

Under One Roof

Three years of embedding legal services to make justice accessible for homeless clients

November 2018

Acknowledgements

Justice Connect Homeless Law takes this opportunity to express our sincere thanks to the Portland House Foundation for its generous and visionary long-term funding of Under One Roof. This support has enabled Homeless Law to create innovative responses and extend our reach by pioneering new ways of responding to legal need among Victorians who are experiencing or at risk of homelessness.

We would also like to thank our key project partner, Launch Housing, for their valuable and ongoing collaboration in delivering this co-location project. It is a privilege to work side-by-side in improving and making a difference in the lives of our mutual clients.



Justice Connect Homeless Law

PO Box 16013
Melbourne VIC 8007
DX 128 Melbourne
T +61 3 8636 4408
F +61 3 8636 4455
justiceconnect.org.au

Cameron Lavery

Manager and Principal Lawyer
T: +61 3 8636 4412
E: cameron.lavery@justiceconnect.org.au

Samantha Sowerwine

Principal Lawyer
T: +61 3 8636 4470
E: samantha.sowerwine@justiceconnect.org.au

Katie Ho

Senior Project Lawyer
T: +61 3 8636 4431
E: katie.ho@justiceconnect.org.au

Table of contents

Acknowledgements	2
Table of contents	3
1. Executive summary	4
1.1 Outcomes and impact from three years	4
1.2 Evidence-based insights	9
1.3 Future directions: building on the success of Under One Roof	9
2. Homelessness, legal need and integrated models	11
2.1 Legal needs of people experiencing or at risk of homelessness	11
2.2 The history of Homeless Law's holistic services	12
2.3 Recognition of legal and non-legal integration as best practice	13
3. Fairer and better outcomes for people experiencing or at risk of homelessness	15
3.1 Improved access to appropriate legal services	15
3.2 Preventing homelessness and eliminating barriers for people to exit homelessness	17
4. The value of embedded partnerships and multi-disciplinary services	20
4.1 Equipping caseworkers with legal needs training, tools and resources	20
4.2 Courting Justice: providing integrated criminal legal representation for Victorians experiencing homelessness	21
4.3 Evaluating the impact of co-location on the accessibility of legal help	23
4.4 The power of collective campaigns and advocacy	24
Annexures	27
Annexure 1: Under One Roof infographic	27
Annexure 2: Proposed framework for responding effectively to homelessness in the City of Melbourne	29
Annexure 3: Types of housing and homelessness through the co-location, and referrals by program	38
Annexure 4: Five key legal issues sheet for workers	39
Annexure 5: Online enquiry form for caseworkers	41

1. Executive summary

'Under One Roof: Embedding legal services to make justice accessible for homeless clients' (**Under One Roof**) is an innovative project of Justice Connect Homeless Law (**Homeless Law**), which co-locates a lawyer at Launch Housing (**Launch**) in St Kilda, a frontline Melbourne-based homelessness service.

Under One Roof enhances strong relationships with frontline homelessness agencies and non-legal workers, enabling Homeless Law's early intervention in resolving legal and non-legal issues for homeless or at risk Victorians prior to crisis point. The relationships fostered through this integrated service model are critical to Homeless Law's ability to engage and assist complex and hard-to-reach clients, who may be otherwise unable to access existing legal services.

Since 2015, Under One Roof has strengthened and consolidated the partnership between Homeless Law and Launch. We have achieved many joint-successes in helping clients to secure holistic legal outcomes and we have collectively influenced systemic change in Victoria. Through the project, Homeless Law has created clearer pathways into legal services for clients who would otherwise face significant barriers to navigating the justice system. This diverse impact is highlighted by the Under One Roof snapshot in **Annexure 1**.¹

This current project recognises the significance of building meaningful and genuine relationships with workers who can play an important role in identifying legal issues, sharing knowledge and information, and collectively supporting clients to resolve their legal and non-legal issues, ultimately leading to better outcomes for people who are homeless or at risk in Victoria.

– Dr Heather Holst, former Deputy CEO, Launch and Victorian Commissioner for Residential Tenancies.

This report reflects on three years of co-locating a specialist Homeless Law lawyer a day each week at one of Victoria's largest homelessness service providers, Launch, which helped 18,168 clients across Melbourne in 2016-17.² In particular, this report shares eight key outcomes of Under One Roof and evaluates the impact of our co-location model by analysing 210 referrals and outcomes, drawing on direct feedback from 21 Launch caseworkers, and sharing seven client stories.

1.1 Outcomes and impact from three years

The Law Council of Australia's 2017 Justice Project consultation paper on people experiencing homelessness recognised that integrated and joined-up services are vital for people with complex needs, enabling them to address the underlying causes of their legal problems and allowing them to address legal issues earlier.³ The impact of Under One Roof through this integrated model is demonstrated by the eight key outcomes:

¹ See, eg, outcomes from our *Under One Roof 12 Month Report* (May 2016) (available here: <https://justiceconnect.org.au/wp-content/uploads/2018/08/Homeless-Law-Under-One-Roof-12-Month-Report-May-2016.pdf>), and Homeless Law's *Melbourne, Don't Criminalise Homelessness* campaign (available here: <https://justiceconnect.org.au/campaigns/dont-criminalise-homelessness/>).

² Launch Housing, *Annual Report FY2016-17* (available here, https://www.launchhousing.org.au/site/wp-content/uploads/2017/11/Annual_Report_2016_17.pdf). The aim of Launch is to end homelessness by providing housing and other support services, developing innovative housing models, advocating for change and conducting evidence-based homelessness research, which closely aligns with Homeless Law's model.

³ Law Council of Australia, The Justice Project, *Homeless Persons Consultation Paper* (August 2017) (available at: <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Consultation%20Papers/Homeless%20Persons.pdf>) 49.

1. Building stronger relationships and referral pathways

Under One Roof has strengthened Homeless Law's referral pathways, with enquiries increasing by 25% between our first and third year of co-location. We continue to enhance our embedded partnership through regular engagement with Launch's teams and workers, including outreach with caseworkers to support access to legal assistance for rough sleeping clients who would otherwise face significant barriers to getting information about their legal issues.

The co-location enables much smoother referral for representation for clients. [It] makes clients more trusting of lawyers if they're in the Launch office. – Launch caseworker

Through this strong relationship of trust, Launch is now a crucial ally for Homeless Law's work beyond the co-location project and both organisations act to endorse and bolster respective campaigns and projects to maximise impact across the homelessness sector.

2. Improving access to legal services for clients who are homeless or at risk of homelessness

As part of the project, Homeless Law has delivered face-to-face advice, tailored legal information and ongoing legal representation to homeless or at risk Victorians, as well as legal information, education and referral pathways for Launch caseworkers. We have received 210 enquiries over three years through Under One Roof. From these, 128 people were booked in to receive a combination of specialist civil and criminal law assistance from Homeless Law, 42 were referred to other free legal services, and 39 resulted in secondary consultations with caseworkers to help identify legal or non-legal issues.

3. Delivering multi-disciplinary civil and criminal legal assistance to Victorians who would otherwise slip through the cracks

The addition of Homeless Law's senior criminal lawyer through our criminal law project, Courting Justice,⁴ has increased our ability to assist vulnerable clients to access the justice system and deal with more legal issues that directly accompany an experience of homelessness. Courting Justice recognises that the clients we are working with require additional time and attention both before, during and after court due to their complex issues, which include one or more of primary homelessness, acute mental health concerns, family violence and substance dependence. We have seen a 50% increase in referrals to our senior criminal lawyer from Launch between the first and third years of Under One Roof, evidencing the significant impact of this multi-disciplinary practice for some of the most marginalised Victorians. The Portland House Foundation has also generously funded Courting Justice, ensuring better access to justice for clients of Under One Roof.

4. Providing specialised services for rough sleepers

We recognise that legal problems create barriers to people accessing stable accommodation and exiting homelessness. Building on the evidence of a 74% increase in rough sleepers on Melbourne's streets between 2014 and 2016,⁵ Homeless Law has worked closely with the rough sleeping outreach workers at Launch to engage with this highly complex cohort.

Our co-located lawyer has been on outreach with the Rough Sleepers Initiative (RSI) team to speak with hard to reach clients and take the first steps to address their legal problems. We have also co-ordinated consumer forums about key topics such as the City of Melbourne's Operating Protocol on Rough Sleeping,⁶

⁴ See Justice Connect, *Courting Justice* (available at: <https://justiceconnect.org.au/how-we-help/homeless-law/courting-justice/>).

⁵ City of Melbourne, *StreetCount 2016* (available at: <https://www.melbourne.vic.gov.au/community/health-support-services/social-support/Pages/streetcount.aspx>).

⁶ City of Melbourne, *Operating Protocol on Rough Sleeping* (September 2017) (available at: https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.com-participate.files/6515/0649/5902/Operating_Protocol_Policy_Operating_Statement_22_September_2017.pdf).

raising awareness and helping people to understand their rights. Homeless Law continues to work closely with RSI caseworkers to holistically tackle the legal issues of rough sleepers, removing barriers that prevent them from exiting homelessness.

5. Empowering non-legal workers to understand legal problems

For the duration of Under One Roof, we have offered community legal education training sessions for Launch caseworkers and other non-legal professionals in the homelessness sector. These sessions educate and empower frontline workers to identify key legal problems early and make referrals to Homeless Law and other appropriate legal services. We have also created targeted resources, including the Legal Health Check and infringements referral form,⁷ which have built confidence and helped workers in assisting their disadvantaged clients to navigate complicated legal processes and access the justice system. In Homeless Law's June 2018 survey about Under One Roof, 88% of caseworkers said that having a lawyer onsite increased their understanding of legal issues affecting clients, and 88% are more confident asking clients about legal issues because of the co-location.

6. Increasing our accessibility to the most vulnerable through strategic partnerships

Using our knowledge and expertise gained from Under One Roof, we have partnered with other services that work intensively with people who are homeless or at risk, including Sacred Heart Mission's Journey to Social Inclusion (**J2SI**). The J2SI program works extensively with clients over periods of three years to end chronic homelessness by addressing mental health, drug and alcohol issues, building skills, increasing connection with community, and by finding affordable and sustainable housing for its participants.

We have a close relationship with J2SI where, in lieu of a co-location, caseworkers have a direct referral pathway to a Homeless Law lawyer. We also created an in-depth training day for caseworkers in tenancy law and human rights, equipped workers to use the Legal Health Check, and developed other tools to make sure workers can address the legal problems of their clients and make good referrals.

Homeless Law is working closely with J2SI in its delivery of Victoria's first Social Impact Bond with the Victorian Government, which is phase 3 of the program. Through Homeless Law's influence and our close collaboration, J2SI has built-in measuring and evaluating their clients' legal issues over the next three years. This is an important step in the homelessness sector, recognising that addressing legal issues is an essential component of holistically helping people exit homelessness into safe and long-term housing.

7. Joining together to advocate for changes in policy and laws

Through the collaborative leadership of Launch and Homeless Law, we coordinated an advocacy campaign in response to the City of Melbourne's approach to rough sleeping, which proposed to effectively criminalise people sleeping on the streets of Melbourne. We worked in partnership with Launch, cohealth and numerous other large organisations across the housing, homelessness, legal, faith, and social sectors to provide a Proposed Framework for Responding Effectively to Homelessness in the City of Melbourne (**Annexure 2**), which provided constructive solutions instead of criminalising people sleeping rough in the Melbourne CBD. As a result of our joint advocacy, the City of Melbourne announced in June 2018 that it was dropping proposed changes in the law, and instead is looking at other models to provide support to rough sleepers to find a pathway into safe and affordable long-term housing.⁸

8. Leading the way for impactful integrated service models

Under One Roof has been recognised by a number sources as an innovative, best-practice model for people who are homeless or on the brink of homelessness. The project is acclaimed for utilising holistic

⁷ See Annexure 3 of *Under One Roof 12 Month Report* (May 2016) (available here: <https://justiceconnect.org.au/wp-content/uploads/2018/08/Homeless-Law-Under-One-Roof-12-Month-Report-May-2016.pdf>).

⁸ You can read more about our *Melbourne, Don't Criminalise Homelessness* campaign (available here: <https://justiceconnect.org.au/campaigns/dont-criminalise-homelessness>).

practices through legal and non-legal services working together in securing sustainable outcomes for clients. Under One Roof was profiled by the Law Council of Australia in its Justice Project final reports on both homelessness and legal services, which noted that:

There is strong evidence and broad support for holistic, multi-disciplinary service collaborations which seek to address clients' legal and non-legal needs comprehensively and seamlessly. These are considered effective because people experiencing disadvantage or more likely to experience multiple legal and non-legal needs, and often initially seek legal help from a trusted non-legal professional.⁹

Similarly, the model was profiled as best practice in the Victorian Government's Access to Justice Review Report and Recommendations in 2016.¹⁰ In September 2017, as part of Victoria's biennial Homelessness Conference, Homeless Law was awarded the Excellence in Ending Homelessness for Adults Award as part of the 2017 Victorian Homelessness Achievement Awards. This is invaluable homelessness sector recognition of the role for legal services, and it acknowledges the extent to which Homeless Law has been able to build strong relationships and have a substantial impact with our non-legal allies, particularly through Under One Roof. The award commendation stated that:

Justice Connect Homeless Law is the leader in the legal assistance sector in developing innovative models and new partnerships to meet the legal and non-legal needs of people experiencing homelessness. They are renowned for providing leadership in advocacy around the laws and regulations impacting those experiencing homelessness.

