



## Committee on Community Services

Report 1/57 – November 2020

# Protocol for Homeless People in Public Places





Legislative Assembly

Committee on Community Services

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The motto of the coat of arms for the state of New South Wales is “Orta recens quam pura nites”. It is written in Latin and means “newly risen, how brightly you shine”.

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# Membership

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## Chair's foreword

Since its introduction more than 20 years ago, the Protocol for Homeless People in Public Places (the Protocol) has provided very useful guidance for appropriate and constructive interactions between public officials and people sleeping rough in public places.

From its inception, the Protocol has sought to ensure that people sleeping rough are treated with respect and that they do not suffer discrimination as a result of their living situation. Importantly, the Protocol also makes it clear that people experiencing homelessness have the same rights as the rest of the community to be in public places and to participate in public activities and events. Further, the Protocol serves as a guide to assist people experiencing homelessness to access support services if they require or request them.

While the Protocol remains a valuable source of guidance, it has not been substantively reviewed for some time. With the impacts of homelessness being so acutely felt as a result of this year's COVID-19 pandemic it feels particularly timely that the Legislative Assembly Committee on Community Services has examined the Protocol and considered the ways in which it can be enhanced to better serve people sleeping rough and the officials that rely on its guidance.

During this inquiry the Committee heard the perspectives of stakeholders that are on the frontline of dealing with issues of homelessness in its many forms, from service providers, to health professionals, to local councils and the NSW Government, to people with a lived experience of homelessness. Their voices were invaluable to the Committee's deliberations and on behalf of the Committee, I would like to thank everyone that made a contribution to this inquiry.

Having considered stakeholders' input, the Committee has made a series of recommendations that we are confident will enhance the Protocol and make it fit-for-purpose to meet the contemporary needs of people sleeping rough and the agencies and organisations that use the Protocol.

For example, the Committee has made recommendations about accountability for signatory agencies; providing or enhancing existing guidance about vulnerable groups; expanding signatories to the Protocol and encouraging increased collaboration between agencies; education, training and promotion; and regular reviews of the Protocol for things like current information and the language used.

As noted in this report, the Committee heard about the good work and increased collaboration between Government and non-government support services in response to the impacts of the COVID-19 pandemic on people experiencing homelessness. I would like to commend these service providers for their work this year and hope the spirit of collaboration continues past the pandemic.

The Protocol is something that has served the community very well over the years, and I am eager to see how it develops to continue to meet the needs of the community. I hope that the Government will consider the Committee's constructive recommendations as part of this process.

I wish to thank the Minister for Families, Communities and Disability Services, the Honourable Gareth Ward MP, for all of his work and that of his staff, in assisting those people who find themselves sleeping rough. Mr Ward and his team arranged for Committee members to witness, first-hand, assertive outreach in the field, giving Committee members valuable insight into the plight of those who experience homelessness and the agencies who serve to help them.

I would like to thank the members of the Committee for their valuable input into the inquiry and the collegiate way that we have worked together throughout the inquiry process.

I wish to thank the Legislative Assembly Committee staff, for the expertise and professionalism they applied to assisting the Committee, with particular note to Rohan Tyler, who was invaluable in his dedication to myself and determination to achieve excellent outcomes throughout this process.

Finally, to anyone who finds themselves sleeping rough, I hope that the recommendations put forward in this inquiry assist all those who interact with you and help to assist you on your journey of finding a safe place to be.

A handwritten signature in blue ink, appearing to read 'W. Lindsay', with a large, sweeping flourish underneath.

**Ms Wendy Lindsay MP**  
Chair

# Recommendations

## Recommendation 1 \_\_\_\_\_ 4

The Department of Communities and Justice should consider the development of a review mechanism, implementation plan and accountability mechanisms for signatory agencies to demonstrate that they are implementing the Protocol for Homeless People in Public Places in a consistent way.

## Recommendation 2 \_\_\_\_\_ 6

The Department of Communities and Justice should consider the development of an independent complaint mechanism for people experiencing homelessness and other stakeholders with respect to the implementation of the Protocol for Homeless People in Public Places by signatory agencies.

## Recommendation 3 \_\_\_\_\_ 9

The Protocol for Homeless People in Public Places should have a stronger emphasis on assertive outreach in line with Assertive Outreach Good Practice Guidelines.

## Recommendation 4 \_\_\_\_\_ 11

The Protocol for Homeless People in Public Places should include guidance, or enhance its existing guidance on appropriate responses to:

- Aboriginal and Torres Strait Islander people
- Women
- People with disability
- Young people
- LGBTIQ+ people
- People from culturally and linguistically diverse communities, and
- Non-citizens.

## Recommendation 5 \_\_\_\_\_ 11

The Department of Communities and Justice should consider including reference to the appropriate child protection provisions for children under 18 years of age who are sleeping rough and guidance on appropriate responses to people under 24 years of age who are sleeping rough.

## Recommendation 6 \_\_\_\_\_ 16

The Department of Communities and Justice should give more relevant agencies the option of being signatories to the Protocol for Homeless People in Public Places.

Recommendation 7	16
<p>That local councils across NSW be encouraged to become signatories to the Protocol for Homeless People in Public Places. The Department of Communities and Justice, the Office of Local Government and Local Government NSW should consider establishing a coordinating role to support those councils in implementing the Protocol.</p>	
Recommendation 8	20
<p>The Protocol for Homeless People in Public Places should include an implementation plan for signatories as well as guidance on how signatories can collaborate to provide a cohesive and effective response to people experiencing homelessness.</p>	
Recommendation 9	22
<p>Consideration should be given to the insertion within the contracts of engagement that all staff contracted to Government agencies or employed by Government funded organisations that respond to people sleeping rough should be required to adhere to the Protocol for Homeless People in Public Places.</p>	
Recommendation 10	24
<p>The Protocol for Homeless People in Public Places should provide guidance on responding to extreme weather conditions to ensure the safety of people sleeping rough.</p>	
Recommendation 11	25
<p>The Protocol for Homeless People in Public Places should provide guidance on responding to people experiencing homelessness who are sleeping in vehicles.</p>	
Recommendation 12	26
<p>The Protocol for Homeless People in Public Places should provide guidance on responding to people sleeping rough with companion animals.</p>	
Recommendation 13	28
<p>The Protocol for Homeless People in Public Places should provide guidance on a fair and consistent approach to the belongings of people sleeping rough, including storage.</p>	
Recommendation 14	29
<p>The Protocol for Homeless People in Public Places should refer to the importance of the Housing First approach, in line with the NSW Homelessness Strategy 2018-2023.</p>	
Recommendation 15	31
<p>The Department of Communities and Justice should consider the benefits of Public Space Liaison Officers with a view to funding these positions in identified areas where there are a high number of people sleeping rough.</p>	
Recommendation 16	33
<p>The Department of Communities and Justice should develop and deliver education, engagement and training programs for signatory agencies, other agencies and the community to promote a consistent understanding and implementation of the Protocol for Homeless People in Public Places.</p>	

Recommendation 17 \_\_\_\_\_ 33

The Protocol for Homeless People in Public Places should refer to culturally and linguistically diverse communities and training should include CALD competency and awareness training, as well as awareness and training on how to use the national Translating and Interpreting Service.

Recommendation 18 \_\_\_\_\_ 36

The Department of Communities and Justice should seek input from people who have lived experience of homelessness when developing strategies to promote and increase awareness of the Protocol for Homeless People in Public Places across NSW.

Recommendation 19 \_\_\_\_\_ 36

The Department of Communities and Justice should work with Transport for NSW to ensure staff, agencies and private providers are aware of the Protocol for Homeless People in Public Places and also the pathways available to connect people sleeping rough with support.

Recommendation 20 \_\_\_\_\_ 40

The Department of Communities and Justice should conduct a review of the Protocol for Homeless People in Public Places every four years.

Recommendation 21 \_\_\_\_\_ 41

Any review of the Protocol for Homeless People in Public Places should have input from people with a lived experience of homelessness, including but not limited to:

- Aboriginal and Torres Strait Islander people
- Women
- People with disability
- Young people
- LGBTIQ+ people, and
- People from culturally and linguistically diverse communities.

Recommendation 22 \_\_\_\_\_ 43

The Protocol for Homeless People in Public Places' language should be reviewed to make it person-centred and trauma-informed.

Recommendation 23 \_\_\_\_\_ 44

The titles and contact details of service providers contained in the Protocol for Homeless People in Public Places should be reviewed annually for currency and accuracy with the updated version being circulated to all signatories with the request that it is circulated to officers and staff.

# Chapter One – The Protocol

## Background

- 1.1 The Protocol for Homeless People in Public Places (the Protocol) was introduced by the NSW Government in 1999 through the Partnership Against Homelessness, a network of NSW Government agencies aiming to improve services for people experiencing homelessness.<sup>1</sup>
- 1.2 The Protocol was developed to ensure people sleeping rough are treated respectfully and are not discriminated against because of their living situation. The Protocol outlines the rights and responsibilities of people sleeping rough and can direct them to support services if they require or request them.
- 1.3 The Protocol applies to people experiencing homelessness who are located in public places like parks and outdoor spaces, which are open to and used by the public. The Protocol does not cover private property or areas that are not used or accessed by the public.<sup>2</sup>
- 1.4 The Protocol was first used in the Sydney City Business District during the 2000 Sydney Olympic Games. Two years later it was implemented across NSW.<sup>3</sup>
- 1.5 In May 2013 the Guidelines for Implementation were published to assist signatory agencies with implementing the Protocol. While Housing NSW (now MyHousing) was the lead agency for coordinating the Protocol then<sup>4</sup>, it is now managed by the Department of Communities and Justice.<sup>5</sup>
- 1.6 Government agencies that are currently signatories to the Protocol are:
  - NSW Police Force
  - Ambulance Service of NSW (now NSW Ambulance)
  - Housing NSW (now MyHousing)
  - NSW Health
  - State Transit Authority
  - RailCorp (now Transport Asset Holding Entity of NSW)
  - Aboriginal Affairs (now Aboriginal Affairs NSW)

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<sup>1</sup> NSW Government, Submission 10, p2.

<sup>2</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p6.

<sup>3</sup> NSW Government, Submission 10, p2.

<sup>4</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p10.

<sup>5</sup> NSW Government, Submission 10, p2.

- Community Services (now Department of Communities and Justice)
- NSW Department of Premier and Cabinet
- Office of Environment and Heritage (now NSW Department of Planning, Industry, and Environment)
- Sydney Harbour Foreshore Authority
- Sydney Olympic Park Authority<sup>6</sup>

1.7 While local councils are not currently signatories to the Protocol, some advised the Committee that they have modelled their own guidelines for interacting with people sleeping rough on the Protocol. This is discussed further later in the report.

## Objectives of the Protocol

- 1.8 The objectives of the Protocol are to provide guidance on contact and communication between officials and people sleeping rough, and to identify the rights of people sleeping rough, officials and the community.
- 1.9 The Protocol also provides a list of services and contact details to assist people who are experiencing homelessness if they request or require support.

