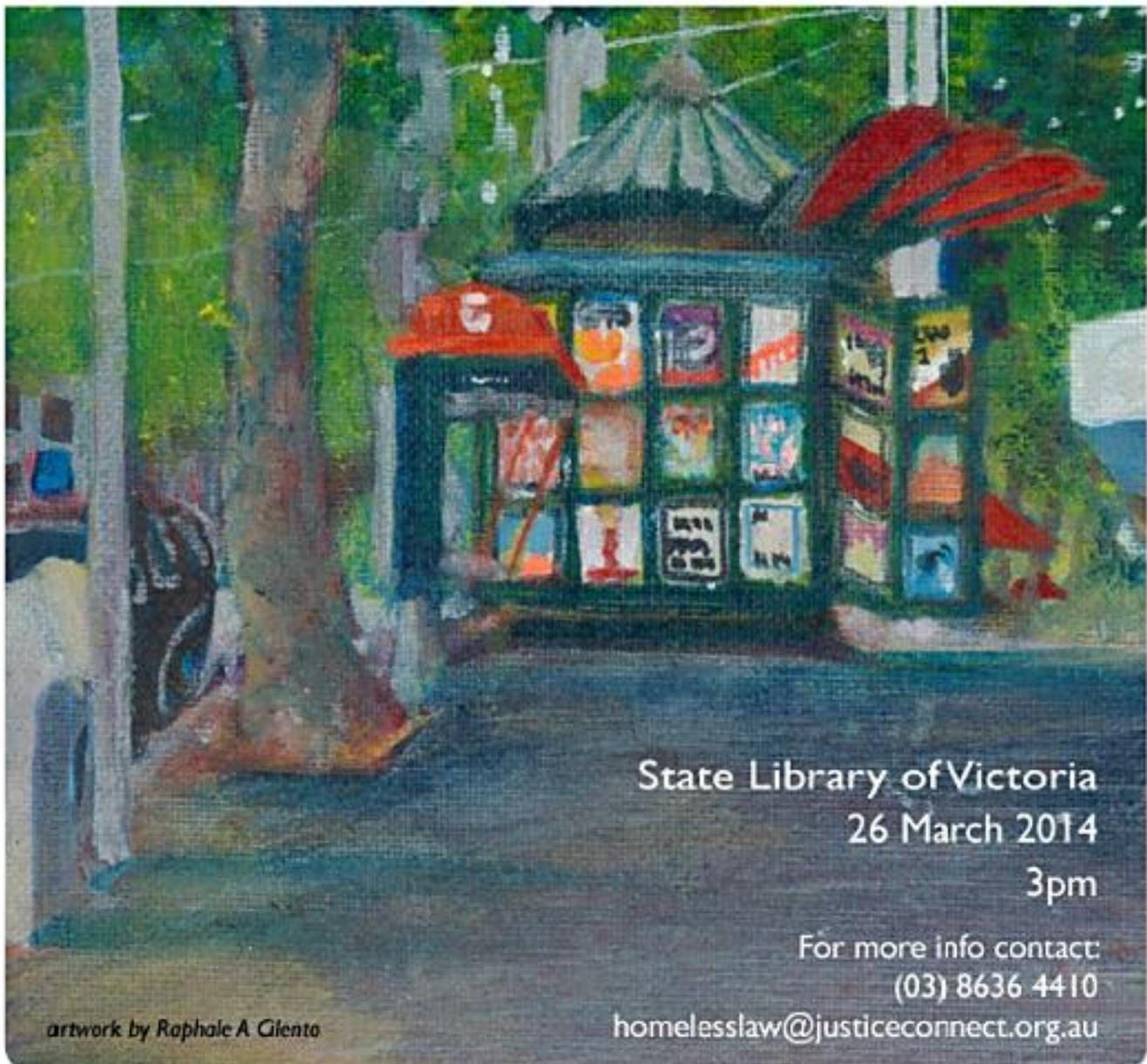
IMCL put its outreach service at CCCHS on hold during late 2013. In June 2014, members of the Homeless Law team met with the CEO, Principal Lawyer and Senior Lawyer from IMCL to discuss our respective services, projects and referrals. From the meeting we were able to establish a warm referral process between Homeless Law and IMCL which means staff from each service can call through directly to a lawyer and refer a client, bypassing the standard intake processes. In July 2014, IMCL visited the HPLO on her co-located day at CCCHS to discuss whether there is any action that can be taken to build the number of referrals to IMCL.

In August 2014, the Senior Lawyer from IMCL will be shadowing a lawyer at Homeless Law to observe Homeless Law's intake processes and file preparation for the pro bono lawyers that attend the outreach clinics.



# Memorial Service

Commemorating the lives of homeless  
members of our community who have died



## 6.4 Homeless Persons' Memorial Service

The Homeless Persons' Memorial Service (**Memorial Service**) was established to commemorate the lives of homeless members of our community who have died. It began as a collaborative idea between Homeless Law and Cohealth, due to the significant number of Homeless Law clients that had passed away while they are experiencing homelessness.

A committee was established from organisations who wished to be involved in this event:

- Cohealth – Brian Sarderson;
- St Peter's Eastern Health – Fr. Phil Gill;
- Council to Homeless Persons – Pat "Spike" Chiappalone;
- Justice Connect Homeless Law – Jiselle Hanna;
- Melbourne City Council – Nanette Mitchell; and
- Youth Projects – Colin Hudson.

The committee started to organise the event approximately three months in advance, meeting fortnightly at CCCHS for the first two months, and then increasing to weekly meetings for the month leading up to the event.

The committee organised the promotion, logistics and catering for the Memorial Service, including distributing flyers around the City of Melbourne and through the networks of each committee member to promote the Memorial Service. On the day, a program booklet was handed out to all attendees of the Memorial Service, and food was provided (by in kind donation) at the conclusion of the service. Pastoral carers were also on hand at the Memorial Service to provide support for individuals experiencing grief or trauma.

An original piece of artwork, created by a member of the Melbourne homeless community was used as the feature image for the poster.

On 26 March 2014 at 3:00pm the Homeless Persons' Memorial Service took place at the State Library of Victoria, with the support of Anglicare Victoria, Council to Homeless Persons, Cohealth, Melbourne City Council, Lazarus Centre, St Peter's Eastern Hill and Youth Projects.

Over 100 people attended.

Pat 'Spike' Chiappalone, from the Council to Homeless Persons' Peer Education and Support Program, gave the keynote address. Spike spoke about his personal experience of homelessness, as well as the challenges faced by homeless people.

Fr. Phil, who was the MC, read out the names of members of the homeless community that are known to have passed away. A moment of silence then followed.

Guests were invited to come forward and write a message on parchment paper for those who had passed away.

A registry of names of people who have died will be kept in the State Library of Victoria. The memorial will now be held annually. An article on the Memorial was published by Pro Bono Australia, '[Registry to Remember Lost Homeless](#)':

**Countless Melburnians who are homeless have died before their time. Some have been noticed publicly because of the particularly awful circumstances of their passing, but many others remain unknown. Each death has been a loss and has had an impact on those that knew them, their friends, family, and support workers. We hope that many in our wider community join us to remember these people and to send a message to everyone that homeless members of our community are not invisible. Homelessness in Melbourne exists and we need to do everything we can to prevent it. We need to work together for a future without homelessness.**



Pat 'Spike' Chiappalone giving the key note speech.



Flowers to remember those who have passed away.

In light of the overwhelming positive feedback about the Memorial and the necessity of providing a service that commemorates the lives of people who passed away while experiencing homelessness, the the Memorial Service will be an annual event.