Holly's case study below highlights the direct and long-term benefits of Under One Roof's integration of a lawyer into Launch, particularly by improving access to legal services, and the holistic value of addressing the complex and inter-connected legal needs of people experiencing or at risk of homelessness.

Holly: Rough sleeping mother of three who had experienced family violence receives multi-disciplinary and holistic supports under one roof

Holly is a mother of three who suffers from post-traumatic stress disorder, depression and anxiety. Holly's doctor and social worker attribute the post-traumatic stress to the extensive family violence she has experienced. Holly's mental health concerns also contributed to substance dependence issues, further impeding her ability to exit homelessness.

When Holly's Launch caseworker connected her to Homeless Law through Under One Roof, she had lost custody of her children, spent time in prison and had been sleeping rough in Melbourne's CBD for around a year.

Criminal law matters

Holly was facing several criminal law charges that she received while sleeping rough. Holly was wary of police from her negative interactions with them while she rough sleeping, including being arrested when she had gone to the police to report a serious sexual assault. This also made her reluctant to engage with the court process. Holly had been working hard with her Launch caseworker to secure transitional housing and take control of her life, but she was worried that going to court would derail her progress.

⁹ Law Council of Australia, The Justice Project, *Legal Services, Final report – part 2* (August 2018) (available at: <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Final%20Report/18%20-%202018%2009%20-%20Final%20-%20Legal%20Services%20%28Part%20%29.pdf>) 73.

¹⁰ Victorian Government, Access to Justice Review, *Volume 1, Report and Recommendations* (August 2016) (available at: https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/3314/8601/7221/Access_to_Justice_Review_-_Report_and_recommendations_Volume_1.PDF).

After the Under One Roof co-located lawyer engaged Holly with Homeless Law's Courting Justice project, our senior criminal lawyer represented Holly at the Magistrates' Court and successfully resolved her various criminal law charges. Holly was relieved to have the matters finalised, which allowed her to continue moving forward without any charges hanging over her head.

Fines and imminent risk of imprisonment

While helping with Holly's criminal matters, Homeless Law became aware that she also had an outstanding imprisonment warrant relating to unpaid fines. The imprisonment warrant was issued because she stopped making payments towards her fines when her violent ex-partner coerced her to move interstate. This meant that Holly was at serious risk of being arrested and going straight to prison to serve time in lieu of paying-off the fines.

Homeless Law applied to the Magistrates' Court to recall and cancel the warrant. Our senior criminal lawyer worked with Holly's Launch caseworker to obtain supporting documents for the application. At the hearing, the Magistrate agreed to recall the warrant and issue a new payment plan, removing Holly's risk of being immediately imprisoned.

In addition to the imprisonment warrant, Homeless Law discovered that Holly had over 20 unpaid infringements. Most of these fines related to traffic offences incurred when Holly was homeless and using her car for shelter and accessing vital services. Homeless Law used the previously prepared supporting materials to apply for review of the remaining infringements based on Holly's special circumstances, including homelessness and family violence. The matter is yet to be finalised but Homeless Law is confident a positive outcome will be achieved based on her strong evidence and significant steps she has taken since the initial fines were issued.

Public housing debts

Homeless Law's lawyers also uncovered that Holly had an unpaid public housing debt, which had been preventing her from accessing safe and long-term public housing through the Victorian Office of Housing (OOH). Holly incurred this debt when she had fled a previous public housing property while pregnant due to extreme incidents of family violence. Holly had been left with a significant debt for clean-up of the property when the tenancy eventually ended.

The lawyers used supporting documents and evidence to advocate for a debt waiver, building on our findings and advocacy from *Through the Roof: Improving the Office of Housing's policies and processes for dealing with housing debts*.¹¹ The OOH granted Holly a debt waiver on the basis of her circumstances, which means she is no longer liable for the debts caused by her violent ex-partner and she has achieved vital access to public housing.

Integrated impact

During Holly's court appearances and appointments with the lawyers, she was supported by her social worker from Launch. Through this close partnership between the lawyers and the social worker, we collaboratively ensured that Holly was supported through the process to achieve transformative outcomes.

Holly has made a genuine effort to implement positive changes to her life, and dealing with these legal issues directly related to her circumstances of homelessness and family violence has helped her to move forward and prioritise her well-being. Holly has recently been connected with counselling and is receiving ongoing support to stay sober. She has secured safe and affordable public housing and is motivated to provide her children with a secure and stable home, having regained custody of her youngest child.

¹¹ Available here: <https://justiceconnect.org.au/wp-content/uploads/2018/08/Justice-Connect-Homeless-Law-Through-the-Roof-Position-Paper-on-OOH-De....pdf>.

1.2 Evidence-based insights

Through three years of Under One Roof's holistic legal services, intensive caseworker collaboration and client insights, Homeless Law's key observations include:

Long-term, side-by-side integration of legal and non-legal workers pays off

From 2015 to 2018, the frequency and accuracy of enquiries from Launch caseworkers to our co-located lawyer have continued to increase. In particular, we were able to provide ongoing legal representation to 68% of the clients referred through Under One Roof, which demonstrates an improved understanding by Launch of our work. We were also able to intervene earlier through the direct referral pathway, avoiding the legal service 'referral roundabout' often faced by the most vulnerable Victorians. This demonstrates the benefits of our consistent presence at Launch, which has built genuine understanding and awareness of the value of specialist legal services, and is reflected by the following Launch caseworker feedback:

I receive friendly, informed, understanding advice and expertise in a timely manner. I can directly approach [the co-located lawyer] Katie or contact her when she's offsite, and I feel confident she understands the issues facing our clients and potential barriers to them accessing Justice Connect's services, and she helps work with our team to overcome them.

Legal services have an integral role to play in preventing homelessness and reducing the impact of homelessness for vulnerable clients

Legal services should be seen as a central part of strategies and programs aimed at reducing and preventing homelessness in Victoria. Through the collaboration between Under One Roof and Courting Justice, we know that providing clients experiencing or at risk of homelessness with targeted, flexible legal services and ongoing representation leads to both better engagement with the legal system and fairer outcomes for vulnerable clients. Holistic services, incorporating legal and non-legal professionals, have significant potential to contribute to sustainable outcomes by addressing holistic needs, which also creates a stronger community.

A shared vision and voice is vital for creating change

Building on our campaigns such as *Melbourne, don't criminalise homelessness*,¹² and our ongoing public space advocacy for rough sleepers, integrated partnerships effectively use shared knowledge from working with people who are homeless or at risk to influence decision-makers in creating effective pathways out of homelessness. Through these strong partnerships and multi-disciplinary coalitions of reputable homelessness services, we can hold decision-makers accountable to the real needs of Victorians who are trying to break the cycle of homelessness.

1.3 Future directions: building on the success of Under One Roof

Given these insights and our experience as a provider of client-centred integrated legal services, Under One Roof aims to continue leading the development and delivery of multi-disciplinary assistance that makes justice more accessible to Victorians experiencing or at risk of homelessness.

Using our evidence based learnings, we have seen over the last three years that the community sector in housing and homelessness are growing to understand the important role that legal services can play in addressing the interconnected needs of people who are homeless or at risk of homelessness. We plan to continue bringing legal issues to the forefront in

¹² Available here: <https://justiceconnect.org.au/campaigns/dont-criminalise-homelessness>.

the homelessness space as an issue that needs to be addressed simultaneously with other crucial non-legal issues.

I see a strong future for Under One Roof which includes building on our expertise in integrated service model practice with our partners, nurturing new partnerships, exploring innovation and technological tools, and expanding on the resources we have to extend our reach and impact

– Katie Ho, Senior Project Lawyer for Under One Roof.

In addition to Under One Roof's close alignment with our Courting Justice program, the project is also closely connected to Justice Connect's co-location with cohealth Central City Community Health Service (**cohealth**), which started through a visionary grant from the Portland House Foundation in 2013. This co-location is now recognised as a health justice partnership,¹³ with our holistic legal services forming a key part of cohealth's 'one-stop-shop' for health and social services for people experiencing homelessness in the Melbourne CBD.¹⁴

Reflecting on the evidence-based impact of our integrated practice model,¹⁵ through the next phase of Under One Roof, we seek to create embedded partnerships with more community-based homelessness and health locations across Melbourne,¹⁶ broadening our civil and criminal legal service impact and reach through innovative collaborations with Launch and cohealth. In particular, we aim to:

- Deliver **civil and criminal legal representation and social work support** to Victorians experiencing at risk of homelessness, including through the co-location of Justice Connect staff at new Launch and cohealth sites;
- **Train and resource** homelessness, community and health workers to identify legal issues early, and support clients to seek help to resolve them;
- **Embed specialist lawyers** with the Launch rough sleepers' initiative team, and in cohealth's wrap-around health and social services, to support highly complex, isolated and homeless Victorians, addressing legal issues to improve access to safe and affordable housing.
- **Create an empowerment and awareness-raising program** around legal and human rights for people experiencing or at risk of homelessness and their support workers;
- Undertake **evidence-based evaluation and advocacy** to improve service delivery processes, justice system accessibility and housing outcomes.

In delivering intensive and holistic legal services to the hardest to reach Victorians, who would otherwise fall through the gaps of the justice system, Under One Roof is well-placed to collaboratively create a stronger and healthier community, particularly for people experiencing or at risk of homelessness.

¹³ This project has gone from strength to strength and, today, Justice Connect co-locates a social worker at CCCHS one-day each week, participate in their executive leadership and operations groups, co-design programs, undertake collective, consumer-informed advocacy and run Homeless Law legal clinics there two days per week. Last year, Homeless Law helped people experiencing or at risk of homelessness through 103 legal appointments, covering 130 legal matters, through our two weekly clinics at cohealth and received at least one enquiry a week through to our co-located social worker.

¹⁴ See for further discussion, Premier of Victoria, Media Release, *Improving Access To Justice For Homeless Victorians* (16 July 2015) (available at: <http://www.premier.vic.gov.au/improving-access-to-justice-for-homeless-victorians/>).

¹⁵ See, eg, Law Council of Australia's *The Justice Project Final Reports* (August 2018) and the Victorian Government's *Access to Justice Review* (August 2016).

¹⁶ In particular, by solidifying our partnerships with Launch St Kilda and Collingwood and cohealth CCCHS, and mapping ways to increase holistic legal service access for clients through Launch's other sites, including at Launch's crisis housing facilities in Southbank, East St Kilda, Dandenong and South Melbourne, and with cohealth Footscray.

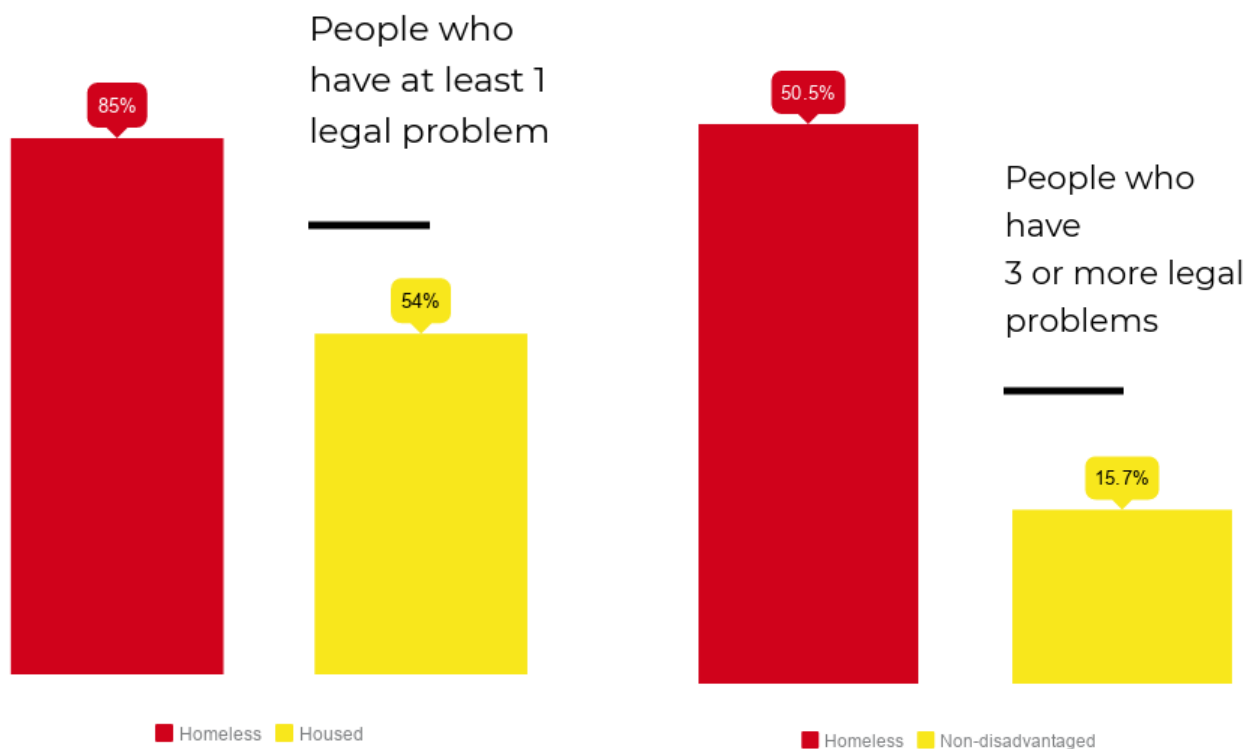
2. Homelessness, legal need and integrated models

2.1 Legal needs of people experiencing or at risk of homelessness

Through our casework and based on client feedback, Homeless Law sees that homelessness brings increased contact with the law, while simultaneously making it harder to navigate the justice system and access legal assistance.