## Main elements of the Protocol

- 1.10 The Protocol is based on the principles that people sleeping rough have the same rights as the rest of the community to:
- be in public places, while at the same time respecting the right of local communities to live in a safe and peaceful environment;
  - participate in public activities or events; and
  - carry with them and store their own belongings.<sup>7</sup>
- 1.11 The Protocol acknowledges that there are other factors to be considered when interacting with people experiencing homelessness, which can add complexity to their situation and needs (for example, cultural background, mental and physical health issues, drug and alcohol dependency etc.).
- 1.12 The Protocol does not overrule any current laws, statutory requirements or regulations and it does not reduce the powers of signatory agencies or their authority to enforce specific laws and regulations.<sup>8</sup>

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<sup>6</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p12.

<sup>7</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p11.

<sup>8</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p6.

## **Response to the COVID-19 pandemic**

- 1.13 Throughout this inquiry the Committee heard that Government agencies have provided enhanced support to people experiencing homelessness in response to the COVID-19 pandemic. This has been effective in keeping people sleeping rough safe and housed throughout the crisis.
- 1.14 The Committee notes that the NSW Government's response has been acknowledged by organisations from across the homelessness services sector.
- 1.15 The Committee recognises the good work and collaboration between Government and non-government support services in response to the COVID-19 pandemic. It strongly encourages the continuation of these working relationships to provide enhanced support and services to people experiencing homelessness.

## **Types of homelessness**

- 1.16 The Committee notes that this inquiry was established to look at the effectiveness of the Protocol, which largely focusses on people sleeping rough in public places. However, the Committee acknowledges that homelessness is experienced in many ways, including by people sleeping in vehicles, people temporarily sleeping in friends' or relatives' houses and people living in other types of temporary accommodation.
- 1.17 People sleeping rough make up 7 per cent of people experiencing homelessness, according to the ABS Census.<sup>9</sup>

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<sup>9</sup> Homelessness NSW, Submission 30, p2.

## Chapter Two – Accountability and complaints

### Accountability

#### Summary

Establishing a review mechanism for signatory agencies will go some way to ensuring that the Protocol for Homeless People in Public Places is being implemented appropriately and consistently. Currently, each Government agency that is a signatory to the Protocol is responsible for determining how it is implemented.<sup>10</sup>

#### Recommendation 1

**The Department of Communities and Justice should consider the development of a review mechanism, implementation plan and accountability mechanisms for signatory agencies to demonstrate that they are implementing the Protocol for Homeless People in Public Places in a consistent way.**

- 2.1 The Committee considers that having public accountability for signatory agencies to demonstrate that they are implementing the Protocol for Homeless People in Public Places (the Protocol) will help ensure that the rights of people sleeping rough are protected and that they are being treated with respect.
- 2.2 The Committee does not wish to be prescriptive in terms of how a review mechanism should operate. The Committee believes that the Department of Communities and Justice is best placed to develop an accountability model that is appropriate for the Protocol.
- 2.3 The Committee heard from some inquiry participants that the Protocol has helped establish clear accountabilities and shared responsibilities across government agencies for interacting with people sleeping rough and responding to wider issues of homelessness.<sup>11</sup>
- 2.4 Other stakeholders, however, stated that the Protocol was not clear enough about what agencies' responsibilities are and who was responsible for implementing the Protocol within signatory agencies.<sup>12</sup>
- 2.5 Because of this lack of clarity stakeholders submitted there was inconsistency in the way the Protocol was being implemented across agencies and in different regions. Stakeholders suggested that, among other things, this has created some confusion for partnering agencies (for example, homelessness service providers).<sup>13</sup>

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<sup>10</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p6.

<sup>11</sup> For example, City of Newcastle, Submission 4, p4.

<sup>12</sup> Local Government NSW, Submission 6, p8 and pp9-10.

<sup>13</sup> City of Parramatta Council, Submission 25, p2; The Exodus Foundation, Submission 32, p1 & p2; Public Interest Advocacy Centre, Submission 34, p2.

- 2.6 Aboriginal Legal Service (NSW/ACT) noted that because individual signatory agencies are responsible for monitoring the implementation of the Protocol within their organisation this has resulted in '...there being little independent oversight of the Protocol's implementation'.<sup>14</sup>
- 2.7 Stakeholders also pointed out that there is no publicly available information about past reviews of the Protocol. They argued that this means there is little transparency about how the Protocol is being implemented and how effective it is in achieving its intended aims.<sup>15</sup>
- 2.8 The Public Interest Advocacy Centre (PIAC) noted that the Protocol does not provide for an accountability mechanism to address non-compliance. Instead, it relies on good faith that signatories are appropriately implementing the Protocol in their interactions with people sleeping rough.<sup>16</sup>
- 2.9 St Vincent's Health Network Sydney recommended that a governance structure be established to oversee the Protocol's implementation and to evaluate its effectiveness. This would ensure that signatories are more transparent and accountable for how they are implementing the Protocol.<sup>17</sup>
- 2.10 Mission Australia and Aboriginal Legal Service (NSW/ACT) recommended that mandatory reporting requirements be built into the Protocol to strengthen its governance framework. This would also mean that signatories are more accountable and the Protocol's effectiveness could be more effectively evaluated.<sup>18</sup>
- 2.11 Similarly, PIAC recommended that accountability mechanisms should be built into the Protocol to require signatory agencies to publicly report on the steps they have taken to implement the Protocol and the training they have provided to relevant staff.<sup>19</sup>
- 2.12 Some stakeholders suggested that the effectiveness of the Protocol would be strengthened by the establishment of an independent body or a lead agency, whose role it is to ensure that signatory agencies are committed to implementing the Protocol and that it is done consistently.<sup>20</sup>
- 2.13 Ms Maddy Humphreys, Project Officer, Homelessness, PIAC, made the case for mandatory reporting requirements and a lead agency to monitor the Protocol:

I guess how we envisioned it would be that all signatories to the Protocol need to report on the efforts they have gone to to implement the guidelines for implementation into their organisation. We were envisioning that would be a yearly reporting requirement. We also think that the Protocol needs to have some kind of

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<sup>14</sup> Aboriginal Legal Service (NSW/ACT), Submission 33, p2.

<sup>15</sup> Mission Australia, Submission 27, p6; Homelessness NSW, Submission 30, p3; Aboriginal Legal Service (NSW/ACT), Submission 33, p2.

<sup>16</sup> Public Interest Advocacy Centre, Submission 34, pp1-2.

<sup>17</sup> St Vincent's Health Network Sydney, Submission 26, p9.

<sup>18</sup> Mission Australia, Submission 27, p6; Aboriginal Legal Service (NSW/ACT), Submission 33, p4.

<sup>19</sup> Public Interest Advocacy Centre, Submission 34, p2.

<sup>20</sup> For example, The Exodus Foundation, Submission 32, p1; Public Interest Advocacy Centre, Submission 34, p2.

community of practice or lead agency so that there is an agency responsible for monitoring that compliance year to year. For us the bare minimum is to demonstrate that you have implemented the Protocol into your own organisation's practices, that you have trained all staff in the Protocol and in trauma informed care.<sup>21</sup>

- 2.14 Mr Tony Davies, Chief Executive Officer, Social Futures, expressed his support for public reporting requirements:

...public reporting is absolutely fantastic. That is what gives us confidence in the capacity of government agencies to deliver when they report.<sup>22</sup>

- 2.15 Neami National suggested that the Protocol can only provide an effective framework for interacting with people sleeping rough if implementation of the Protocol is made mandatory for signatories:

The Protocol must be mandatory practice for all signatories. This would mean signatories would use the protocol in staff induction training and monitor whether staff were adhering to it. This would ensure the rights and interests of people experiencing homelessness were being upheld and provide a consistent approach across government, non-government and private sectors.<sup>23</sup>

## Complaints

### Summary

A single, independent complaint mechanism with respect to the implementation of the Protocol for Homeless People in Public Places will result in more people sleeping rough engaging with the process and signatories being more accountable. Currently, complaints are dealt with under each signatory agency's existing policies and procedures.<sup>24</sup>

### Recommendation 2

**The Department of Communities and Justice should consider the development of an independent complaint mechanism for people experiencing homelessness and other stakeholders with respect to the implementation of the Protocol for Homeless People in Public Places by signatory agencies.**

- 2.16 The Committee heard that people experiencing homelessness may be less inclined to make a complaint about a signatory agency directly to that agency out of fear that it will lead to retaliation or other negative consequences.
- 2.17 There should be a more accessible and transparent process for considering complaints that people sleeping rough will be more likely to use. The Committee agrees with PIAC and Homelessness NSW that establishing a single, independent complaints mechanism will make signatories more accountable for implementing the Protocol and upholding its principles.

<sup>21</sup> Ms Maddy Humphreys, Project Officer, Homelessness, Public Interest Advocacy Centre, Transcript of evidence, 7 August 2020, p57.

<sup>22</sup> Mr Tony Davies, Chief Executive Officer, Social Futures, Transcript of evidence, 17 August 2020, p19.

<sup>23</sup> Neami National, Submission 17, p3.

<sup>24</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p6 & p12.

- 2.18 Again, the Committee does not want to be prescriptive about how the complaints process will operate. The Department of Communities and Justice is best placed to develop a model that is appropriate to the Protocol.
- 2.19 The Protocol makes it clear that people sleeping rough '...have the same access to a right of reply and appeals/complaints mechanisms as all members of the public'.<sup>25</sup>
- 2.20 Some councils also highlight the right of people sleeping rough to make complaints about council services or interactions with council staff in their own protocols.<sup>26</sup>
- 2.21 At present, the Protocol states that complaints about signatory agencies' implementation of the Protocol are dealt with under each agency's existing complaints policies and procedures.<sup>27</sup>
- 2.22 PIAC identified the absence of an independent complaints mechanism as an issue. They noted that people experiencing disadvantage, including people experiencing homelessness, are often reluctant to make complaints about government agencies to those same agencies.<sup>28</sup>
- 2.23 The reasons for this, PIAC stated, are because complaints processes may appear to be inaccessible and because individuals fear that if they complain they may be denied government services, treated less favourably, or retaliated against.<sup>29</sup>
- 2.24 To illustrate this point, PIAC provided two case studies of people sleeping rough who made complaints about the NSW Police Force and who alleged that they were retaliated against as a result. One of the case studies concerned a person PIAC identified as Tom:
- Tom told us:
- 'After one incident, I went up and complained to the boss at [suburb] station, saying that I just got abused by one of your officers. Well, two days later, I think a couple of his friends came down. I was just standing there, having a cigarette, and out of nowhere, there were four police officers surrounding me, dressed in riot gear, demanding me to get up against the wall. It was quite scary, because you don't know whether they're going to stomp on your head or not.'<sup>30</sup>
- 2.25 Ms Roslyn Cook, Managing Solicitor, Homeless Persons' Legal Service, PIAC, elaborated further:
- ...one of the real barriers that I have come up against as a lawyer is I hear from people about the negative experiences they have had and there is not an

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<sup>25</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p12.

<sup>26</sup> Wollongong City Council, Submission 19, p6; Tweed Shire Council, Submission 20, p15.

<sup>27</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p6, p12.

<sup>28</sup> Public Interest Advocacy Centre, Submission 34, p6.

<sup>29</sup> Public Interest Advocacy Centre, Submission 34, p6.

<sup>30</sup> Public Interest Advocacy Centre, Submission 34, p6.

anonymous complaints process and there is not currently a mechanism for people to raise the concerns that they have without them being personally identifiable. For a lot of people who are rough sleeping and who are very vulnerable the idea of being personally identified as having made a complaint is an anathema and that is very understandable. People have a perfectly rational fear of reprisal in that situation. I cannot in good conscience tell somebody that they should go to the Law Enforcement Conduct Commission if that is going to result in them experiencing ongoing harassment and make their life more difficult.<sup>31</sup>

- 2.26 To improve this situation, PIAC recommended that an independent complaints mechanism be established, with the power to investigate alleged breaches of the Protocol by signatory agencies. PIAC recommended that the process should encompass both individual and wider systemic complaints, as well as public reporting on complaints received.<sup>32</sup>
- 2.27 Homelessness NSW also recommended that a complaints process or right of appeal be established for signatory agencies that fail to meet their obligations under the Protocol. Homelessness NSW indicated that this issue had consistently been raised with them by people sleeping rough during consultations about access to public space and policing.<sup>33</sup>

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<sup>31</sup> Ms Roslyn Cook, Managing Solicitor, Homeless Persons' Legal Service, Public Interest Advocacy Centre, Transcript of evidence, 7 August 2020, p57.

<sup>32</sup> Public Interest Advocacy Centre, Submission 34, p6.

<sup>33</sup> Homelessness NSW, Submission 30, p4; Ms Katherine McKernan, Chief Executive Officer, Homelessness NSW, Transcript of evidence, 7 August 2020, p4.

## Chapter Three – Promoting better practice and systemic improvements

### Assertive outreach

#### Summary

Assertive outreach is an effective way to engage with people sleeping rough, and to help them to access appropriate services if they need or request them. There are a number of assertive outreach programs active in NSW, and there will be a benefit in emphasising this approach in the Protocol for Homeless People in Public Places.

### Recommendation 3

**The Protocol for Homeless People in Public Places should have a stronger emphasis on assertive outreach in line with Assertive Outreach Good Practice Guidelines.**

- 3.1 The Committee recognises the important role that assertive outreach plays in assisting people sleeping rough. Assertive outreach was highlighted as one of the most important ways to help people experiencing homelessness to access permanent accommodation.
- 3.2 While the current Protocol for Homeless People in Public Places (the Protocol) makes some reference to these services, this information could be strengthened. Emphasising outreach services in the Protocol will make them more visible to signatory agencies and people experiencing homelessness, and they will be more likely to access those services as a result. It will also serve to highlight the demonstrated effectiveness of the assertive outreach approach to signatory agencies.
- 3.3 The success of an assertive outreach approach can be seen in the reduction in the numbers of people sleeping rough in Sydney. The NSW Government stated:

More than 585 people formerly living on the streets of Sydney have been housed in safe and stable accommodation since 2017 through assertive outreach led by the [Department of Communities and Justice] Homelessness Outreach Support Team (HOST) with partner health and homelessness services.<sup>34</sup>
- 3.4 In August 2019 the City of Sydney street count found 254 people sleeping rough, which was the lowest number the city had counted in winter since 2013.<sup>35</sup>
- 3.5 Other local councils highlighted the important work done by organisations that provide outreach services in helping people who are experiencing homelessness. Inner West Council noted:

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<sup>34</sup> NSW Government, Submission 10, p1.

<sup>35</sup> NSW Government, Submission 10, p2.

The role of SHS's [Specialist Homeless Services] that have outreach capability is crucial in enabling Council to address homelessness in public places. Councils generally are not resourced to provide their own homeless services with associated outreach case workers: Councils more typically play a coordinating and advocacy role in identifying locations where people are sleeping rough and requesting assistance from SHS's to visit that person.<sup>36</sup>

- 3.6 Similarly, City of Parramatta informed the Committee about the successes of a pilot assertive outreach program in its local government area. This program secured '...housing and wrap-around support for a number of individuals, and, eighteen months on, those individuals are still maintaining their housing'.<sup>37</sup>
- 3.7 The benefits of assertive outreach and the success of the work of the Homelessness Outreach Support Team (HOST) has led the NSW Government to expand the model to other areas in NSW.<sup>38</sup> The Committee considers this an ideal time to embed the concept of assertive outreach and the services available into the Protocol.
- 3.8 The Committee supports the suggestion of Local Government NSW that the Protocol use information provided in the Assertive Outreach Good Practice Guidelines that has been developed by Homelessness NSW.<sup>39</sup> These guidelines provide a framework for Specialist Homelessness Services to effectively deliver assertive outreach to people who are sleeping rough and can be used to ensure best practice through adherence to the Protocol.<sup>40</sup>
- 3.9 The Committee also notes that there has been some misunderstanding of the Protocol by some signatory agencies and other agencies that use the Protocol for guidance. Some organisations have been unclear as to when and how to approach people sleeping rough. Local Government NSW explained that:
- An inadvertent outcome is that officers can use the Protocol to justify not assisting people or avoiding action. Some councils have found that the Protocol has resulted in a more passive response to people sleeping rough than a proactive one.<sup>41</sup>
- 3.10 Assertive outreach has proven to be successful and it is an approach that is supported by most inquiry stakeholders. Providing more information on assertive outreach in the Protocol would counteract the misunderstandings described by Local Government NSW.

## Vulnerable groups

### Summary

More information should be provided in the Protocol for Homeless People in Public Places on how to respond to people sleeping rough from vulnerable groups. Consideration should be given to the particular challenges faced by Aboriginal and Torres Strait Islander people,

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<sup>36</sup> Inner West Council, Submission 22, p4.

<sup>37</sup> City of Parramatta Council, Submission 25, p2.

<sup>38</sup> NSW Government, Submission 10, pp2-3.

<sup>39</sup> Local Government NSW, Submission 6, p6.

<sup>40</sup> Homelessness NSW, [Assertive Outreach Good Practice Guidelines](#).

<sup>41</sup> Local Government NSW, Submission 6, p6.

women, people with disability, young people, LGBTIQ+ people, people from culturally and linguistically diverse backgrounds, and non-citizens. Including particular guidance on responding to people from these groups in the Protocol will improve their interactions with signatory agencies.

#### **Recommendation 4**

**The Protocol for Homeless People in Public Places should include guidance, or enhance its existing guidance on appropriate responses to:**

- **Aboriginal and Torres Strait Islander people**
- **Women**
- **People with disability**
- **Young people**
- **LGBTIQ+ people**
- **People from culturally and linguistically diverse communities, and**
- **Non-citizens.**

#### **Recommendation 5**

**The Department of Communities and Justice should consider including reference to the appropriate child protection provisions for children under 18 years of age who are sleeping rough and guidance on appropriate responses to people under 24 years of age who are sleeping rough.**

- 3.11 The Protocol currently provides some information on appropriate responses to Aboriginal people and people from different cultural, linguistic or religious backgrounds.<sup>42</sup> The Committee acknowledges the value of specialist advice on how to deal with people from vulnerable groups who are experiencing homelessness. It is important to recognise that all people experiencing homelessness are individuals with specific needs and experiences, some of which will be informed by their backgrounds.
- 3.12 The Committee considers that it would be beneficial to expand on the existing relevant sections in the Protocol, and also to include guidance on appropriate responses to women and people with disability who are sleeping rough.
- 3.13 The more information that is provided on the best way to approach and support people sleeping rough from these vulnerable groups, the more likely it is that they will have positive experiences when dealing with signatory agencies. This should help them to be more receptive or willing to ask for assistance if it is required.

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<sup>42</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p8 & p9.

*Aboriginal and Torres Strait Islander people*

- 3.14 Aboriginal and Torres Strait Islander people are over-represented among people experiencing homelessness. The NSW Aboriginal Housing Office provided statistics showing that ‘Indigenous people make up 3.3% of the Australian population, yet they made up 22% of all people who were homeless on Census night in 2016 (of those for whom Indigenous status was stated)’.<sup>43</sup>
- 3.15 This is reflected in NSW where, in 2009/10, 18 per cent of Specialist Homelessness Services clients were Aboriginal or Torres Strait Islander, which is disproportionate to the Indigenous population’s size in NSW of 2.2 per cent.<sup>44</sup>
- 3.16 The NSW Aboriginal Housing Office identified several issues that increased the risk of Aboriginal people experiencing homelessness, including:
- historical experiences of Aboriginal people and the lasting impacts of colonisation including displacement from traditional lands;
  - the impact of policies and services that conflict with Aboriginal values and culture that have resulted in poverty, low self-esteem, poor physical, mental health and social and emotional well-being, welfare dependency, poor living skills, high levels of domestic violence and substance abuse, and low levels of educational attainment;
  - that Aboriginal people are more likely to experience racism and discrimination, making it harder to attain reliable housing and leading to higher levels of depression and other psychological disorders; and
  - the higher rates of Aboriginal people in jail or in out-of-home care who are more likely to exit these services into homelessness.<sup>45</sup>
- 3.17 These issues should be better recognised and considered when considering appropriate responses to Aboriginal people sleeping rough.
- 3.18 The Protocol does include a section providing information on ‘...appropriate responses to Aboriginal people’. This recognises that:
- Aboriginal people’s connection and sense of belonging to country is an integral part of their cultural identity. This traditional connection to country supersedes contemporary land tenure and boundaries.<sup>46</sup>
- 3.19 Stakeholders highlighted the importance of this statement and acknowledged its inclusion in the Protocol. However, the Committee also heard that more guidance should be provided. For example, the End Street Sleeping Collaboration highlighted that:

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<sup>43</sup> NSW Aboriginal Housing Office, Submission 15, p1.

<sup>44</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p8.

<sup>45</sup> NSW Aboriginal Housing Office, Submission 15, p2 & 3.

<sup>46</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p8.