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, which found that people who are homeless or in basic/public housing are at significantly increased risk of experiencing three or more legal issues.¹⁷

The LAW Survey found that people experiencing homelessness were both more likely to have legal problems and to have a significantly higher number of problems.



- 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).¹⁸

Relevantly, the study also identified that there are considerable barriers to people who are experiencing homelessness accessing legal services, including the need to prioritise more basic human needs such as

¹⁷ Christine Coumarelos and Julie People, Law and Justice Foundation of NSW, *Home is where the heart of legal need is: A working paper on homelessness, disadvantaged housing and the experience of legal problems* (April 2013).

¹⁸ 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.

food or accommodation. Accordingly, the study found that services assisting people experiencing homelessness require 'a holistic or client-focused approach, involving an integrated response from legal and broader human services'.¹⁹

The Law Council of Australia's Justice Project, an independent evidence-based review into the accessibility of legal services for vulnerable Australians nationwide noted – with reference to Under One Roof – that:

Integrated legal assistance and social support has proven to be effective in preventing homelessness and addressing some of the underlying issues placing people at risk of homelessness. The crucial role legal assistance plays in preventing and reducing homelessness must be recognised...²⁰

The findings of the Justice Project are supported by Pete's case study below, which confirms the importance of integrated legal advocacy in removing barriers to safe, long-term housing for people with complex vulnerabilities.

Pete: Chronically homeless man with mental health concerns has \$12,000 worth of public housing debts waived

Pete's Launch outreach nurse referred him to the Under One Roof co-located lawyer as debt collectors were chasing him for over \$12,000 in public housing debts with the Victorian Office of Housing (OOH). Pete had recently been housed in a supported residence after spending a significant period of time sleeping rough.

Pete has severe paranoid schizophrenia and memory loss, so he struggled to recall living in the relevant public housing property or any details of the debt. Our co-located lawyer connected him with Homeless Law's pro bono lawyers for ongoing legal representation. Pete had limited literacy and the involvement of his Launch outreach nurse and intensive case manager was pivotal in helping Pete to understand the legal advice and build his confidence with our lawyers.

Homeless Law successfully negotiated with the OOH for a waiver of the full \$12,000 based on his mental health concerns and his longstanding personal and financial hardship. The removal of Pete's crippling debt means that he has again been able to apply for long-term public housing, reducing the risk of being pushed back into homelessness.

2.2 The history of Homeless Law's holistic services

Homeless Law has been an outreach-based model since we commenced in 2001. In 2010, we increased our level of integration through adding a social worker role (the Homeless Persons' Liaison Officer (HPLO)) to our team with a view to providing a genuinely holistic service that helped address both the legal and non-legal needs of clients who were homeless or at risk of homelessness.

As discussed, we have operated a health justice partnership with cohealth CCCHS since 2013, which has led to a significant increase in the number of homeless or at risk Victorians being supported to access Homeless Law and other appropriate legal services. This partnership has provided compelling evidence that the presence of specialist worker, who has a strong understanding of the legal landscape, including legal issues and legal referral pathways, has a significant role to play in improving the ability of highly vulnerable clients to access legal services.²¹

¹⁹ Coumarelos and People, above n 17.

²⁰ Law Council of Australia, The Justice Project, *People who are Homeless, Final report – part 1* (August 2018) (available at: <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Final%20Report/People%20who%20are%20Homeless%20%28Part%201%29.pdf>) 5.

²¹ Sarah McMahon, 'Integrated service delivery: Legal and non-legal collaborations' Parity Vol 27, No 9 (October 2014) 47.

After the establishment of Homeless Law's second co-location through Under One Roof in 2015, we were further generously supported by the Portland House Foundation to start the Courting Justice project, which as noted, provides criminal legal representation for people experiencing or at risk of homelessness.

Since late 2015, Courting Justice has added significant value to Under One Roof, providing a direct channel to a criminal lawyer for frontline homelessness caseworkers and their clients. As part of Under One Roof, nineteen criminal legal matters have been referred to our senior criminal lawyer for ongoing legal representation. It is highly likely that these clients would not have accessed a criminal lawyer if they had not been supported by their caseworker to access our criminal lawyer.²²

2.3 Recognition of legal and non-legal integration as best practice

Victorian Government: Access to Justice Review (August 2016)

In August 2016, the Victorian Government released its Access to Justice Review, which profiled Under One Roof as an example of an effective model to reach people experiencing homelessness.

The report cited our learnings from the first 12 months of Under One Roof²³ about the need for genuine integration and for partners to be partially interdependent, not merely running a service at another site. It highlights the need for sharing time and expertise, as well as exchanging knowledge and improving understanding of other service providers as key tasks which ensure a healthy and strong collaborative partnership. Once a strongly and genuinely collaborative partnership is established, it has the capability to increase the number of complex individuals that the partnership can help – with both legal and non-legal needs.

Outreach-based, integrated legal services are an effective model for providing access to justice and improved outcomes for clients who are experiencing or at risk of homelessness 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.²⁴

Law Council of Australia: The Justice Project, People who are Homeless (August 2018)

The Law Council of Australia (LCA) also profiled Under One Roof in its consultation paper²⁵ (August 2017) and final report²⁶ (August 2018) into homelessness and legal need as part of The Justice Project, an independent review into access to justice across Australia. Under One Roof is outlined in detail, including data, quotes and a case study.

The Justice Project recognised that the traditional legal service model where people are expected to seek out legal help at an office or 'centre' is a barrier for people who are homeless or at risk of homelessness – people who often face multiple, complex legal issues which need to be separately dealt with by different legal services. Particularly, 'Australia's fragmented legal service delivery structure is at odds with the interrelated legal and non-legal issues of homeless persons.'²⁷

A lack of co-ordination between services, both legal and non-legal, increases the risk of people who are homeless falling through the gaps of the justice system.²⁸ The legal assistance sector, in an attempt to fill these gaps, has moved towards integrated services as best practice models, such as Under One Roof,

²² Justice Connect, *Courting Justice* (November 2018) (available at <https://justiceconnect.org.au/how-we-help/homeless-law/courting-justice/>).

²³ Justice Connect, *Under One Roof: Embedding Legal Services to making Justice Accessible for Homeless Clients* (May 2016) (available at: <https://justiceconnect.org.au/wp-content/uploads/2018/08/Homeless-Law-Under-One-Roof-12-Month-Report-May-2016.pdf>).

²⁴ Victorian Government, above n 10, 173.

²⁵ Law Council of Australia, above n 3.

²⁶ Law Council of Australia, above n 20.

²⁷ Law Council of Australia, above n 3, 24.

²⁸ Law Council of Australia, above n 20, 30.

Courting Justice and our Health Justice Partnership with cohealth CCCHS, which offer civil and criminal legal help as well as social work support to address non-legal issues, ultimately achieving better holistic outcomes for people who are homeless. The Justice Project concludes that:

To fully resolve their legal problems, the non-legal needs of homeless persons must also be addressed. This can be achieved through joined-up services that are near or co-located at places frequented by homeless persons. Justice Connect Homeless Law adopts an integrated services model. A key feature of this model is the co-location of Homeless Law at Central City Community Health Service and at Launch Housing.²⁹

²⁹ Law Council of Australia, above n 3, 4.

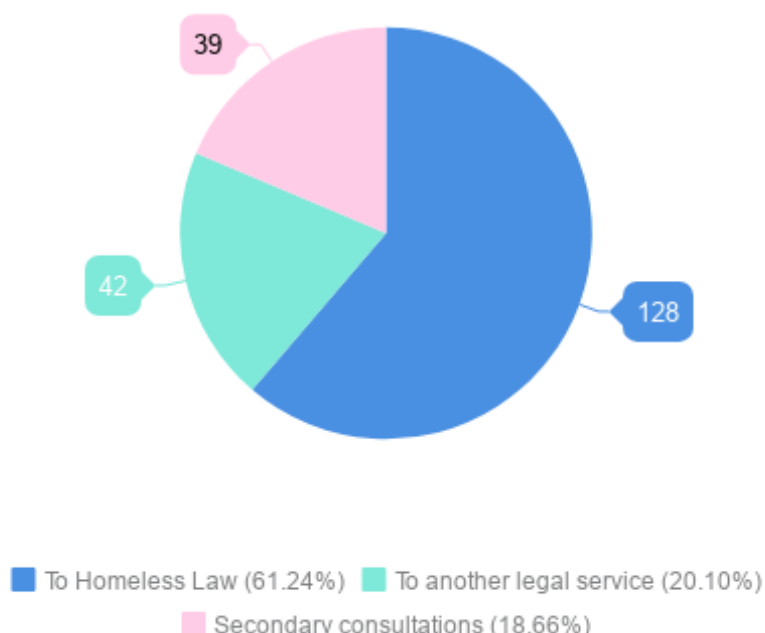
3. Fairer and better outcomes for people experiencing or at risk of homelessness

3.1 Improved access to appropriate legal services

Through Under One Roof, Homeless Law has received enquiries for 210 separate legal issues faced by people experiencing or at risk of homelessness from Launch St Kilda.³⁰ The breakdown is:

- **Homeless Law** - 128 people were connected to Homeless Law for ongoing legal representation and/or specialist legal advice.
- **Connections to other legal services** - 42 people were connected to another suitable free legal service, including Victoria Legal Aid, Victorian Aboriginal Legal Service, and other community legal centres.
- **Secondary consultations** - 39 secondary consultations were provided by Homeless Law's co-located lawyer to caseworkers. This included advice about legal processes, and tailored legal information to assist Launch caseworkers in taking the next steps with their clients.³¹

Where did the enquiries from the co-location go?



³⁰ Under One Roof's original funding period is from November 2013 to November 2017, the co-location statistics are counted from 10 February 2014 to 21 February 2018 when we began our co-location arrangement.

³¹ Note that one enquiry was not referred, as the nature of the enquiry meant that there was no suitable legal service available.

Increase in enquiries from co-location



Homeless Law has seen a continual increase in enquiries over the co-location period, with 62 enquiries received in the first year, growing to 69 in the second year (growth of 11%) and then 78 in the third year (growth of 25% from the first year).

The progressive growth in enquiries each year of the co-location is reflective of the impact of Homeless Law's ongoing, co-located presence and our training of Launch caseworkers across a range of programs. This has resulted in caseworkers becoming more comfortable in identifying and approaching legal issues with clients and in accessing our innovative resources.

Almost 60% of the people referred who were housed were living in public housing, but these people were at risk of eviction and subsequent homelessness. Further details of the housing status of the people referred to Under One Roof are:

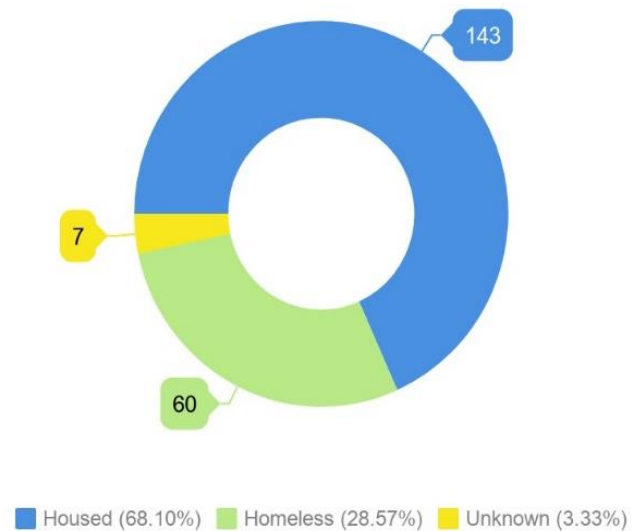
- 143 people living in housing, including 121 in social housing and 19 in private rentals.³²
- 60 people experiencing homelessness.
- 7 people did not disclose their housing status.

See **Annexure 3** for a further breakdown of types of housing and homelessness of the people who were referred to Homeless Law.

The breakdown of the types of legal issues individuals and workers were seeking assistance with is:

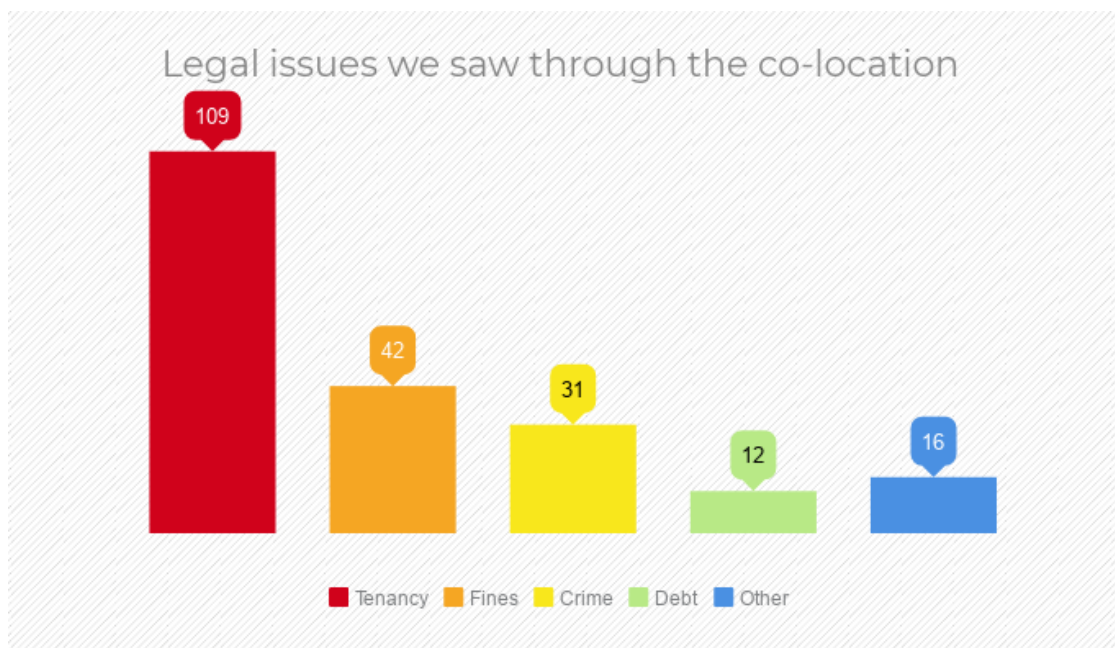
- Tenancy, including evictions, creation and reduction of tenancies in family violence circumstances, and public housing debts that are barriers to existing homelessness – 109.
- Fines and infringements directly connected to homelessness – 42.
- Criminal legal matters – 31.
- Debts closely related to homelessness and other complexities – 12; and
- Other legal needs³³ – 16.

Housing situation of the people referred through the co-location



³² The remaining three housed clients had mortgaged homes. We note that these referrals came through the HMHPP worker who works with clients being released from long-term periods in the psychiatric ward at the Alfred Hospital. Although these clients owned their homes, they were not able to live in these homes (for example, due to paranoia, delusions or an ex-partner living in the property).

³³ Other includes: family law, child protection / custody issues, identification documents, guardianship and administration orders, Centrelink, access to superannuation, removal of belongings, property law and wills and estates.



We particularly note that Homeless Law’s co-location has promoted a high-impact partnership with Launch’s Tenancy Plus team, working closely to prevent highly vulnerable tenants and their families from being evicted from their from scarce public housing properties into homelessness. The close partnership is reflected in the high number of referrals from Tenancy Plus (36% of all referrals). Working together to prevent evictions from public housing has never been more significant, with recent statistics revealing over 82,000 Victorians are on the social housing waiting list, including 25,000 children.³⁴

Similarly, Victoria’s acute shortage of affordable housing has led to an increased prevalence of people sleeping rough, who in Homeless Law’s experience, significantly benefit from holistic legal help and are the least likely community cohort to engage with legal issues or court processes. In response, Homeless Law has fostered a strong connection with Launch’s assertive outreach team (which includes MS2H and RSI), working closely with chronically homeless clients, who are often sleeping rough or struggling to maintain housing after experiencing homelessness for extensive periods. This embedded partnership has included directly participating in outreach across Melbourne’s CBD and building tailored referral pathways for ongoing civil and criminal law representation.

Homeless Law continues to prioritise our accessibility for the most isolated and marginalised community members through Under One Roof. Our holistic legal work for these clients, and their direct feedback, will be pivotal to enhancing our future integrated service provision.

3.2 Preventing homelessness and eliminating barriers for people to exit homelessness

In three years of Under One Roof, 128 clients were referred to Homeless Law for ongoing legal representation or specialist legal advice, and of these clients:

- 82 clients were provided ongoing representation and assistance after the initial appointment;
- 34 people didn’t attend a first appointment with Homeless Law (despite ongoing follow up);
- 10 clients received specialist advice; and

³⁴ Parliament of Victoria, *Inquiry into the Public Housing Renewal Program* (June 2018) (available at: <https://www.parliament.vic.gov.au/923-lsic/inquiry-into>) xi.

- 6 clients lost contact or passed away during their legal matter.

In looking closely at Under One Roof's tenancy law practice, 72% of our tenancy eviction matters resulted in positive outcomes.³⁵ Twenty one percent of our tenancy matters resulted in other outcomes,³⁶ and 3% are still ongoing.

Agatha, Alex and Connie's case studies below illustrate the impact of Under One Roof in generating better legal and non-legal outcomes for people who are experiencing or at risk of homelessness. In particular, these client stories highlight:

- The benefits of integrated services, including reducing the risk of long-term homelessness by addressing the multiple and inter-connected legal and non-legal needs of vulnerable Victorians;
- The collaborative approach between Homeless Law and Launch caseworkers through co-location, which assists highly complex and isolated clients to access legal services; and
- The significant difference that integrated legal help can make for people experiencing or risk of homelessness.

Agatha: Woman experiencing family violence avoids unfair eviction for rental arrears and creates a safe new tenancy

Agatha was living as a co-tenant in public housing along with her adult daughter, Jane, when Jane's partner Jim moved in. Agatha was pressured into allowing Jim to become a co-tenant, and shortly afterwards he began perpetrating family violence, including threatening Agatha and carrying out economic abuse.

When the violence escalated, Agatha was forced to flee her home and stayed with a friend. Despite telling the Victorian Office of Housing (OOH) she was unsafe at the property, Agatha was forced to keep paying her portion of the rent to the OOH while she was effectively homeless. Jim was not paying his rent and as the arrears kept accruing, the OOH issued a notice to vacate and applied to VCAT to evict all of the tenants. Agatha applied for an intervention order (IVO) on her own, and obtained an interim order.

Agatha was also working with a Launch caseworker, who connected her with Homeless Law to try and sustain her tenancy. Homeless Law's lawyers successfully negotiated with the OOH to put a hold on eviction proceedings until her IVO application could be finalised. When the IVO was secured with a clause excluding Jim, Homeless Law gave Agatha specialist and ongoing legal representation to apply under the family violence provisions of the tenancy laws, resulting in VCAT granting her a new lease at the property as the sole tenant.

The OOH was still pursuing Agatha and Jim for the unpaid rental arrears from the previous joint-tenancy. Through Homeless Law's continued legal advocacy, VCAT ordered that Jim was solely liable for the \$4,500 rental arrears debt, which allowed Agatha to safely return to her property with a clean slate.

³⁵ This includes where we were able to avoid eviction for the client; negotiate to have more time before vacating the property and allowing them time to find alternative accommodation; or had an old public housing debts waived or significantly reduced to remove a barrier to being offered a new public housing property.

³⁶ Other outcomes included: five clients had possession orders made, one client relinquished her tenancy, two clients lost contact, and one client passed away during their matters.

Steve: Rough sleeper with cognitive impairment has \$8500 worth of fines withdrawn

Steve was sleeping rough when his Launch assertive outreach caseworker engaged him with Homeless Law for help with his fines. Steve had around 20 infringement warrants and 5 open court fines, totalling about \$8500, which mainly related to public transport offences incurred while he was homeless.

Steve had been experiencing homelessness since around 2007, sleeping rough, and moving in-and-out of a number of crisis accommodation properties and rooming houses. Steve has significant complexities, including cognitive impairment caused by a head injury and trauma suffered as a child, long-term substance dependence issues and illiteracy.

After advising Steve about his rights and options, Homeless Law's lawyers made an application for review of his fines based on his special circumstances. The application was successful and the Magistrates' Court dismissed all of Steve's infringements unconditionally. Homeless Law also helped Steve to deal with his court fines by converting them to community work, which he sees as an opportunity to re-engage with his community.

Since connecting with Homeless Law, Steve has exited homelessness into a public housing property. This stability has allowed Steve to focus on his health recovery and also progress reunifying with his young daughter, who had been in state care.

Connie: Aboriginal single-mother of three experiencing discrimination, avoids eviction from public-housing

Connie is an Aboriginal woman and the sole parent of three children in a Victorian Office of Housing (OOH) property. One of Connie's children is hearing impaired, and the other two have mental and physical health issues, which cause them to express their emotions more loudly.

The OOH had obtained a compliance order against Connie, requiring her to prevent her children from making noise at a 'loud level audible to neighbours'. A neighbour had been regularly abusing Connie on the basis of her Aboriginality and complaining about Connie and her children to the OOH. However, Connie was reluctant to report any incidents to the police, particularly due to intergenerational trauma.

Launch referred Connie to Homeless Law when she was facing eviction for allegedly breaching the compliance order. Through Homeless Law's strong and continued negotiations, including based on the *Charter of Human Rights and Responsibilities Act 2006*, the eviction proceedings were withdrawn and a transfer to another public housing property was secured for Connie and her children.

Connie has expressed her immense relief that she and her children have avoided homelessness and are now able to live safely and free from their former neighbour's discriminatory behaviour.

4. The value of embedded partnerships and multi-disciplinary services

Since Under One Roof started in 2015, Homeless Law has invested in our day-to-day integration and deepened our connections at Launch St Kilda, including with their housing, health and social support workers.

We have worked side-by-side with workers both at the Launch office, and on outreach, working in tandem to seek the best possible legal and non-legal outcomes for our mutual clients. We have also leveraged our presence in Melbourne's metro-south to create strong connections and referral pathways with other services in the local community, particularly with Sacred Heart Mission's J2SI program, St Kilda Legal Service, and First Step.

We have been able to help more individuals with their multiple, intertwined legal needs, including through the addition of an expert senior criminal lawyer to our core legal practice as part of Courting Justice. We have also shared our legal knowledge with frontline workers and developed new tools to be more accessible for clients. We have also come together to form one powerful voice to campaign for changes to unfair laws that place a heavy burden on our clients experiencing or at risk of homelessness, particularly around the regulation of public space.³⁷

Notably, The Law Council of Australia in its Justice Report released in August 2018 discussed Under One Roof as highlighting the benefits of co-location for clients and workers, noting:

Multidisciplinary servicing also benefits both legal and non-legal professionals. Co-located and reintegrated models in particular create informal opportunities to develop strong trust-based relationships, to build mutual understanding of professional roles, and to gain interdisciplinary knowledge and skillsets.³⁸

4.1 Equipping caseworkers with legal needs training, tools and resources

As part of Under One Roof, we regularly provide practical legal education and have developed a number of dedicated resources for Launch caseworkers and other homelessness sector workers to build their capacity to identify legal issues, support clients to navigate the justice system and engage early with suitable legal services.

In particular, we provided targeted legal education to workers onsite at Launch St Kilda in relation to the family violence legal process (with St Kilda Legal Service) and regarding criminal law matters in the Magistrates' Court. Homeless Law's legal education sessions were well received, with the majority of Launch workers engaging in the training with their own experiences and questions. This is seen through the following direct worker feedback:

The information sessions about different types of legal issues with guest speakers from other legal services were great last year and I would attend them again.

Following on from the success of our legal education, Homeless Law developed an *Identifying Legal Issues resource for Launch Housing and J2SI caseworkers* (see **Annexure 4**). It provides frontline non-legal staff

³⁷ See, eg, *Melbourne, Don't Criminalise Homelessness* campaign (available at: <https://justiceconnect.org.au/campaigns/dont-criminalise-homelessness>).

³⁸ Law Council of Australia, above n 9, 80.

with the tools to take initial steps in securing more information for their clients about five of the most common legal issues, including court dates, warrants, infringements, eviction notices and debts. We have created training in support of this resource and the Legal Health Check, ensuring that caseworkers can identify and refer their client's legal issues in an efficient and effective way.

Homeless Law has identified that innovating referral pathways using technology and online tools can also streamline the enquiry and intake processes. As a result, we have developed an online enquiry form for caseworkers (see **Annexure 5**), which resulted from caseworker feedback that due to high volume caseloads, flexibility is needed for services accepting referrals for clients.³⁹ This is one aspect of Justice Connect's broader digital innovation strategy, which identifies the role technology can play in delivering access to justice, including connecting clients with appropriate legal services through our Gateway Project.⁴⁰

Understanding the landscape of Launch's services and the needs of the clients through the co-location has been integral to designing and delivering legal training, tailored resources and digital tools that are easy to understand and accessible for caseworkers and their clients who are experiencing or at risk of homelessness. This flexible, iterative development is a core aspect of the high-functionality of Homeless Law's integration model.⁴¹

4.2 Courting Justice: providing integrated criminal legal representation for Victorians experiencing homelessness

Before the Courting Justice project started in late 2015, Homeless Law observed that many of our clients were coming into contact with the criminal justice system and were struggling to access representation in their criminal law matters. An experience of homelessness makes it more likely people will come into contact with justice services, while simultaneously making it more difficult to navigate courts and tribunals.

As a result, Homeless Law created the specialised Courting Justice project, which is designed and implemented with the needs of this group of clients at the centre. This enables Victorians who are experiencing or at risk of homelessness to receive integrated and intensive civil and criminal legal support, as well as non-legal support.