The protocol notes the need to take a culturally respectful approach, however, it would be beneficial to provide guidance about what it means to be culturally respectful and how agencies can engage in a respectful way.<sup>47</sup>

- 3.20 Similarly, St Vincent's Health Network Sydney argued that the Protocol would benefit from further detail. They suggested that the relevant section should be updated to:
- reflect Aboriginal and Torres Strait Islander people;
  - incorporate culturally appropriate language; and
  - provide more information and training about the definitions and practice of 'cultural sensitivity and respect' (p.12) and a 'culturally respectful approach'.<sup>48</sup>
- 3.21 The Committee heard that it is also important to involve Aboriginal and Torres Strait Islander people in any discussions on how the Protocol could better reflect the experience of Aboriginal and Torres Strait Islander people. Ms Nattlie Smith, Director for Policy and Evidence, Aboriginal Housing Office, said:
- We need to see the strengthening of Aboriginal voices in the design and delivery of a Protocol for Aboriginal people experiencing homelessness...<sup>49</sup>
- 3.22 Ms Smith also recommended that the Protocol could include an Acknowledgement of Country to remind people that we are on the land of Aboriginal people and to pay respects to Elders, past, present and emerging. The Committee agrees that an Acknowledgement be included on the first page of the Protocol. The Committee notes that there have been similar Acknowledgements included in publications from the Department of Planning, Industry and Environment and that these have been well received.<sup>50</sup>
- 3.23 The Committee notes the NSW Government's acknowledgement that more information should be provided in the Protocol on appropriate responses to Aboriginal and Torres Strait Islander people experiencing homelessness.<sup>51</sup> The Committee encourages the Government to enhance the relevant information and guidance in the Protocol, and to seek consultation from Aboriginal and Torres Strait Islander people as part of this process.

#### *Women*

- 3.24 Currently, the Protocol does not specifically address the needs of women sleeping rough.

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<sup>47</sup> End Street Sleeping Collaboration, Submission 23, p5.

<sup>48</sup> St Vincent's Health Network Sydney, Submission 26, p8.

<sup>49</sup> Ms Nattlie Smith, Director for Policy and Evidence, Aboriginal Housing Office, Transcript of evidence, 7 August 2020, p41.

<sup>50</sup> Ms Nattlie Smith, Director for Policy and Evidence, Aboriginal Housing Office, Transcript of evidence, 7 August 2020, p41.

<sup>51</sup> NSW Government, Submission 10, p8.

3.25 The Committee heard that there are an increasing number of women experiencing homelessness in NSW. The majority of these women are fleeing domestic and family violence.<sup>52</sup> There are also a growing number of older women experiencing homelessness. Mr Shane Jakupec, Regional Manager, Neami National, explained:

...we know that the number of older women who are homeless is increasing across the country and it is not visible, it is not necessarily visible homelessness through a range of reasons—through divorcing and then they did not have any super because they were not working is a simple one.<sup>53</sup>

3.26 Women are especially vulnerable when experiencing homelessness and can face particular risks, including sexual assault and physical violence.<sup>54</sup>

3.27 The Committee heard that it is also common for women experiencing homelessness to have a history of abuse, which can influence their dealings with support organisations. Ms Nicole Yade, General Manager, Lou's Place, stated:

Women are often survivors of childhood abuse. At Lou's Place over 90 per cent of the women who we work with have experienced childhood abuse. ... Certainly that is a massive part of experiences that we see with the group that we support. I think that also means that those women bring that trauma and that background and that history with them into their future selves.<sup>55</sup>

3.28 This means that women often choose to sleep in public spaces, such as retail streets in the CBD, where they feel safer in the public view.<sup>56</sup>

3.29 These are all considerations that should be incorporated into the Protocol's guidance on appropriate responses to women sleeping rough and experiencing homelessness more widely. When women are approached with offers of support, it would, for example, be beneficial to have female staff to engage with them to avoid unnecessary stress.

#### *People with disability*

3.30 Another vulnerable group that is not currently addressed in the Protocol are people with disability. The NSW Homelessness Strategy states that up to 60 per cent of people experiencing homelessness have complex physical, mental health and disability support needs.<sup>57</sup>

3.31 People with disability will have different needs and priorities to other people sleeping rough and will therefore require different supports. For example, people with disability often have accessibility issues and other associated challenges.<sup>58</sup>

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<sup>52</sup> Neami National, Submission 17, p3.

<sup>53</sup> Mr Shane Jakupec, Regional Manager, Neami National, Transcript of evidence, 7 August 2020, p50.

<sup>54</sup> Neami National, Submission 17, p3.

<sup>55</sup> Ms Nicole Yade, General Manager, Lou's Place, Transcript of evidence, 7 August 2020, p37.

<sup>56</sup> Neami National, Submission 17, p3.

<sup>57</sup> NSW Government, [NSW Homelessness Strategy 2018-2023](#), p10.

<sup>58</sup> Mission Australia, Submission 27, p7.

- 3.32 Stakeholders argued that people with disability experiencing homelessness are not always able to access the same services as other people with disability. The Exodus Foundation submitted that clients had told them that they were often subjected to questions when they tried to use accessible toilets in public places, such as train stations. The Exodus Foundation was concerned that this was a demonstration of the ‘...inconsistencies in the implementation of the Protocol both across departments and within departments’.<sup>59</sup>
- 3.33 Embedding advice regarding appropriate responses to people with disability sleeping rough should eliminate any inconsistencies and ensure that this group is properly supported and treated with respect.
- 3.34 It was further noted that a significant number of people experiencing homelessness could benefit from access to the National Disability Insurance Scheme.<sup>60</sup> Providing information in the Protocol on possible paths for people to access this would be beneficial.

*People from culturally and linguistically diverse backgrounds*

- 3.35 The Committee heard that it can be difficult for people from culturally and linguistically diverse (CALD) backgrounds to engage with agencies that provide support and services to people experiencing homelessness. Mission Australia submitted that the reasons for this were:
- language barriers;
  - experiences of discrimination;
  - cultural factors;
  - lack of community or family support; and
  - limited knowledge about support services.<sup>61</sup>
- 3.36 The Committee heard that this is a group of people that require a more tailored response and supports. Mr James Toomey, CEO, Mission Australia, outlined some of the considerations to better engage with people from CALD backgrounds who are sleeping rough:

It would be certainly helpful to be able to provide and share information which is kept up-to-date in different languages. There are then cultural aspects as to the ways in which you respond to gender in cultures and there would need to be some cultural sensitivity about that and how that is approached. Within the group of people currently covered by the Protocol there is probably some skill and capability and learning that could be shared more widely around the group in terms of engaging with people from culturally and linguistically diverse backgrounds.<sup>62</sup>

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<sup>59</sup> The Exodus Foundation, Submission 32, p2.

<sup>60</sup> NSW Government, Submission 10, p9.

<sup>61</sup> Mission Australia, Submission 27, p8.

<sup>62</sup> Mr James Toomey, CEO, Mission Australia, Transcript of evidence, 7 August 2020, p20.

3.37 Ms Jenny Ranft, Divisional Manager, Community Services, Wentworth Community Housing, stated that there are experienced organisations operating in this area, and that using their services would be of great assistance to people from CALD communities:

We want to be partnering with other ethno-specific or multi-agent, multicultural services in approaching people in [CALD] areas.

...

Those connections with agencies that are not specifically in the homelessness space but who have particular cultural competencies is crucial. That is why the level of the quality of the intervention can be improved if all of the agencies, police, the DCJ, homelessness services, charities et cetera were encouraged through the Protocol to act jointly with those services that have specific expertise for whatever the cohort is that we are dealing with.<sup>63</sup>

3.38 To support these joint approaches more information should be provided in the Protocol on what resources are available to assist with providing support to people from CALD communities. There should also be more specific guidance on appropriate responses to people from CALD backgrounds sleeping rough.

3.39 These issues can be more difficult for people who are not citizens of Australia, and who therefore do not have the same access to government support services. The Committee notes that this problem is outside the terms of reference for this inquiry but would like to highlight it as an emerging issue that may warrant examination by the Department of Communities and Justice.

## Expanding the signatories to the Protocol

### Summary

The Protocol for Homeless People in Public Places is an effective tool for signatory agencies to guide their responses to people sleeping rough. The number of signatories should be expanded so that it covers more agencies that regularly interact with people sleeping rough. This will help to ensure that they are consistently supported and treated with the same respect across NSW.

### Recommendation 6

**The Department of Communities and Justice should give more relevant agencies the option of being signatories to the Protocol for Homeless People in Public Places.**

### Recommendation 7

**That local councils across NSW be encouraged to become signatories to the Protocol for Homeless People in Public Places. The Department of Communities and Justice, the Office of Local Government and Local Government NSW should**

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<sup>63</sup> Ms Jenny Ranft, Divisional Manager, Community Services, Wentworth Community Housing, Transcript of evidence, 17 August 2020, p22.

**consider establishing a coordinating role to support those councils in implementing the Protocol.**

- 3.40 The Committee considers that there would be a benefit in expanding the number of agencies that are signatories to the Protocol. As has been established, the Protocol is a very useful document in guiding positive interactions with people sleeping rough, especially for staff where this is not a core part of their role.
- 3.41 Local council staff are often one of the first points of contact for people sleeping rough, but they are not always aware of the best practice. They would benefit from the guidance provided in the Protocol, and, as a result, the Committee believes that local councils should be given the option to become signatories. This would also improve consistency in terms of the Protocol's implementation across the State.
- 3.42 There are also other Government agencies and non-government service providers that regularly interact with people sleeping rough who are not currently covered by the Protocol. Again, given the Protocol's demonstrated usefulness, these agencies should also have the option of becoming signatories.

*Local councils*

- 3.43 The Guidelines for implementing the Protocol state that '...all local councils have been advised of the Protocol and are encouraged to use it to guide their response to homeless people in public places'.<sup>64</sup> Most local councils indicated that the Protocol was a useful tool. Local Government NSW reported:

Feedback from councils is overwhelmingly positive about the value of the Protocol to guide interactions with people experiencing homelessness.<sup>65</sup>

- 3.44 Councils play an important role in interacting with people experiencing homelessness. While the overall responsibility for housing and homelessness lies with the NSW Government, local councils manage many of the day-to-day responsibilities for maintaining public spaces. Council staff are also often the first point of contact for community concerns and complaints about people sleeping rough.

- 3.45 Because of this, several local councils noted that they developed their own protocols for responding to people sleeping rough. Most of these councils used the Protocol as a model for their own protocols or policies. For example, Liverpool City Council explained that:

... the Protocol has served as a useful guide for the development of Liverpool City Council's Draft Homelessness Strategy and Action Plan, and has been instrumental with informing internal processes.<sup>66</sup>

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<sup>64</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p4.

<sup>65</sup> Local Government NSW, Submission 6, p6.

<sup>66</sup> Liverpool City Council, Submission 16, p1.

3.46 Tweed Shire Council also noted the benefit of having the Protocol as a starting point when they were considering how to support people sleeping rough in the Tweed area:

The NSW Government Protocol certainly provided a platform for Council to strengthen relationships and start to have discussions with key external partners around this complex issue, particularly NSW Police and NSW Health of which some of these State Government personnel do make reference to the Protocol.<sup>67</sup>

3.47 Given that a number of local councils already reference or rely on the Protocol in responding to people sleeping rough, the Committee considers that local councils should be invited to become signatories to the Protocol. This would provide more consistency in responding to people sleeping rough across NSW.