In three years of Under One Roof, we have received 31 criminal law enquiries from Launch caseworkers, and we were able to provide ongoing legal representation in 19 of those matters. We found that the majority of Homeless Law clients with matters in the Magistrates' Court were ineligible for grants of legal aid, so they were unable to access ongoing representation (as distinct from one-off, duty lawyer assistance). These clients were facing charges typically incurred as a direct result of poverty and homelessness, such as begging and other public space offences, driving offences and minor property offences.

Without this specialist representation through Courting Justice, clients referred through Under One Roof would have missed out on vital criminal law representation. For highly vulnerable clients, this ongoing and consistent legal representation combined with social work support, means that they are more likely to attend court, engage with non-legal supports and deal with their legal issues more efficiently. This client impact was confirmed by one of Homeless Law's social workers, who noted:⁴²

Flexible and simple access to a criminal lawyer, face-to-face, with the ability to meet before court builds trust and reduces their anxiety ... [I]t has been invaluable to my work with people experiencing homelessness.

³⁹ Particularly as the co-located lawyer is onsite one day per week, and otherwise Homeless Law's centralised intake phone line is only staffed on Monday to Friday from 9.30am-1pm and 2pm-5pm, and this line can get busy.

⁴⁰ See Justice Connect's Gateway Project (available here: <https://justiceconnect.org.au/campaigns/a-gateway-to-legal-help>).

⁴¹ See, eg, our Dear Landlord online prototype to assist tenants in rental arrears which is due to be launched next year (available here: <https://justiceconnect.org.au/resources/dear-landlord>).

⁴² Justice Connect, *Courting Justice 12 Month Report* (September 2017).

Due to these two projects working closely together, we saw an increase in criminal law enquiries over the last three years through the co-location. We received 6 referrals in the first year, none of which we could act in, compared to 12 referrals in the last year (with 10 of those matters leading to ongoing criminal law representation).

You can read more about the impact of Homeless Law's criminal law assistance and multi-disciplinary practice in our *Courting Justice* report from October 2018.⁴³ The high-impact outcomes achieved through the combination of Under One Roof and Courting Justice are seen in Chris and David's case studies below.

Chris: Woman pushed into homelessness after fleeing family violence charged with begging

Chris was connected to Homeless Law by her Launch caseworker through Under One Roof after being charged with begging by the police. Chris had fled her home that day with just the clothes she was wearing to escape her violent partner, and she was trying to get money for housing that night when the police charged her with begging. After being charged, Chris had nowhere else to go and was forced to return to her violent partner.

Homeless Law's senior criminal lawyer represented Chris at the Magistrates' Court for her begging charge. We strongly negotiated for the police to drop the charge based on Chris' circumstances, but the police refused to compromise. Despite the continued involvement of Homeless Law and Chris' Launch caseworker, she found the court process daunting and decided to plead guilty to the charge, so she could get the matter dealt with quickly. Chris received a six-month undertaking to be of good behaviour. Since that incident, Chris has obtained a full intervention order against her violent ex-partner and is safely living in crisis accommodation, with ongoing help from her Launch caseworker.

After obtaining Chris' consent, Homeless Law has shared her story with decision-makers and law enforcement agencies, as part of our ongoing *Asking for Change* campaign.⁴⁴ We will continue to advocate for the de-criminalisation of begging in Victoria and for more appropriate responses to marginalised people in public spaces, including in the context of family violence.

David: Young man released from prison into homelessness faces fines, debts and a minor criminal charge

David is a 24 year old man who was released from a short term of imprisonment back into homelessness. David's Launch caseworker connected him with the Under One Roof co-location for assistance with a criminal charge for minor property damage.

After David's initial appointment with Homeless Law, it became clear that he had several unaddressed legal problems, including crippling fines from his previous 10 years of homelessness (some of which he incurred when he was under 18), and debts for unpaid bills.

Homeless Law's senior criminal lawyer represented David and successfully secured an adjourned undertaking to be of good behaviour for six months. Once his criminal law matter was resolved, David was eager to work on his fines and debts, receiving specialist help from Homeless Law's civil lawyers to address these issues. David is now in transitional housing and working to be reunified with his young daughter.

⁴³ See Justice Connect's *Courting Justice* project (available at: <https://justiceconnect.org.au/how-we-help/homeless-law/courting-justice/>).

⁴⁴ See, eg, *Asking for Change* (available at: <https://justiceconnect.org.au/campaigns/asking-for-change/>).

4.3 Evaluating the impact of co-location on the accessibility of legal help

Direct enquires from Launch caseworkers to Homeless Law consistently increased over three years of Under One Roof. In the first year, we had 62 enquiries through the co-location, which respectively increased to 69 and 78 enquiries in the second and third years.

Importantly, the accuracy of enquiries has also increased over these three years. This means that Homeless Law has been able to help a higher percentage of those clients who were referred, showing the benefits of our co-location and education program in improving caseworkers' understanding of the legal needs of their clients and their confidence in connecting with legal services. This is particularly valuable given the detrimental effect of inappropriate referrals on people experiencing or on the brink of homelessness, who face exposure to re-traumatisation through re-telling their stories and further dislocation from essential services.

The benefits from the co-location are that workers have an opportunity to discuss with lawyer any concerns or issues at the time when the client is present, as well as offering both the client and worker an indication on how to manage legal matters. – Launch caseworker

Through a survey conducted of 21 people at the Launch sites in St Kilda and South Yarra, we were able to gain direct insights into the impact of Under One Roof on Launch workers and their clients. Prior to the co-location at Launch St Kilda:

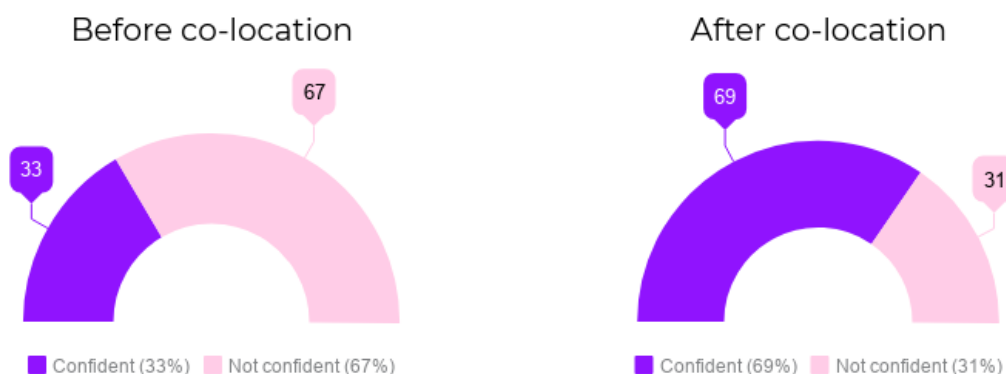
- 67% of caseworkers were not at all or only somewhat confident about identifying legal problems when assisting their clients, while only 33% were confident most or all of the time.
- Once a caseworker had identified a legal issue, 74% were not confident in where to refer clients with legal issues. 26% believed they had the skills and knowledge to refer a client to a lawyer either all or most of the time.

Following the first three years of co-location at Launch, caseworkers reported the following:

- 88% are more confident asking clients about legal issues because of the co-location.
- 88% of caseworkers said having an onsite lawyers increased their understanding of legal issues affecting clients.

I am able to be more informed about the legal issues my clients are facing, and then can pass this onto them – Launch caseworker

Caseworkers identifying legal problems when assisting clients



- 88% find that having a lawyer onsite makes it easier for their clients to access legal help.
- Of those clients who were referred to Homeless Law, all but one caseworker believed the clients had achieved better outcomes due to seeking legal assistance (91%).

I am confident our clients have had better outcomes due to having Justice Connect assistance & representation. It's so beneficial to me in my work. Thanks!

– Launch caseworker

This feedback confirms that co-locating over an extended period of time makes legal services substantially more accessible for caseworkers and clients, who have traditionally found it challenging to navigate the complex legal landscape.

Homeless Law's model enables more meaningful integration, building strong relationships between the services through regular face-to-face interactions, and reminds frontline caseworkers to consider legal issues when working with clients. Through Under One Roof, we have built stronger relationships with each of the programs at Launch. This embedded, collaborative approach has ultimately led to better legal outcomes for Victorians experiencing or at risk of homelessness.



88% find having a lawyer onsite makes it easier for clients to access legal help

4.4 The power of collective campaigns and advocacy

The benefits of Under One Roof extend beyond client outcomes and accessing justice to systemic-level advocacy. Homeless Law has collaborated with Launch and other cross-sector allies in Victoria to advocate for change in relation to policies and laws that unfairly burden and target people experiencing or at risk of homelessness. Two major joint-campaigns have been effective in raising awareness and creating change around the issues facing people experiencing homelessness are discussed below.

Melbourne, don't criminalise homelessness

In January 2017, several prominent Victorian media outlets highlighted the alleged 'shame' of people sleeping rough in Melbourne.⁴⁵ In response to this negative publicity, perceived public pressure and involvement from the police, the City of Melbourne sought to expand the definition of 'camping' under their local laws, which would have effectively criminalised homelessness by making it unlawful to sleep on the street in the CBD.⁴⁶

Through Homeless Law's work, our direct client insights and our international research,⁴⁷ we know punitive law enforcement is not the answer to homelessness. Heavy-handed approaches push already vulnerable people into other parts of the Melbourne, away from vital support services and communities, and force people to sleep in unsafe and inaccessible places.

⁴⁵ See, eg, Herald Sun 'Grand Slum: Homeless camp engulfs Australian Open's main Melbourne gateway' (18 January 2017) (available at: <https://www.heraldsun.com.au/news/victoria/homeless-camp-engulfs-australian-opens-main-melbourne-gateway/news-story/67b9210712c3b496cbf0a7f7584d8680>).

⁴⁶ See *Melbourne, Don't Criminalise Homelessness* campaign (available at: <https://justiceconnect.org.au/campaigns/dont-criminalise-homelessness>).

⁴⁷ Lucy Adams, *In the Public Eye: Addressing the Negative Impact of Laws Regulating Public Space on People Experiencing Homelessness* (2013), (available at <https://www.churchilltrust.com.au/fellows/detail/3766/Lucy+Adams>).

We were able to build on our partnerships with Launch and other homelessness, housing and social service agencies, including cohealth and Council to Homeless Persons, to form a coalition of 36 Victorian organisations speaking out against these laws.⁴⁸ The campaign drew on all of our experiences from working with clients to convey the significant risks of the proposed laws, including further stigmatising and drawing the most disadvantaged community members into the criminal justice system.

Homeless Law then broadened our collaborative approach, coordinating an unprecedented 54 leading homelessness, housing, legal and faith groups to present to the City of Melbourne an alternative to the proposed local law changes, the *Proposed Framework for Responding Effectively to Homelessness in the City of Melbourne*.⁴⁹ Our position received significant media coverage, including via The Age⁵⁰ and we penned an article for international media source, the Huffington Post.⁵¹ We also made media appearances, including on the ABC and Channel 10, and used the platform of social media to raise awareness, including a Facebook video⁵² that has been viewed around 2000 times.

Our joint call⁵³ for City of Melbourne to reject the laws was noticed by the United Nations Special Rapporteur on the Right to Housing, Leilani Farha, who condemned the proposed changes to the law stating, 'The criminalisation of homelessness is deeply concerning and violates human rights law.'⁵⁴

On 26 June 2018, the City of Melbourne formally dropped the proposed local law changes,⁵⁵ which was a significant win for the people of Melbourne, and especially those experiencing homelessness. This is a testament to the power of strong, targeted and consistent coalitions of expert organisations. Since this welcome decision, Homeless Law has continued working closely with Launch caseworkers, particularly the RSI, to engage with consumers and hold information sessions about the current laws and protocols, empowering people experiencing homelessness to know their rights and to access legal help.

Asking for change

Drawing on evidence from our holistic legal work with Victorians experiencing homelessness, including many connected through Under One Roof, our senior criminal lawyer has focussed on the issue of begging remaining illegal in Victoria.⁵⁶

As part of Anti-Poverty Week 2016, we partnered with Launch and other leading homelessness and community organisations⁵⁷ to launch, *Asking for Change: Calling for a More Effective Response to Begging in Victoria*.⁵⁸ The campaign combined data from 30 detailed interviews with people who beg, analysis of the outcomes of the City of Melbourne's 'Operation Minta' targeting people begging in the CBD and a video featuring personal stories from those with a lived experience of begging.

⁴⁸ The joint media release and the signatories (available at: http://chp.org.au/wp-content/uploads/2017/01/170118_media-release_Moving-on-the-homeless-on-does-not-make-them-disappear.pdf).

⁴⁹ Justice Connect, *Proposed Framework for Responding Effectively to Homelessness in the City of Melbourne* (available at http://chp.org.au/wp-content/uploads/2017/04/FINAL_Proposed-Framework-for-Responding-to-Homelessness-in-the-City-of-Melbourne.pdf).

⁵⁰ See, eg, The Age 'Melbourne City Council to formally drop Foyle-era crackdown on homeless' (21 June 2018) (available at: <https://www.theage.com.au/politics/victoria/melbourne-city-council-to-formally-drop-doyle-era-crackdown-on-homeless-20180621-p4zmys.html>).