3.48 The Committee heard that in some local government areas outside of metropolitan Sydney there is a lack of expertise in dealing with homelessness issues:

Many local government authorities particularly in regional and rural areas, do not have specialised staff internally with the skills and knowledge in working with people with complex needs.<sup>68</sup>

3.49 Becoming signatories to the Protocol would provide all council staff with consistent and accurate guidance on how to best respond to people sleeping rough.

3.50 Giving local councils the option of being signatories to the Protocol was supported by the City of Sydney:

I think that is a great idea because if you sign the Protocol you have to read it and by reading it you engage with the challenge of what the problem is. The more people to develop some empathy and understanding of the complexity, the better for our society, right? We are not signatories but we would happily be signatories.<sup>69</sup>

3.51 The Committee was pleased to hear that this proposal was also supported by the Department of Communities and Justice, which noted that it already works closely with local governments to address rough sleeping and broader homelessness issues. Mr Paul Vevers, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice said, ‘...expanding the Protocol to include local government would be a real bonus’.<sup>70</sup>

3.52 Liverpool City Council highlighted the important work done by local councils and submitted that, in the first instance, Local Government NSW should be consulted on future reviews of the Protocol and be invited to become a signatory:

Arguably, councils are also responsible for, and have an operational presence in public places. Staff often come into contact with homeless people, and are usually

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<sup>67</sup> Tweed Shire Council, Submission 20, p3.

<sup>68</sup> Tweed Shire Council, Submission 20, p8.

<sup>69</sup> Ms Monica Barone, Chief Executive Officer, City of Sydney Council, Transcript of evidence, 17 August 2020, p26.

<sup>70</sup> Mr Paul Vevers, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, Transcript of evidence, 17 August 2020, p37.

the first point of contact for the community when reporting rough sleepers. It is recommended that Local Government NSW be invited to inform the new Protocol, and is made a signatory.<sup>71</sup>

- 3.53 The Committee believes that giving Local Government NSW and local councils the option of becoming signatories to the Protocol would allow them to consider homelessness issues from the same starting point and using the same framework. This will help facilitate greater cross-agency collaboration.

#### *Other organisations*

- 3.54 In addition to local government, the Committee considers there would be benefits to expanding the signatories to the Protocol further. This will be particularly useful if the Protocol is amended and strengthened according to the other recommendations from this inquiry.
- 3.55 One suggestion that has merit is to include the NSW Aboriginal Housing Office. The Committee has recommended that the Protocol's guidance on how to respond to Aboriginal people sleeping rough be enhanced. Therefore, the Committee considers it is appropriate that this organisation is offered the opportunity to become a signatory.
- 3.56 The NSW Aboriginal Housing Office explained that they are active in this area, and being a signatory would help them to better support their clients. It would assist them when collaborating with other agencies and also offer a familiar point of contact for people looking for support. Ms Nattlie Smith said:

Looking at the Protocol it looks like we aren't a signatory of the protocol and I think also what needs to be reflected is the machinery of government changes to departments, that you suddenly have departments drop off. That is absolutely a concern for Aboriginal families and particularly when you have got Aboriginal men who cannot go back to the family home.<sup>72</sup>

- 3.57 Other agencies that could be considered to be added as signatories to the Protocol include:
- NSW State Emergency Service
  - Fire and Rescue NSW
  - NSW Rural Fire Service
  - Business NSW
- 3.58 All of these agencies will encounter people experiencing homelessness as they undertake their work, but it is not part of their day-to-day responsibilities. Therefore, they may not be fully aware of the best way to respond to people sleeping rough or the principles that inform the Protocol.

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<sup>71</sup> Liverpool City Council, Submission 16, p1.

<sup>72</sup> Ms Nattlie Smith, Director for Policy and Evidence, Aboriginal Housing Office, Transcript of evidence, 7 August 2020, p42.

- 3.59 Similarly, the Committee suggests that the Department of Communities and Justice explore whether it would be appropriate to include more non-government organisations as signatories. The Department of Communities and Justice noted that monitoring the implementation of the Protocol by such organisations would be easier if they were receiving funds from the Government to provide services. Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, explained:
- Obviously, if they are unincorporated bodies or local interest groups it is a different issue. But if they are key providers and they are funded by the State to deliver the services to people being homeless, then that should be captured in our existing contractual arrangements.<sup>73</sup>
- 3.60 Including more agencies as signatories would help the Protocol achieve its aims of people experiencing homelessness in NSW being treated with dignity and respect and receiving support if they need or request it.
- 3.61 The Committee was pleased to hear that the Government was broadly supportive of having additional signatories to the Protocol.<sup>74</sup>

## Encouraging collaboration

### Summary

Agencies and organisations can achieve better results in supporting people sleeping rough when they work together. The Protocol for Homeless People in Public Places should provide more guidance on opportunities for collaboration. This will embed existing arrangements in the Protocol and also provide a framework for exploring new opportunities to collaborate.

## Recommendation 8

**The Protocol for Homeless People in Public Places should include an implementation plan for signatories as well as guidance on how signatories can collaborate to provide a cohesive and effective response to people experiencing homelessness.**

- 3.62 People experiencing homelessness may also face additional challenges such as poor mental health, alcohol and drug abuse, and other health issues. An important factor in making sure that these people are responded to appropriately is to improve collaboration between the various agencies that provide relevant support and services.
- 3.63 The Committee considers that including guidance on options for collaboration in the Protocol will improve its implementation and result in better support for people sleeping rough. Collaboration between organisations has the potential to offer better value for money on services. It will also, potentially, provide more

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<sup>73</sup> Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, Transcript of evidence, 17 August, p42.

<sup>74</sup> Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, Transcript of evidence, 17 August, p42.

support to staff for whom dealing with people experiencing homelessness is not necessarily a significant part of their role.

- 3.64 The inquiry highlighted a number of areas where collaboration is leading to positive outcomes. Ms Katherine McKernan, Chief Executive Officer, Homelessness NSW, noted that a number of agencies had been working together in Sydney to combat the challenges of the recent COVID-19 pandemic. This had the benefit of maximising the outcomes of limited resources. She explained:

One of the things that has come out of the pandemic that is also useful to note is the inner city task force that has been established by the Department of Communities and Justice. It is chaired by the district director of Communities and Justice but it has a huge number of stakeholders on it including Health, Police, all the homelessness services and local government. Yes, there is still a finite number of resources but what it has meant is that we have been able to have conversations across the sector to look at issues and develop ways of working things out.<sup>75</sup>

- 3.65 Similarly, representatives from the City of Sydney noted the various agencies that they deal with when responding to people experiencing homelessness and the importance of working together. Ms Monica Barone, Chief Executive Officer, City of Sydney Council, highlighted:

It is all about collaboration. You are dealing with housing, health, mental health, drug and alcohol, domestic violence, child protection—you are dealing with the whole range, so you cannot deal with it in silos.<sup>76</sup>

- 3.66 There is also an opportunity for collaboration to take place within certain sectors. St Vincent's Health Network Sydney explained how they had been working with a number of other health providers to better support people experiencing homelessness. In particular, they noted that there is a risk of people falling through the gaps during transition points and that collaboration is essential to prevent this happening. Mr Brendan Clifford, Senior Project Officer, Inclusive Health Officer, St Vincent's Homeless Health Service, explained:

Often the issue with the gaps is that they are transition points between services that are across the lifespan.

At those transition points you need all of those agencies there, not just from one to the other. You actually need to have another strategy around those transition points that is inter-sectoral.<sup>77</sup>

- 3.67 Including guidance on collaboration in the Protocol will assist those staff who are not frontline service providers to better respond to people experiencing homelessness. Having more visible options for collaboration means that staff do not need the expertise themselves but will know where they can find it. Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, stated:

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<sup>75</sup> Ms Katherine McKernan, Chief Executive Officer, Homelessness NSW, Transcript of evidence, 7 August 2020, p5.

<sup>76</sup> Ms Monica Barone, Chief Executive Officer, City of Sydney Council, Transcript of evidence, 17 August 2020, p28.

<sup>77</sup> Mr Brendan Clifford, Senior Project Officer, Inclusive Health Officer, St Vincent's Homeless Health Service, Transcript of evidence, 7 August 2020, p17.

It is always about collaboration and training, because you cannot expect a council ranger to understand how to be a caseworker, how to best support someone who may have a traumatic brain injury who has had a traumatic past. We are not going to get that. But I think getting people who work in that field to go out and talk with people ... bringing Housing down with us as well so they are part of the collaboration. They can organise TA [Temporary Accommodation] on the spot for that person. Then we have got the caseworker who is talking to the person and trying to encourage them to get to that housing.<sup>78</sup>

3.68 Given its clear benefits, the Committee was concerned to hear from some stakeholders that inter-agency collaboration was not as common as it had been. Ms McKernan stated:

...there was a huge amount of work and inter-agency collaboration done around the Protocol around 10 years ago and it has slowly kind of petered out<sup>79</sup>

3.69 To reinvigorate its initial intention and following some of the successful collaborations during the COVID-19 pandemic, this is an ideal time to provide more clarity about opportunities for inter-agency collaboration in the Protocol.

## Ensuring the Protocol covers all relevant staff

### Summary

More services for people sleeping rough are being provided by contractors and third parties. It should be clearly stated in the Protocol for Homeless People in Public Places that all staff contracted to Government agencies or employed by Government funded organisations that respond to people sleeping rough be required to adhere to the Protocol's principles and guidelines.

### Recommendation 9

**Consideration should be given to the insertion within the contracts of engagement that all staff contracted to Government agencies or employed by Government funded organisations that respond to people sleeping rough should be required to adhere to the Protocol for Homeless People in Public Places.**

3.70 The Protocol is an effective tool for guiding the proper response to people sleeping rough by staff of signatory agencies. However, it is not clear whether staff who are contracted to Government agencies, such as security personnel, are required to implement the Protocol. Similarly, the Government provides funding to various organisations to provide services to people experiencing homelessness, and it appears that staff of these organisations are also not required to implement the Protocol.

3.71 The Committee considers that it would be beneficial for staff contracted to Government agencies or employed by Government funded organisations that respond to people sleeping rough to be contractually required to adhere to the

<sup>78</sup> Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, Transcript of evidence, 17 August 2020, p7.

<sup>79</sup> Ms Katherine McKernan, Chief Executive Officer, Homelessness NSW, Transcript of evidence, 7 August 2020, p6.

terms of the Protocol. This will ensure that people sleeping rough are treated appropriately by anyone who is providing a service on behalf of the NSW Government.

- 3.72 The Protocol provides a framework for interactions between officials and people experiencing homelessness. The Protocol currently defines an 'official' as 'members of staff employed by government organisations'.<sup>80</sup>
- 3.73 It directs these organisations to determine whether any contractors or volunteers should also be covered by the Protocol. For contracted security staff it is 'recommended' that they '...be made familiar with the Protocol and encouraged to abide by its principles'.<sup>81</sup>
- 3.74 Since the introduction of the Protocol, more services are being provided by non-government organisations, either in the not-for-profit sector or as contractors. This means that there are more staff who are likely to encounter people sleeping rough who may not be aware of the Protocol.
- 3.75 The NSW Aboriginal Housing Office argued that the increase in third parties delivering services needs to be recognised in the Protocol:
- ... many of the front line services that were previously delivered by NSW government agencies are now delivered by third parties. As such it is important that these providers are both aware of the commitments in the Protocol and are required to fulfil the same commitments. The language within the Protocol, which refers to "officials" throughout, should be amended to reflect a broader spectrum of service delivery.<sup>82</sup>
- 3.76 Similarly, Mission Australia suggested that this requirement could be covered in agreements made with these organisations. They submitted:
- At present, there are numerous services that are delivered by non-governmental third parties who may not be subjected to the application of the Protocol. There needs to be clear stipulations in contracts between government and contractors including private security personnel to ensure that people experiencing homelessness are supported and are treated with respect.<sup>83</sup>

## Extreme weather events

### Summary

People sleeping rough are particularly vulnerable to the negative impacts of extreme weather events such as bushfires and flooding. More information should be provided in the Protocol for Homeless People in Public Places to guide agencies on the best way to support people sleeping rough when extreme weather events occur, including guidance on effective cross-agency coordination.

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<sup>80</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p5.

<sup>81</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p5.

<sup>82</sup> NSW Aboriginal Housing Office, Submission 15, p5.

<sup>83</sup> Mission Australia, Submission 27, p6.

## Recommendation 10

**The Protocol for Homeless People in Public Places should provide guidance on responding to extreme weather conditions to ensure the safety of people sleeping rough.**

- 3.77 People sleeping rough are more likely to suffer negative consequences of extreme weather events. The Committee considers that people sleeping rough would be better supported if there was more information in the Protocol on how agencies can effectively respond to extreme weather events to assist them. This should include recommendations for a best-practice multi-agency response and details of the services that are available to people sleeping rough.
- 3.78 In recent years NSW has experienced a number of extreme weather events, including:
- heavy rains and flooding;
  - extreme heat; and
  - bushfires with associated poor air quality.
- 3.79 Given the vulnerable nature of people sleeping rough, they are more likely to be negatively impacted by these events.<sup>84</sup> For example, some people sleeping rough have existing health problems that are exacerbated by extreme weather events. Ms Erin Longbottom, Nursing Unit Manager, Homeless Health Service, St Vincent's Homeless Health Service, told the Committee:
- Part of what we really focused on during the bushfire season was the effects of smoke on people experiencing homelessness, because many people have chronic lung conditions, heart conditions and other things that could obviously mean that it is more impactful on them.<sup>85</sup>
- 3.80 A number of stakeholders who interact with people experiencing homelessness highlighted this and argued that more information should be included in the Protocol to help guide responses to extreme weather.<sup>86</sup> They indicated that it would be useful if the Protocol outlined what different agencies were responsible for and what services were available. The Inner West Council suggested:
- ... the impact of extreme weather events on people sleeping rough in public places should be addressed in the Protocol. Guidance regarding the roles and responsibilities of government agencies and homeless services when extreme weather is forecast could be provided, including what role the HOST team may play in providing accommodation or other shelter.<sup>87</sup>

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<sup>84</sup> St Vincent's Health Network Sydney, Submission 26, pp3-4 & p8.

<sup>85</sup> Ms Erin Longbottom, Nursing Unit Manager, Homeless Health Service, St Vincent's Homeless Health Service, Transcript of evidence, 7 August 2020, p13.

<sup>86</sup> For example, Local Government NSW, Submission 6, p11; St Vincent's Health Network Sydney, Submission 26, p8; Neami National, Submission 17, p4.

<sup>87</sup> Inner West Council, Submission 22, p6.

- 3.81 There are already plans in place in certain areas to coordinate appropriate responses to extreme weather events.<sup>88</sup> This has proven to be an effective way to support people sleeping rough and to minimise the health impacts of extreme weather on them. St Vincent's Health Network Sydney explained:

In collaboration with the City of Sydney, the Department of Communities and Justice and a range of non-government agencies, the St Vincent's Hospital Homeless Health Service partners to deliver a multi-agency response to extreme weather events. This enables the effective coordination in responding the health, housing and support needs for those at risk, ensuring targeted responses to minimise the health impacts.<sup>89</sup>

- 3.82 These existing plans can be used to inform the information and guidance provided in the Protocol to set up and formalise cross-agency coordination. There also needs to be local considerations for different geographic areas, for example, those areas with a large number of people sleeping in bushland that is prone to bushfires.

## People sleeping in vehicles

### Summary

There has been an increase in the number of people experiencing homelessness sleeping in cars and other vehicles. These people often have particular needs. This is an area where more guidance should be provided to assist signatory agencies on the best way to respond to them.

### Recommendation 11

**The Protocol for Homeless People in Public Places should provide guidance on responding to people experiencing homelessness who are sleeping in vehicles.**

- 3.83 Given the reported increase in people experiencing homelessness sleeping in cars and other vehicles, it would be beneficial to make more information available on this issue in the Protocol. These people may not be as immediately obvious as those sleeping in other public places, but they should not be overlooked in terms of providing support if it is required.
- 3.84 Several local councils noted that there was an increase in the numbers of people sleeping in their cars, vans or other vehicles in their local government areas. This is common in coastal areas, where people can also access amenities such as public toilets and showers near beaches. The Northern Beaches Council raised concerns that '...there is little proactive assistance or intervention for this growing population.'<sup>90</sup>
- 3.85 While cars are usually privately owned, they are often parked in public spaces. Certain councils have indicated that this can create a 'grey area' on how to respond to people sleeping in their vehicles.<sup>91</sup> Several councils and Local

<sup>88</sup> Local Government NSW, Submission 6, p11; Northern Beaches Council Safety Committee, Submission 9, p3.

<sup>89</sup> St Vincent's Health Network Sydney, Submission 26, p8.

<sup>90</sup> Northern Beaches Council Safety Committee, Submission 9, p4.

<sup>91</sup> Local Government NSW, Submission 6, p11.

Government NSW indicated that it would be helpful to have some guidance on this included in the Protocol.<sup>92</sup>

- 3.86 In order to better support people experiencing homelessness, particularly in regional areas, the Committee agrees that it would be beneficial to include this information in the Protocol. This will help those staff who may come across people sleeping in their cars as part of their responsibilities, but are not necessarily experienced in responding to people experiencing homelessness.

## Companion animals

### Summary

Companion animals play an important role in the lives of many people sleeping rough. It can be a challenge for staff to know how to appropriately and safely respond to people sleeping rough with companion animals. There is also a limited amount of accommodation that will allow for pets. More information should be provided in the Protocol for Homeless People in Public Places on how to assist people sleeping rough with companion animals.

### Recommendation 12

**The Protocol for Homeless People in Public Places should provide guidance on responding to people sleeping rough with companion animals.**

- 3.87 Companion animals can play a very important role for people sleeping rough. Companion animals support people's mental wellbeing and also provide them with protection. It is important that staff implementing the Protocol tailor their responses to people sleeping rough with companion animals accordingly. This will ensure the safety of staff and also not cause any unnecessary stress to people sleeping rough or their animals.
- 3.88 It is difficult for many people sleeping on the streets with a pet to part with them if they are offered support services. However, many services do not provide for companion animals. The Protocol should be expanded to include more information on how to approach and interact with people sleeping rough with a companion animal. There should also be more information on services for people experiencing homelessness that will allow them to maintain contact with their pet.
- 3.89 Neami National noted the importance of companion animals to many people sleeping rough. They stated that ‘...the relationship they have with their animal must be respected and prioritised when supporting them.’<sup>93</sup>
- 3.90 However, Byron Shire Council highlighted some of the issues encountered by their staff when responding to people sleeping rough with animals, including staff and animal safety. They submitted:

There is a high prevalence of people sleeping rough in public places with pets/animals in the Byron Shire. This can create a number of issues involving safety

<sup>92</sup> For example, City of Newcastle, Submission 4, p5; Inner West Council, Submission 22, p5; Local Government NSW, Submission 6, p11.

<sup>93</sup> Neami National, Submission 17, p4.

when approaching rough sleepers, community safety, and appropriate service responses. People with pets, support with the care of pets on the streets, vaccinations, education for rough sleepers on safety etc needs further consideration.<sup>94</sup>

- 3.91 The Committee was pleased to hear that there had been some work done during the response to the COVID-19 pandemic to better support people who are sleeping rough with companion animals. Mr Shane Jakupec, Regional Manager, Neami National, explained:

As part of COVID there was a committee in the city set up to focus on pets, which was a great response. It had government and sector representatives, including health, and they looked at identifying a hotel that would accommodate pets as part of that. So, it is a really critical part of the system. If you think about it, you are on the street. You are on your own. You have a pet. It could be your best friend and also could be your safety security alarm to keep you safe. Having to withdraw from that is a recipe for disaster.<sup>95</sup>

- 3.92 The Committee also notes that the Department of Communities and Justice recognises this as an issue that requires further attention. Ms Anne Campbell, Executive Director, Housing and Homelessness, said:

...I think the Protocol is fairly silent on pets in there. When someone is sleeping on the street and they have a dog or whatnot, they are not necessarily going to want to be separated from someone who is a constant in their lives. So I think there needs to be something that makes sure that people take into account the needs of the person sleeping rough and their pets.<sup>96</sup>

- 3.93 The Protocol should include more information to help staff respond to people sleeping rough with a pet, and to ensure that they are treated with respect. This could include guidance on the best way to approach the person and how to respond to any needs that the animal may have. It would also be useful to identify more accommodation services that allow pets.

## Personal belongings

### Summary

People sleeping rough have a right to carry and store their belongings. However, there also needs to be a balance between this right and the safety and amenity of other people using public spaces. This can be difficult for staff to negotiate, so there would be a benefit in providing more guidance in the Protocol for Homeless People in Public Places to establish a response that is fair and consistent.

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<sup>94</sup> Byron Shire Council, Submission 21, p1.

<sup>95</sup> Mr Shane Jakupec, Regional Manager, Neami National, Transcript of evidence, 7 August 2020, p53.

<sup>96</sup> Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, Transcript of evidence, 17 August 2020, p42.