⁵¹ The Huffington Post 'We can't arrest our way out of homelessness' (20 January 2017) (available at https://www.huffingtonpost.com.au/lucy-adams/we-cant-arrest-our-way-out-of-the-homelessness-crisis_a_21658900/).

⁵² Available at: <https://www.facebook.com/JusticeConnect/videos/1466419323381816/>.

⁵³ Available at: http://chp.org.au/wp-content/uploads/2017/02/170206_Homeless-agencies-call-on-Melbourne-City-Councillors-to-reject-homeless-laws-that-have-failed-elsewhere.pdf.

⁵⁴ United Nations 'Proposed 'homeless ban' in Australia cause for concern' (13 March 2017) (available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21357&LangID=E>).

⁵⁵ City of Melbourne, *Council Meeting Minutes* (Tuesday 26 June 2018) (available at <https://www.melbourne.vic.gov.au/about-council/committees-meetings/meeting-archive/MeetingAgendaItemAttachments/821/JUN18%20CCL%20MINUTES%20CONFIRMED%20OPEN%20.pdf>).

⁵⁶ *Summary Offences Act 1966* (Vic) s 49A.

⁵⁷ It has been endorsed by Launch, Salvation Army, cohealth, Melbourne City Mission, Council to Homeless Persons, Street Smart Australia, VCOSS and Justice Connect.

⁵⁸ Justice Connect, *Asking for Change: Calling for a more effective response to begging in Victoria* (available at <https://www.justiceconnect.org.au/askingforchange>).

The Facebook video⁵⁹ has been viewed 3500 times and the position paper received national media coverage.⁶⁰ The *Asking for Change* position paper and alliance also informed our advocacy in helping to convince the City of Melbourne not to bring in tough new laws that would have criminalised homelessness.

Informed by Homeless Law's growing body of evidence and insights from our multi-disciplinary criminal and civil law casework, we will continue to strengthen our strategic partnerships, including with Launch and cohealth, engaging in advocacy for systemic change towards a fairer, more sensible and more effective approach to begging and the acute hardship that underpins it.

⁵⁹ Available at: <https://www.youtube.com/watch?v=WaJEUBdYSQ8>.

⁶⁰ See, eg, ABC Radio '*Homelessness groups push to decriminalise begging*' (18 October 2016) (available at: <http://www.abc.net.au/radio/programs/pm/homelessness-groups-push-to-decriminalise-begging/7944338>), and The Age '*Welfare agencies call for begging to be decriminalised in Victoria*' (20 October 2016) (available at: <https://www.theage.com.au/national/victoria/welfare-agencies-call-for-begging-to-be-decriminalised-in-victoria-20161019-gs61uz.html>).

Annexures

Annexure 1: Under One Roof infographic



Justice Connect Homeless Law Under One Roof 2015-18

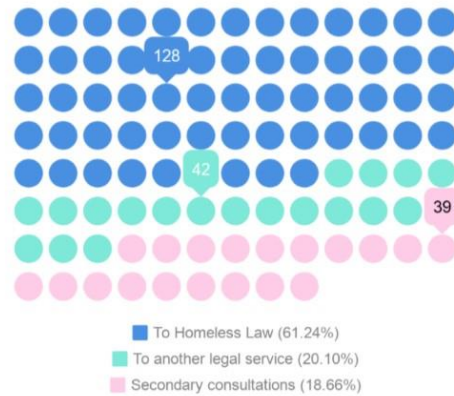
Three year summary of our co-location project with Launch Housing
This project is generously funded by Portland House Foundation

Between February 2015 and February 2018, Homeless Law received 210 enquiries from Launch Housing St Kilda

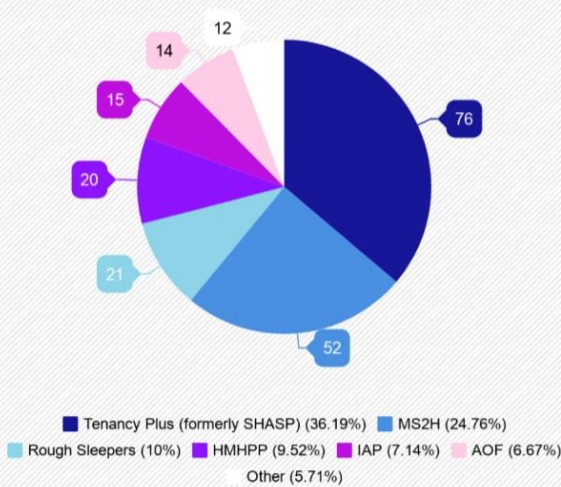
Increase in enquiries from co-location



Where did the enquiries from the co-location go?



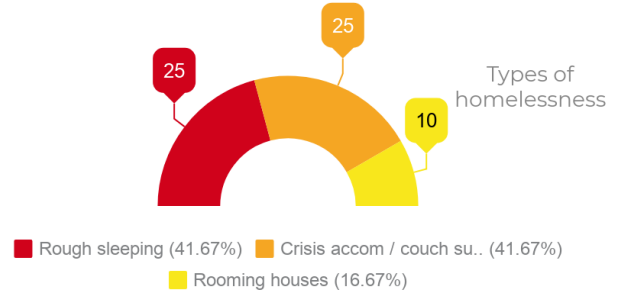
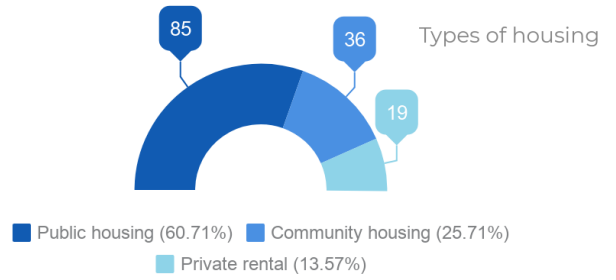
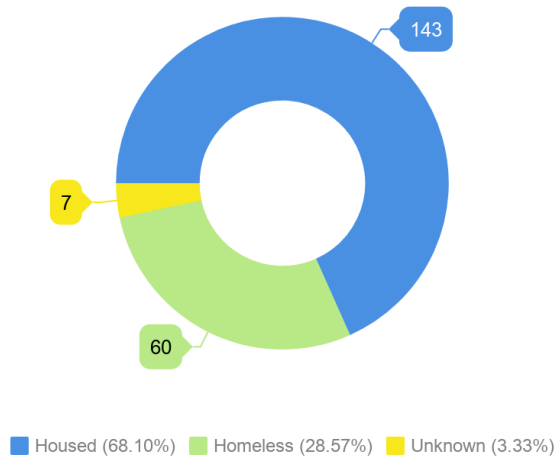
Referrals made by program at Launch Housing



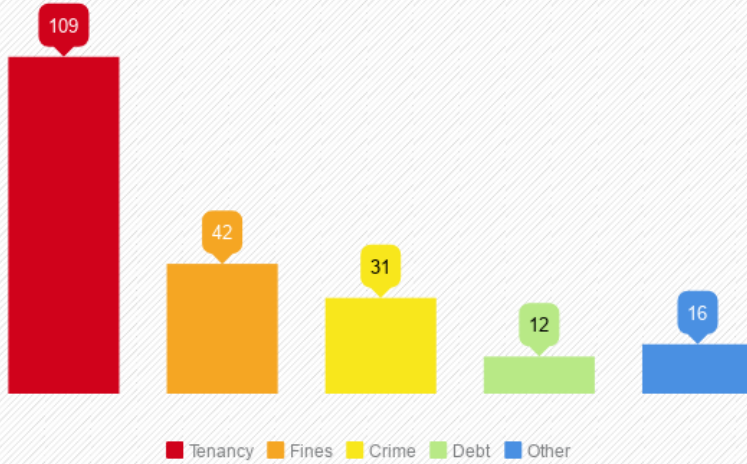
I am able to be more informed about the legal issues my clients are facing, and then can pass this onto them

I am confident our clients have had better outcomes due to having Justice Connect assistance and representation. It's so beneficial to me and my work.

Housing situation of the people referred through the co-location



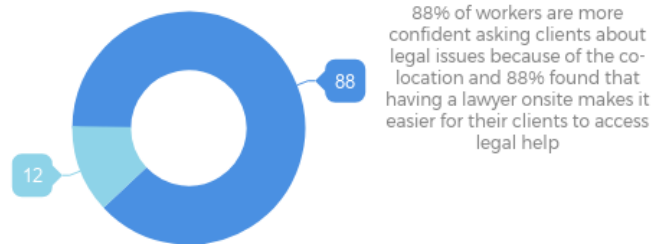
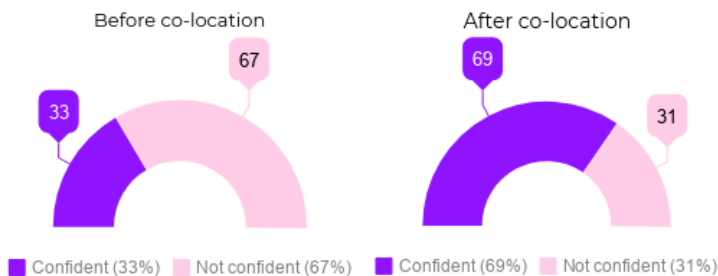
Legal issues we saw through the co-location



The benefits from the co-location are that workers have an opportunity to discuss with lawyer any concerns or issues at the time when the client is present, as well as offering both the client and the worker an indication on how to manage legal matters

A survey of caseworkers at Launch Housing found...

Caseworkers identifying legal problems when assisting clients



I receive friendly, informed, understanding advice and expertise in a timely manner. I can directly approach Katie or contact her when she's offsite, and I feel confident she understands the issues facing our clients and potential barriers to them accessing Justice Connect's services, and she helps work with our team to overcome them.

Annexure 2: Proposed framework for responding effectively to homelessness in the City of Melbourne



PROPOSED FRAMEWORK FOR RESPONDING | EFFECTIVELY TO HOMELESSNESS IN THE CITY OF MELBOURNE

Background

There is no question that the challenges the Melbourne City Council (**Council**) is facing in relation to homelessness are significant.

The figures are well-known: in Victoria on any given night 22,000 people are homeless; and Victoria has 33,000 people on the waiting list for public housing.¹ There has been a 74% increase in the City of Melbourne's rough sleeping population since 2014, with 247 people sleeping rough in 2016.² Agencies have observed the changing face of that population – in particular, the emergence of a younger cohort of rough sleepers under the age of 25.

We understand that the increased visibility of rough sleeping has corresponded with an increase in complaints to Council about the amenity of public places and the accessibility of city streets, including for people with a disability. These concerns have been reflected in media coverage over the past three to six months.

¹ See Australian Bureau of Statistics, *Census of Population and Housing: Estimating Homelessness* (November 2012) 19 (available at: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2049.0>); and Victorian State Government, *Public housing waiting and transfer list* (September 2016) (available at: <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/research,-data-and-statistics/public-housing-waiting-and-transfer-list>).

² See City of Melbourne, *StreetCount highlights number of people sleeping rough* (9 June 2016) (available at: <http://www.melbourne.vic.gov.au/news-and-media/Pages/streetcount-highlights-number-of-people-sleeping-rough.aspx>).

Like Council, the undersigned agencies and organisations have a long history of working with, and for, vulnerable citizens who seek shelter in the City of Melbourne. As agencies at the frontline, we have drawn on our collective expertise to jointly present the Council with a Proposed Framework for Responding Effectively to Homelessness in the City of Melbourne (**Framework**).

The Framework:

- Is informed and endorsed by leading housing, homelessness, legal and community organisations.
- Builds on much of the positive, collaborative, evidence-based work the City of Melbourne is already leading and recognises the significant commitments recently made by the Victorian State Government.
- Proposes practical measures to address the competing obligations and challenges of the City of Melbourne.
- Provides constructive viable alternatives to the proposed amendments to the Activities Local Law 2009 (**Local Law**) via the Activities (Public Amenity and Security) Local Law 2017 (**Proposed Laws**).
- Addresses the Council's challenges without going down a costly, punitive path that will be ineffective.
- Affirms the Melbourne City Council as a leader in effective, evidence-based responses to homelessness.

Framework

A suite of solutions is required to respond effectively to increasing homelessness in the City of Melbourne. We collectively call on Melbourne City Council to adopt, continue, or advocate for, these solutions.

1. Lockers and storage

Homeless service providers, including VincentCare, Living Room, cohealth and Melbourne City Mission's Frontyard Youth Services, already provide lockers or storage that can be used by people experiencing homelessness to store their belongings. There is a shortage of these options and the City of Melbourne could invest in this practical solution that gives people a way of storing their belongings. It will reduce the possessions that are stored on the streets, and will minimise the risk that people's important belongings will be disposed of. We note that Council has a track record of supporting such initiatives – for example, in 2015, Council provided funding for Frontyard to develop storage space onsite.

2. Guidance about belongings

It is important to communicate clearly and respectfully with homeless people about the Council's concerns regarding belongings. In the City of Sydney, for example, they use 'two bags and a swag' as an indication of the belongings that a person might need to get by, but also be able to transport reasonably easily and keep an eye on. It strikes a balance between recognising the hardship of having to have all your belongings (e.g. clothes, bedding, medication, documentation, hygiene products and sentimental items) with you, and acknowledging the need for streets to be accessible, including avoiding the accumulation of belongings that are no longer being used by a person sleeping rough. Asking people experiencing homelessness to put things they no longer need near bins or skips in the City will also help identify abandoned items, reduce the burden on Council of clearing these items and minimise the risk that people's important personal belongings will be disposed of.