### Recommendation 13

**The Protocol for Homeless People in Public Places should provide guidance on a fair and consistent approach to the belongings of people sleeping rough, including storage.**

- 3.94 People sleeping rough have the right to own and store personal belongings. While the Protocol acknowledges this, there is some confusion from agencies as to what people are entitled to in terms of their belongings. The Committee considers that there should be more guidance provided on what is an appropriate number of possessions and what to do when belongings are left unattended for a significant period of time. This will mean that the Protocol is consistently implemented in this area and there is more clarity for people sleeping rough in their interactions with agencies.
- 3.95 The Protocol currently states that people experiencing homelessness have the same entitlement as any member of the public to carry with them and store their own belongings.<sup>97</sup>
- 3.96 However, some stakeholders suggested that this right was not always respected, with belongings being disposed of if special arrangements were not made to secure them. Mission Australia reported:
- Despite this Protocol and other measures, there are ongoing tensions between people sleeping rough and police, businesses and others using public spaces including the removal of possessions of people sleeping rough. When people sleeping rough need to attend appointments or leave their possessions, the onus is on them to find a means of protecting them as the police or council rangers may remove them.<sup>98</sup>
- 3.97 This is a very stressful situation for people sleeping rough, especially if they have necessary medicines, for example, in their possession.<sup>99</sup> The concern over belongings can cause people to avoid physically accessing services because they don't want to leave things behind.<sup>100</sup>
- 3.98 Local councils often find people's belongings and will usually not dispose of them without reasonable warning. If they need to move them, they will keep them as lost property for the owners to recover.<sup>101</sup>
- 3.99 However, some councils did suggest that it would be helpful if there was more guidance on what was a reasonable number of belongings that people could carry with them and store in public, shared spaces. The Committee notes that the City of Sydney uses the guideline of 'a roll of bedding or swag and two pieces of

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<sup>97</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p11.

<sup>98</sup> Mission Australia, Submission 27, p9.

<sup>99</sup> Positive Life NSW, Submission 24, pp2-3.

<sup>100</sup> Shellharbour City Council, Submission 2, p2.

<sup>101</sup> Ms Maddy Humphreys, Project Officer, Homelessness, Public Interest Advocacy Centre, Transcript of evidence, 7 August 2020, p60.

luggage' and considers that this may be a useful starting point to incorporate into the Protocol.<sup>102</sup>

- 3.100 Concerns were also raised about larger campsites being established in public spaces.<sup>103</sup> There can be safety and hygiene issues in relation to these areas. If more information was provided in the Protocol, this would give more support to staff and also provide a more consistent understanding of what is appropriate for people sleeping rough.
- 3.101 The Committee recognises the right of people sleeping rough to carry and store their belongings. Many people do not carry much, and what they do can be precious to them or help them in their day-to-day lives. However, the Committee also understands that the Protocol should provide more clarity on what is reasonable. There should be some discussions about this within the sector, so that a consistent approach can be applied and reflected in the Protocol.

## Housing First

### Summary

The Housing First model is key to helping people sleeping rough get off the streets and into permanent accommodation. It provides stable housing for people with wraparound support services. The Committee supports an increased focus on a Housing First approach in NSW.

### Recommendation 14

**The Protocol for Homeless People in Public Places should refer to the importance of the Housing First approach, in line with the NSW Homelessness Strategy 2018-2023.**

- 3.102 Throughout the inquiry, the Committee heard about the benefits of the Housing First model in supporting people to move out of rough sleeping and into permanent accommodation. The Committee supports the promotion and application of the Housing First model in NSW. Providing people with stable accommodation and offering them tailored support is the best way to help them to transition out of sleeping rough. The Committee considers that if this model is followed, this would support the goals of the Protocol and improve the levels of assistance available to people sleeping rough should they require or request it.
- 3.103 The Housing First model is a response to homelessness that prioritises permanent and stable housing for people experiencing homelessness. Importantly, it operates on the principle that this housing should be provided prior to, and not conditional upon, addressing other health and well-being issues.<sup>104</sup>
- 3.104 When people are adequately and safely housed, there is an opportunity to provide them with wraparound services to better support them. Different people will need different services provided to them. Tailoring support to the needs of each individual that is provided with accommodation will improve the chances

<sup>102</sup> City of Sydney, Submission 12, p2.

<sup>103</sup> Inner West Council, Submission 22, p5.

<sup>104</sup> City of Newcastle, Submission 4, p3.

that they will stay off the streets. Ms Nada Nasser, NSW State Director, Mission Australia, explained:

...as much as possible, we want to see people go into long-term housing right from the beginning with the support wrapped around them and also the support following them or being tailored to their needs. So, it may be that, initially, that support is intensive but that can taper. It may be that the support is only for three months but it may be that it needs to go for five years. It is about having a client-centred approach around that individual.<sup>105</sup>

- 3.105 The Committee was pleased to hear that this approach had been taken on as part of the response to the COVID-19 pandemic. To improve the safety of people sleeping rough, more accommodation was made available to help them get off the streets. When people were in this accommodation, more services were also offered to them to maximise the support available. This included various Government agencies and non-government organisations working together.<sup>106</sup>
- 3.106 These services were made available as pop-ups in the main hotels that were used as temporary accommodation. The organisations had good success in offering support and advice for people's health needs, housing registration and case management.
- 3.107 A number of stakeholders argued that the Housing First model was being held back by a lack of safe, stable and affordable housing.<sup>107</sup> If people are not able to enter housing, then it is harder for them to access the associated wraparound services.
- 3.108 The Committee was pleased to hear about the Together Home project that was initiated by the Government. This is a \$36 million project which aims to secure homes for people experiencing homelessness from the private rental market. It will also provide access to wraparound support health and tenancy services to improve people's wellbeing.<sup>108</sup>
- 3.109 The Committee welcomes the introduction of the Together Home project and expects it to yield some positive outcomes. The Committee also notes that the NSW Homelessness Strategy 2018-2023 recognises the importance of Housing First and intends to 'Expand Housing First in NSW to reduce rough sleeping and prevent chronic homelessness through flexible, tailored supports' as one of its objectives.<sup>109</sup> The Committee hopes that this will lead to more investment in this area.

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<sup>105</sup> Ms Nada Nasser, NSW State Director, Mission Australia, Transcript of evidence, 7 August 2020, p22.

<sup>106</sup> Mr Shane Jakupec, Regional Manager, Neami National, Transcript of evidence, 7 August 2020, p47.

<sup>107</sup> For example, Homelessness NSW, Submission 30, p1 & 2; Local Government NSW, Submission 6, p8; Inner West Council, Submission 22, p4.

<sup>108</sup> NSW Government, [Housing support available for rough sleepers](#), 9 June 2020.

<sup>109</sup> NSW Government, [NSW Homelessness Strategy 2018-2023](#), p21.

## Public Space Liaison Officers

### Summary

Some local councils employ Public Space Liaison Officers who build relationships with people sleeping rough, local businesses and residents. They play an important role in managing conflicts that arise and supporting people sleeping rough to access services. Local government areas with a large number of people sleeping rough should consider employing people in this role.

### Recommendation 15

**The Department of Communities and Justice should consider the benefits of Public Space Liaison Officers with a view to funding these positions in identified areas where there are a high number of people sleeping rough.**

- 3.110 During this inquiry the Committee heard about the use of Public Space Liaison Officers (PSLOs) by some councils. PSLOs actively build relationships with people sleeping rough and other people using public spaces, including businesses and residents. The Committee supports the work done by PSLOs. We consider that this is a very useful function for councils to have, and would encourage any councils with a high volume of people sleeping rough in their local government area to investigate employing staff to perform this role.
- 3.111 City of Sydney employs four PSLOs. City of Sydney told the Committee that the role of PSLOs is to build relationships with people sleeping rough, and also local businesses and residents in order to manage the impacts of homelessness in public places. Ms Monica Barone, Chief Executive Officer, City of Sydney Council, stated:
- ...we also have four public space liaison officers and they have a very particular and important role. They are the people who go about the community and help to reconcile the tension that sometimes arises between rough sleepers and the business community or the residential community. They are out on the ground every day and they get to know people and they help to reconcile some of those tensions.<sup>110</sup>
- 3.112 PSLOs are very aware of the aims of the Protocol and can help to keep people experiencing homelessness informed about it. They also play an important role in encouraging people to engage with relevant services and supporting them into accommodation.
- 3.113 Another area where PSLOs have had success is in the Byron Shire local government area. Byron Shire Council suggested that PSLOs could play an important role as an intermediary between people sleeping rough and other council officers that may not have as much frontline experience. Mr Nick Carlile, Public Space Liaison Officer, Byron Shire Council, noted:

There is that gap between the rangers and rough sleepers and knowing how to address the situation or get them into services. There definitely needs to be a role

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<sup>110</sup> Ms Monica Barone, Chief Executive Officer, City of Sydney Council, Transcript of evidence, 17 August 2020, p24.

there to fill that and I think the public space liaison officer role does that really well.<sup>111</sup>

- 3.114 An increase in the number of PSLOs in those local council areas with a high volume of people sleeping rough would support this Committee's recommendation that there be more of an emphasis on assertive outreach in the Protocol.

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<sup>111</sup> Mr Nick Carlile, Public Space Liaison Officer, Byron Shire Council, Transcript of evidence, 17 August 2020, p35.

# Chapter Four – Education, training and promotion

## Education and training

### Summary

Developing up-to-date education, engagement and training programs for signatory agencies, other agencies and the community, and a considered strategy to deliver these programs would promote a broader, more consistent understanding of the Protocol for Homeless People in Public Places. Currently, training material for signatory agencies does exist, but it is not clear if the material is current, or if it is being proactively delivered to all relevant staff.

### Recommendation 16

**The Department of Communities and Justice should develop and deliver education, engagement and training programs for signatory agencies, other agencies and the community to promote a consistent understanding and implementation of the Protocol for Homeless People in Public Places.**

### Recommendation 17

**The Protocol for Homeless People in Public Places should refer to culturally and linguistically diverse communities and training should include CALD competency and awareness training, as well as awareness and training on how to use the national Translating and Interpreting Service.**

- 4.1 The NSW Government submitted that government agencies should provide the Protocol for Homeless People in Public Places (the Protocol) and Guidelines to all relevant staff. Information about the Protocol should also be provided during induction and general training for relevant staff, contractors and volunteers.<sup>112</sup>
- 4.2 In addition, the NSW Government indicated that a Protocol Training Package, including a Facilitator Guide and Participant Guide, had been developed to support training in the Protocol.<sup>113</sup>
- 4.3 The Committee understands that education and training about the Protocol is available to staff of signatory agencies. However, based on much of the inquiry evidence it would appear that the training may not be current and it is not being delivered as strategically or as widely as it could be.
- 4.4 Consequently, the Committee concluded that the Department of Communities and Justice should revise its training and education program and its delivery strategy. This would ensure that all relevant staff of signatory agencies receive

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<sup>112</sup> NSW Government, Submission 10, p5.

<sup>113</sup> NSW Government, Submission 10, p5.

up-to-date training in the Protocol and have a consistent understanding of its terms.