3. Safe spaces

Council's Night-Time Safe Space Program, currently proposed to run for up to 250 evenings from May to 30 November 2017 (seven nights per week, 11pm – 7am) and to provide summer respite from 1 December – 30 April 2018 (i.e. when notified of extreme heat) can offer an alternative to sleeping rough. We note that the

Salvation Army ran this program during winter in 2016 with the support of the Melbourne City Council. Appropriately-resourced management of the safe space will be crucial to its effectiveness. We also welcome Council's intention that the safe space will provide 'integrated housing and support services on site to help participants find permanent pathways out of homelessness'.³

4. Daily support team

Council has recently engaged a team of specialist homeless assertive outreach workers who will work closely with Council's officers to connect with people sleeping rough and provide information and pathways to services. A direct partnership with an external agency that provides support to people who are experiencing homelessness will improve established service co-ordination mechanisms and allow Council to respond in a more targeted and timely way to the needs of highly vulnerable community members. Launch Housing in partnership with Melbourne City Mission's Frontyard Youth Services have been engaged to deliver this service, which will have the additional benefit of connecting to the wide service and housing offerings of both these agencies and their many partners. The team is due to commence operation on 3 April 2017. This is a new and promising initiative demonstrating Council's willingness to seek supportive solutions to the issue of rough sleeping in the city.

5. Project Connect Respect

We commend the Melbourne City Council for its development and continuation of this leading and effective project, working with businesses in the CBD to help understand homelessness and respond appropriately to people experiencing homelessness. The collaborative, educative approach, led by consumers, which equips businesses and their staff with referral pathways to homelessness services, is an innovative approach the Council should be proud of. It is a pioneering example of 'non-traditional allies' working together on shared solutions, and could be readily scaled up to address the issues identified by business owners in the city.

6. Homeless People in Public Places Protocol

As one of the signatories to the original 2006 Homeless People in Public Places Protocol, Council knows the value of the Protocol as a tool for helping authorised officers (and other Council staff and contractors) understand and respond appropriately to homelessness. Reviving the Protocol, in partnership with other frontline agencies, will facilitate a consistent, constructive approach to homelessness. The education that accompanies the Protocol is crucial.⁴ Importantly, it is not just a tool within agencies, but can be used to shape conversations and messaging to the public, as can Council's obligations as a public authority under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

7. Involve people experiencing homelessness in solutions

Council has facilitated engagement with approximately 100 people experiencing homelessness in relation to the Proposed Laws. A number of organisations, including Justice Connect Homeless Law, Inner Melbourne Community Legal, Flemington Kensington Legal Service, Fitzroy Legal Service and cohealth also hosted a community BBQ and information and consultation session attended by approximately 40 people sleeping rough. Facilitating similar events on a regular basis will capture the insights, views, ideas and experiences of people experiencing homelessness which can help inform solutions. An authentic commitment by all levels of government and the community is also needed to make sure the perspectives of those with a lived experience are central to the discussion of homelessness, including participation of individuals who are having or have had a lived experience of homelessness in the development, implementation and evaluation of programs.

³ City of Melbourne, 100147 – Night Time Safe Space Program (available at: <https://www.tenderlink.com/notification/index.html?&tenderer=2744.723&alltenders&asemin>).

⁴ See, eg, NSW Government Family and Community Services, *Keeping Homeless People Safe in Public Places*, Protocol Guidelines for Implementation, Protocol Facilitator Guide, Protocol Participant Guide (available at: <http://www.housing.nsw.gov.au/help-with-housing/specialist-homelessness-services/what-we-do/homelessness-initiatives/keeping-homeless-people-safe-public-places>).

8. Co-ordinated responses

Council has been a leader in facilitating better co-ordination between services working with people sleeping rough in the City of Melbourne. Services are working collaboratively to ensure that people sleeping rough are identified, engaged and have a key service involved. The weekly 'hot spots' meeting brings together management level staff from key outreach services, Council and Victoria Police to provide a co-ordinated and consistent response to address concerns regarding safety and wellbeing for people experiencing homelessness and other members of the community. The 'hot spots' meeting is a relatively recent initiative, has been very positively received and is achieving results in relation to addressing safety concerns. The commencement of the Daily Support Team in early April with a strong role in service co-ordination will consolidate this work.

9. Rely on existing laws if needed

While they should only be relied on as a last resort in relation to people experiencing homelessness and mental illness, when necessary, the Council and Victoria Police have a range of existing powers that can be relied on to regulate the use of public space. Police can rely on laws regarding public drunkenness, begging, using offensive language and obstructing the pavement under the *Summary Offences Act 1966 (Vic)*.⁵ Existing move-on powers can also be used when someone is breaching the peace, endangering another person or presenting a risk to public safety.⁶ Under the existing Local Law, authorised officers have a range of powers to respond to conduct in public places under part 2.1, including nuisance, offensive language, defecation or urination, obstruction, adversely affecting amenity or using threatening, abusive or insulting words.⁷ There is also an existing provision in the Local Law that allows authorised officers to direct a person to remove items, goods or other property and to confiscate the items, goods or other property if it is not removed.⁸ Where necessary, as a last resort, these existing powers can be relied on to respond to behaviour or belongings in public places.

10. Consider the evidence

Evidence indicates these tougher laws will not effectively address homelessness. We refer you to successful examples of reducing homelessness: Street to Home in Melbourne (after two years, 70% of people in the Street to Home program were in independent secure accommodation);⁹ Brisbane's 500 Lives, 500 Homes (since 2014, Housing First principles have been applied to assist 410 households (142 families and 268 individuals) to end their homelessness);¹⁰ Housing First in Utah (reduced the number of chronically homeless people by 91% from nearly 2,000 people in 2005, to fewer than 200 in 2016); Finland (since 2008, long-term homelessness has decreased by 35% (1,345 persons));¹¹ and At Home/Chez Soi in Canada (in a randomised control trial where 1000 people participated in Housing First, and 1000 received 'treatment as usual', over 80% of those who received Housing First remained housed after the first year).¹² These successful programs did not rely on law enforcement. Effective engagement and outreach, coupled with access to permanent supportive housing, were the crucial ingredients of these models. Conversely, cities such as Los Angeles that introduced laws to regulate people sleeping rough failed to reduce visible rough sleeping.¹³

⁵ *Summary Offences Act 1966 (Vic)* ss 13, 49A, 17 and 5.

⁶ *Summary Offences Act 1966 (Vic)* s 6.

⁷ Melbourne City Council, *Activities Local Law 2009* cl 2.1.

⁸ Melbourne City Council, *Activities Local Law 2009* cl 14.17.

⁹ See, eg, Guy Johnson and Chris Chamberlain, *Evaluation of the Melbourne Street to Home Program: Final Report*, HomeGround Services (2015).

¹⁰ Micah Projects, *Housing First: A roadmap to ending homelessness in Brisbane* (2016) 11 (available at: http://micahprojects.org.au/assets/docs/Publications/20161129_Housing-First-Roadmap-WEB.pdf).

¹¹ The Centre for Social Justice, *Housing First: Housing-led solutions to rough sleeping and homelessness* (March 2017) (available at: http://www.housingnet.co.uk/pdf/CSJJ5157_Homelessness_report_070317_WEB.pdf).

¹² Mental Health Commission of Canada, *National Final Report: Cross-Site At Home/Chez Soi Project* (available at: http://homelesshub.ca/sites/default/files/mhcc_at_home_report_national_cross-site_eng_2.pdf).

¹³ See, eg, Mollie Lowery, "Housing first: What L.A. can learn from Utah on homelessness" in *Los Angeles Times* (3 June 2015) (available at: <http://www.latimes.com/nation/la-oe-0603-lowery-homeless-utah-la-20150603-story.html>): 'Los Angeles County's chronically homeless population rose from 7,475 in 2013 to 12,356 this year, according to the latest estimate ... The city of Los Angeles has increased the number of anti-homeless laws on the books by 59% since 1990. There are now 23 restrictions and 19 laws that criminalize homelessness in some way. Each year, the city spends \$80 million enforcing these rules — containing, moving and jailing people who have no choice but to sleep, stand and eat in public'.

11. Communicate effectively

Consistently communicating with the public about the causes of homelessness and the significant amount of work being done to effectively respond to homelessness in the City of Melbourne, as part of a well thought out strategy, will work to shape community understanding and lead to better-informed responses across the community. As Council has said many times, it is not a crime to be homeless and moving people on will not solve the problem. Media messages should be developed thoughtfully, avoiding stereotypes or stigma regarding homelessness, and consistently with the *Media Representation of Homelessness Communique*.¹⁴

12. Remember the importance of prevention

Through programs like the Social Housing Advocacy and Support Program and the Women's Homelessness Prevention Project, Council knows the significant benefit of stopping homelessness before it starts.¹⁵ We urge Council to continue to support and advocate for a legal, policy and services framework that prevents avoidable evictions into homelessness.

13. Access to health, mental health and drug and alcohol services

While housing is of course crucial to any effective response to homelessness, without prompt access to mental health, primary health and drug and alcohol services, it is more difficult for people with complex needs to exit homelessness and sustain housing. Data from the Rough Sleeping Initiative (RSI) shows that 56% of people who have engaged with the service self-reported having a diagnosis of a mental illness. Additional data recently collected shows that 42% of the RSI client group had been forced to leave housing due to the impact of their substance use. In addition, 52% of the group had received medical care through an emergency department, and exactly half had been admitted as an inpatient. The RSI and Street to Home teams include specialist nurses from RDNS to respond quickly and facilitate better access to tertiary health services. The figures demonstrate that there is a need for a streamlined health, mental health and AOD response specific to this cohort. Melbourne City Mission has recently received funding through the North Western Melbourne Primary Health Network to establish a new specialist mental health service for young people who are homeless – or at risk of homelessness – and experiencing first-episode psychosis. Clinicians based at Frontyard Youth Services in King Street will provide a mix of crisis response including clinical street outreach, short-term interventions through to longer-term case management. This new service – a first for Melbourne's CBD – will be integrated with other health, counselling, legal and housing supports located at Frontyard. Learnings from this new approach will be shared with all City of Melbourne stakeholders, to inform other work in this space.

14. A Housing First approach – Assertive outreach with permanent housing *and* support attached

Overcoming the challenge of access to enough housing and ongoing support remains the primary impediment to reducing rough sleeping in the City of Melbourne and the Council's response must recognise this.

There are a number of small but highly effective programs in inner Melbourne, such as Melbourne Street to Home, that use the internationally recognised Housing First approach to ending homelessness with chronically homeless rough sleepers. Where they have been able to access appropriate and affordable housing these programs have successfully sustained people in independent long-term housing (for example, 70% of Street to Home participants remained housed after two years in the program).¹⁶

Unfortunately, for the majority of people sleeping rough, appropriate housing opportunities have not been available. Current wait times for public housing for single people under 55, even with the highest priority, are three to four years. While some people have been successfully accommodated in shared housing or rooming houses, others have experienced, or fear experiencing, violence in these housing types.

¹⁴ See *Communique from housing and homelessness agencies in Melbourne* (July 2016) (available at: <http://chp.org.au/wp-content/uploads/2017/03/Communique-from-housing-and-homelessness-agencies-in-Melbourne-2.pdf>). See also Council to Homeless Persons, *Media Guide: Media Representations of Homelessness* (2016) (available at: <http://chp.org.au/wp-content/uploads/2015/05/150513-media-reporting-fact-sheet.pdf>).

¹⁵ See, eg, Council to Homeless Persons, *Pre-budget Submission 2017–18* (November 2016) 9 (available at: <http://chp.org.au/wp-content/uploads/2016/11/161026-State-Budget-Submission-2017.pdf>).

¹⁶ Johnson and Chamberlain, above n 9.

Melbourne City Mission's Frontyard service also notes that a youth-specialist response to rough sleeping is required because younger people in the CBD tend to have intermittent patterns of rough sleeping and are not accessing programs like Street to Home. An early intervention response that disrupts the trajectory of street-attached young people into entrenched rough sleeping is needed.

Across the board, access to housing continues to be the greatest barrier to effectively responding to homelessness. Some of the capacity needed, though not all, will be delivered over time as the initiatives recently announced in the Victorian Government's 'Homes for Victorians' plan are implemented.

Importantly, in addition to housing, there is a need for ongoing support to be provided for many of the target cohort. Current RSI data shows that up to 75% of those sleeping rough have a level of complexity of need that suggests that long term supportive housing is the most suitable outcome. Programs such as Melbourne Street to Home and Journey to Social Inclusion show the success that can be achieved in maintaining housing and improving overall well-being when long term support is also provided.

If access to affordable and appropriate housing was available and there was capacity to provide the flexible support people with more complex needs require to remain housed we could reduce the numbers of people sleeping rough to a very small group of people at any given time.

There has been a recent large boost in a range of housing specifically designated for rough sleepers by the Victorian Government: spot purchases and head leases announced in November 2016; the extension of Ozanam House that recently commenced; funding for 75 private rental brokerage packages for people with less intensive support needs; the reservation of 40 transitional housing properties for direct access; a boost to the case management capacity of the Street to Home program; the creation of flexible packages of support and brokerage; 40 units of trans-locatable housing; and further case management flexible funding packages through the mental health division of the Department of Health and Human Services. All of these measures are either in their very early stages of implementation or still being commissioned, but when they are in place, they will make a real difference.

These investments and innovations – and the leadership that underpins them – have not had time to take effect. The Proposed Laws are not needed. Not only will they fail to add to the above response, they will undermine it, by increasing people's distrust of workers, reducing people's willingness to engage with services, and pushing people to more hidden (and less safe) locations in the City. |

We call on the Melbourne City Council to avoid taking a step backward, and instead to continue forward with your effective, collaborative, evidence-based leadership and with advocacy to address the gaps in housing, prevention and support. This would be an effective framework for preventing and addressing homelessness that we could all commend.

Endorsed by the undersigned organisations:

	Organisation	Name	Title/position
1.	Annie North Women's Refuge and Domestic Violence Service	Julie Oberin	CEO
2.	Berry Street	Sandie de Wolf AM	CEO
3.	Bethany Community Support	Grand Boyd	CEO
4.	Centre Against Violence	Kerry Burns	CEO
5.	Centre for Non-Violence	Margaret Augerinos	CEO
6.	cohealth	Lyn Morgain	Chief Executive
7.	Community Housing Federation of Victoria	Lesley Dredge	Executive Officer
8.	Community Housing Ltd	Steve Bevington	Managing Director
9.	Council to Homeless Persons	Jenny Smith	CEO
10.	Domestic Violence Victoria	Fiona McCormack	CEO
11.	emerge	Paula Westhead	Executive Officer
12.	Family Access Network	Sue Carlile	CEO
13.	Federation of Community Legal Centres	Serina McDuff	Executive Officer
14.	Fitzroy Legal Service	Claudia Fatone	Executive Officer
15.	Flat Out Inc.	Jake Argyll	Executive Officer
16.	Flemington & Kensington Community Legal Centre Inc.	Anthony Kelly	Executive Officer
17.	Good Shepherd Australia New Zealand	Dimity Fifer	CEO
18.	Human Rights Law Centre	Hugh de Kretser	Executive Director
19.	Inner Melbourne Community Legal	Daniel Stubbs	CEO

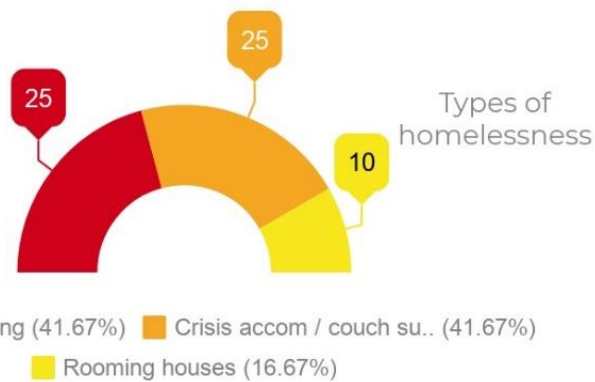
	Organisation	Name	Title/position
20.	Justice Connect Homeless Law	Lucy Adams	Manager and Principal Lawyer
21.	Kids Under Cover	Jo Swift	CEO
22.	Launch Housing	Tony Keenan	CEO
23.	Law Institute of Victoria	Belinda Wilson	President
24.	Lighthouse Foundation	Simon Benjamin	CEO
25.	Melbourne City Mission	Vicki Sutton	CEO
26.	Merri Outreach Support Service Ltd	Robert Sago	CEO
27.	Mission Australia	Noel Mundy	State Director – Tasmania and Victoria
28.	North Western Melbourne Primary Health Network	Christopher Carter	CEO
29.	Odyssey House	Stefan Gruenert	CEO
30.	Port Philip Housing Association	Haleh Homaei	CEO
31.	Quantum Support Services	Ormond Pearson	Interim CEO
32.	Reclink Australia	John Ballis	CEO
33.	Sacred Heart Mission	Cathy Humphrey	CEO
34.	Shelter WA	Eric Dillon	Acting Executive Officer
35.	South Port Community Housing	Janet Goodwin	CEO
36.	St Mary's House of Welcome	Tony McCosker	CEO
37.	StreetSmart	Adam Robinson	CEO/Founder
38.	Tenants Union of Victoria	Mark O'Brien	CEO

	Organisation	Name	Title/position
39.	The Salvation Army	Major Brendan Nottle	Commanding Officer, Melbourne Project 614
40.	UrbanSeed	David Wilson	CEO
41.	VACRO (Victorian Association for the Care and Resettlement of Offenders)	Carol Nikakis	CEO
42.	Victorian Aboriginal Legal Service	Wayne Muir	CEO
43.	VincentCare Victoria	John Blewonski	CEO
44.	Victorian Council of Social Services (VCOSS)	Emma King	CEO
45.	WAYSS Ltd	Gaye Ealy	CEO
46.	Wesley Mission Victoria	Raelene Thompson	CEO
47.	WEstjustice	Denis Nelthorpe	CEO
48.	WIRE Women's Information	Julie Kun	CEO
49.	WISHIN (Women's Information, Support and Housing in the North)	Ange O'Brien	Acting CEO
50.	Women's Health West	Robyn Gregory	CEO
51.	Women's Property Initiatives (WPI)	Jeanette Large	CEO
52.	Women with Disabilities Victoria	Keran Howe	Executive Director
53.	Youth Law	Ariel Couchman	Director
54.	Youth Projects	Melanie Raymond	Chair, Board of Directors

Annexure 3: Types of housing and homelessness through the co-location, and referrals by program

Of the 143 people who were **housed**:

- 85 people in public housing;
- 36 people in community housing (including transitional housing properties); and
- 19 people in private housing.

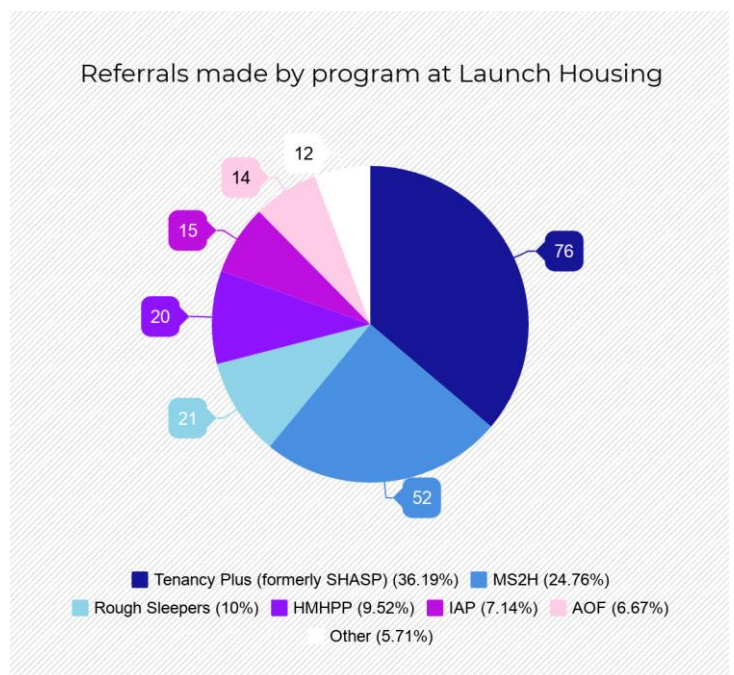


Of the 60 people experiencing **homelessness**:

- 25 people experiencing primary homelessness, all of them sleeping rough;
- 25 people experiencing secondary homelessness (i.e. in crisis accommodation, couch surfing, hospital or rehabilitation); and
- 10 people experiencing tertiary homelessness, all of them in rooming houses.

The enquiries that were made by each of the **programs** at Launch are as follows:

- Tenancy Plus (formerly the Social Housing Advocacy and Support Program) made 76 enquiries.
- Melbourne Street to Home (MS2H) made 52 enquiries.
- Rough Sleepers Initiative (RSI) made 21 enquiries.
- The Housing Mental Health Pathways Program (HMHPP) made 20 enquires.
- The Initial Assessment and Planning (IAP) team made 15 enquiries.
- Accommodation Options for Families (AOF) made 14 enquiries.
- The Aboriginal Tenancies at Risk (ATAR) worker made 5 enquiries.








Annexure 4: Five key legal issues sheet for workers

Identifying legal issues



This information sheet aims to help workers support clients to obtain preliminary information to identify whether or not a client has outstanding legal issues. Before deciding what next steps to take, we recommend seeking legal advice.

 Criminal law	 Warrants	 Infringements	 VCAT orders	 Credit reports
<p>If your client has an upcoming: <u>Magistrates' Court hearing</u></p> <ul style="list-style-type: none"> You can search the online court list to confirm the next hearing date and location. See dailylists.magistratesvic.com.au Tick the "Criminal Lists" box and enter the name of the client in the "Defendant / Accused / Respondent" field (surname, first name). You do not need to know the name of the Informant or the Case Number to do a search. If the client has more than one case, they will appear in a table. You can get more information about each case by clicking on the case number. If you need further details than those available online, you can call the Coordinator of the relevant Magistrates' Court. <p><u>County Court hearing</u></p> <ul style="list-style-type: none"> You can search for the hearing on CourtConnect. See cjep.justice.vic.gov.au 	<p>If your client discloses that they missed a court hearing or that there are warrants for their arrest, they can make enquiries with:</p> <p><u>The Coordinator of the relevant Magistrates' Court</u></p> <p>You will need 1) the client's name and date of birth and 2) the date of the missed hearing.</p> <p>See magistratescourt.vic.gov.au/contact-us for a list of Magistrates' Courts.</p> <p><u>The Police</u></p> <p>On a search of the client's name and date of birth, any active arrest warrants will flag.</p> <p>CAUTION: the client may wish to seek legal advice before bringing their warrants to the attention of Police, as the contact may prompt their arrest.</p> <p>If enquiries confirm that there are active warrants for the arrest of your client, we recommend that they seek legal advice.</p>	<p>You have three options to obtain a list of your client's infringements:</p> <p>If the client has an obligation number you can search for outstanding fines at: https://online.fines.vic.gov.au/Your-Fines/Your-Fines-Login. Note that this may not be an exhaustive list of fines, you may not be able to view court fines or fines that haven't yet been lodged with Fines Victoria.</p> <p>If your client is with you, you can call Fines Victoria on 03 9200 8111 to ascertain your client's fines over the phone. Don't forget to request a list of the infringements to be sent to you.</p> <p>If you have the client's written consent, you can email Fines Victoria (enquiries@fines.vic.gov.au) to request a copy of all of your client's infringements (this will include any outstanding fines imposed by the court). When making this request make sure you include your client's written consent, and any previous addresses your client has held (if known).</p>	<p>With your client's consent, you can call a VCAT registry to ask about any orders made against your client depending on the dispute type. You will need to have your client's full name and address to give to VCAT, and you should inform the registry that you have your client's permission to obtain information over the telephone. If the matter isn't urgent, you can make the request via email.</p> <p>The most common dispute areas at VCAT are: residential tenancies (for issues relating to current or previous tenancies or rooming houses, including eviction matters and housing debts/compensation claims), civil (for small claims), guardianship and administration, mental health and equal opportunity.</p> <p>Each registry has a different contact number and email. For a list of the contact details see vcat.vic.gov.au/adv/contact-us.</p>	<p>Your client can get a copy of their credit report for free once per year. There are a number of credit reporting agencies and your client might have a report with more than one agency (common agencies are Veda, Dun and Bradstreet, Experian Credit Report, or Tasmanian Collection Service).</p> <p>You can request a credit report through each agency directly by either filling out a form on the agency's website or emailing the agency.</p> <p>For more information and contact details for the agencies see moneysmart.gov.au/borrowing-and-credit/borrowing-basics/credit-reports.</p> <p>To obtain a full credit report you will need:</p> <ul style="list-style-type: none"> Written consent from your client Full name and date of birth Current address and previous address/s Daytime phone number Current or previous employer A copy of your client's driver's licence, passport, or birth certificate A document issued by an official body which includes your client's name and address.



For legal assistance freecall
1800 606 313



This information sheet is a general guide only. It does not constitute legal advice, is not intended to be a substitute for legal advice and should not be relied on as such.

Annexure 5: Online enquiry form for caseworkers

The screenshot displays the Justice Connect website's online enquiry form for caseworkers. The page is titled "How to make a referral" and includes a navigation menu, search bar, and social media links. The main content area contains a form with the following fields:

- Name of caseworker/referrer*** (text input)
- Name of referrer's organisation*** (text input)
- Contact phone number*** (text input)
- Email address*** (text input)

Below the form, there are four referral options, each with a "Read more" link:

- Refer someone experiencing or at risk of homelessness in Victoria**
- Refer a self-represented litigant in a Federal Court in Victoria, NSW, Tasmania or the ACT**
- Refer a Victorian homeowner in a dispute with their builder**
- Refer someone seeking to apply for stage 2 hormone treatment**

At the bottom, there is a section for "Stay connected, join our mailing list" and another option: "Refer a client with a public interest issue".