- 4.5 The Committee agrees with stakeholders that the rights and interests of people sleeping rough would be further advanced if the Department of Communities and Justice also developed complementary education and engagement programs that are targeted to outside agencies (for example, local councils) and the community.
- 4.6 The review of the education, engagement and training material should take into account the recommendations made to this inquiry by stakeholders.
- 4.7 Throughout the inquiry stakeholders expressed their support for an increased emphasis on education and training about the Protocol, the rights of people sleeping rough and the broader issue of homelessness.
- 4.8 Mission Australia, Aboriginal Legal Service (NSW/ACT) and Public Interest Advocacy Centre recommended that mandatory training and education be conducted for staff of signatory agencies that directly engage with people experiencing homelessness. This should include:
- culturally appropriate and sensitive engagement;
  - trauma-informed approaches;
  - the rights of people experiencing homelessness; and
  - local services and referral pathways.<sup>114</sup>
- 4.9 Homelessness NSW recommended that training be conducted for signatory agency staff in contact with people sleeping rough, about experiences of homelessness, the rights-based approach of the Protocol and how to support people sleeping rough. Homelessness NSW suggested that the training should prioritise NSW Police officers in areas with significant rough sleeping, and that it should also be extended to private security licensees who have responsibility for public spaces or other areas such as licensed venues.<sup>115</sup>
- 4.10 Homelessness NSW further recommended that all staff of NSW Members of Parliament be offered training in the Protocol and broader homelessness issues, including how to refer people experiencing homelessness to appropriate services.<sup>116</sup>
- 4.11 There was also wide-ranging support from the local government sector for education and training in the Protocol and the rights of people sleeping rough to be developed and conducted for staff of signatory agencies.<sup>117</sup>

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<sup>114</sup> Mission Australia, Submission 27, p2; Aboriginal Legal Service (NSW/ACT), Submission 33, p4; Public Interest Advocacy Centre, Submission 34, p4.

<sup>115</sup> Homelessness NSW, Submission 30, p4.

<sup>116</sup> Homelessness NSW, Supplementary submission 30A, p1.

<sup>117</sup> Shellharbour City Council, Submission 2, p2; Local Government NSW, Submission 6, p8; Wollongong City Council, Submission 19, p4; Tweed Shire Council, Submission 20, p4.

- 4.12 Inner West Council further suggested that targeted training should be provided to local government staff on how the Protocol should be interpreted at the local level.<sup>118</sup>
- 4.13 Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, indicated that training for signatory agencies and other agencies could be shared by the NSW Government and specialist homelessness services:
- We think it is necessary to provide regular training to relevant staff to ensure they are familiar with the Protocol and how it should be implemented. We would like to see the New South Wales Government proactively organise and deliver training to those agencies and councils who make that endorsement. We also support training to be provided by specialist homelessness services to not only share information and positive outcomes that have come about by working collaboratively, but to build local relationships and foster that collaborative approach.<sup>119</sup>
- 4.14 City of Sydney and Tweed Shire Council recommended increased community engagement and education about the Protocol, focussing on a person's right to be in the public domain. This would enhance the effectiveness of the Protocol and build greater community understanding and awareness of the complex needs of people sleeping rough.<sup>120</sup>
- 4.15 Similarly, Liverpool City Council submitted that the Protocol would be strengthened in its capacity to protect the rights and interests of people sleeping rough in public places by increased awareness raising and community education.<sup>121</sup>
- 4.16 St Vincent's Health Network Sydney also emphasised the importance of community education, particularly in areas where residents are concerned about people experiencing street sleeping. They suggested that this would promote the Protocol's principles to the broader community.<sup>122</sup>
- 4.17 Ms Gowan Vyse, Manager, Social Policy and Programs, City of Sydney, summarised the potential positive consequences of increased community education and engagement:
- There are a few things that could be enhanced with the Protocol. I think that is around education across the non-government sector and specialist homelessness services with businesses and residents too. That will increase the compassion and understanding around the needs of people sleeping rough and also what various levels of government can do and not do about things.<sup>123</sup>
- 4.18 The NSW Aboriginal Housing Office recommended that ongoing locally developed cultural awareness training, delivered in partnership with Aboriginal

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<sup>118</sup> Inner West Council, Submission 22, p3.

<sup>119</sup> Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, Transcript of evidence, 17 August 2020, p3.

<sup>120</sup> City of Sydney, Submission 12, p4; Tweed Shire Council, Submission 20, p4.

<sup>121</sup> Liverpool City Council, Submission 16, p2.

<sup>122</sup> St Vincent's Health Network Sydney, Submission 26, p8.

<sup>123</sup> Ms Gowan Vyse, Manager, Social Policy and Programs, City of Sydney, Transcript of evidence, 17 August 2020, pp25-6.

communities, should be compulsory for signatory agencies. This is particularly important given the over-representation of Aboriginal people experiencing homelessness.<sup>124</sup>

- 4.19 Mission Australia also submitted that staff from signatory agencies should receive cultural awareness training and be equipped to refer Aboriginal and Torres Strait Islander people experiencing homelessness to culturally appropriate and sensitive community services in the area.<sup>125</sup>
- 4.20 Yfoundations recommended that specialised training on child rights, child protection and youth homelessness be developed and conducted for staff of signatory agencies who may come into contact with young people experiencing homelessness and street sleeping. The organisation suggested that this training would be particularly useful for the NSW Police Force who are likely to be the first responders to young people sleeping rough.<sup>126</sup>
- 4.21 Further, Local Government NSW submitted that staff of signatory agencies should be required to undertake Culturally and Linguistically Diverse (CALD) competency and awareness training and training on how to use the national Translating and Interpreting Service.<sup>127</sup>

## Promotion

### Summary

More can be done to proactively promote the Protocol for Homeless People in Public Places to people sleeping rough, agencies and the community. Active and strategic promotion will complement education and engagement strategies to increase awareness and understanding of the Protocol and the rights of people sleeping rough.

### Recommendation 18

**The Department of Communities and Justice should seek input from people who have lived experience of homelessness when developing strategies to promote and increase awareness of the Protocol for Homeless People in Public Places across NSW.**

### Recommendation 19

**The Department of Communities and Justice should work with Transport for NSW to ensure staff, agencies and private providers are aware of the Protocol for Homeless People in Public Places and also the pathways available to connect people sleeping rough with support.**

- 4.22 The Committee heard differing accounts of how widespread awareness of the Protocol was among signatory agencies, other agencies and the community. It

<sup>124</sup> NSW Aboriginal Housing Office, Submission 15, p3.

<sup>125</sup> Mission Australia, Submission 27, p7.

<sup>126</sup> Yfoundations, Submission 31, p10.

<sup>127</sup> Local Government NSW, Submission 6, p12.

notes that, currently, there does not appear to be an active strategy to promote the Protocol and the rights and wellbeing of people sleeping rough.

- 4.23 The Committee believes that the Department of Communities and Justice should examine opportunities to promote the Protocol more widely. A strategic awareness-raising program will complement the increased emphasis on education and engagement that was addressed earlier in this chapter.
- 4.24 In developing strategies to promote the Protocol, the Committee urges the Department of Communities and Justice to consider inquiry stakeholders' ideas, which are noted in this chapter.
- 4.25 Homelessness NSW stated that the existence of the Protocol in itself was a key driver in raising community awareness of people experiencing street sleeping's right to public space and improving agency responses to rough sleeping.<sup>128</sup>
- 4.26 Penrith City Council suggested that the level of awareness of the Protocol was already reasonably high and, as a result, it was being implemented effectively by a range of Government agencies and non-government organisations.<sup>129</sup>
- 4.27 However, Wollongong City Council suggested that the Protocol was not actively promoted when it was first introduced by the NSW Government. This resulted in a 'lukewarm' response to the Protocol and a limited take-up of its principles by local government.<sup>130</sup>
- 4.28 Mission Australia submitted that there are multiple Government agencies that come into direct contact with people sleeping rough who are not aware of the Protocol. A Mission Australia NSW Area Manager used the example of a public library to illustrate this point:
- The Protocol can be a useful tool but it's not well known among some groups that don't usually come in direct contact with people sleeping rough. For example, a new library was opened in a metro area in NSW, a lot of people who were sleeping rough went in there to rest. The staff at the library were unsure about what to do or where to go to get help ... The Protocol would have been a helpful start but it didn't seem like they were aware of it.<sup>131</sup>
- 4.29 Mr James Toomey, CEO, Mission Australia, suggested that knowledge of the Protocol's existence by the general public was non-existent:
- From the perspective of a member of the general public, I would have no concept that there was a Protocol for managing homeless people in public places. I would look at a person sleeping rough and think that someone should be doing something. That would be my general public response.<sup>132</sup>
- 4.30 To counter this lack of general awareness the Exodus Foundation submitted that it is the role of Government to emphasise to agencies and the public that people

<sup>128</sup> Homelessness NSW, Submission 30, p 3.

<sup>129</sup> Penrith City Council, Submission 5, p 2.

<sup>130</sup> Wollongong City Council, Submission 19, p2.

<sup>131</sup> Mission Australia, Submission 27, pp4-5.

<sup>132</sup> Mr James Toomey, CEO, Mission Australia, Transcript of evidence, 7 August 2020, pp20-1.

sleeping rough have all the rights of other members of the community and they should be treated accordingly.<sup>133</sup>

- 4.31 Shellharbour City Council and City of Sydney also submitted that enhancing community awareness of the Protocol would raise awareness about the rights of people sleeping rough.<sup>134</sup>
- 4.32 Mr Toomey suggested, that, as a starting point, any campaign to promote the Protocol and its principles should focus on the fact that guidance exists for interactions with people sleeping rough in public places, as people either are not aware or they forget that it is there:

From that perspective—that sense of unawareness of a protocol—whether it is necessary to, in railway stations, for example, or in other areas where it is possible, provide information that says, "There is a Protocol. This is what you should do if you see a homeless person or if you are concerned about someone. There is a Protocol." That reinforcement of a sense of there being a Protocol. It is important to remind not only organisations that are identified here but also first responders in any of these circumstances. With all of these things, if you are not dealing with it every day, you forget that there is a Protocol. You might have done the training on the Protocol two years ago and the next time you see someone sleeping rough you forget that there is a Protocol.<sup>135</sup>

- 4.33 Inner West Council suggested that a public awareness campaign on how people can report incidences of rough sleeping to homeless services would also be beneficial.<sup>136</sup>
- 4.34 Ms Amy Cason, Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service, suggested that, to promote the Protocol effectively to people sleeping rough and the community, it would have to be done across NSW. It would also need a creative approach with input from people with a lived experience of homelessness and relevant support agencies:

... I would first recognise the importance of having that messaging across the State. A lot of our clients are extremely mobile, especially those who have a level of cognitive impairment, trauma or mental illness... They often move interstate and within the State. ... People do use social media but it should not be the only option. Thinking creatively and asking for input from those with the lived experiences about the best way they would normally access information and involving the services that provide support to help deliver that communication, as well. And then also mainstream services...<sup>137</sup>

- 4.35 Mr Greg Coventry, Volunteer, Newtown Neighbourhood Centre, who has a lived experience of homelessness, suggested that the most effective way to get the message out to people sleeping rough about the Protocol is to do personal

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<sup>133</sup> The Exodus Foundation, Submission 32, p4.

<sup>134</sup> Shellharbour City Council, Submission 2, p2; City of Sydney, Submission 12, p4.

<sup>135</sup> Mr James Toomey, CEO, Mission Australia, Transcript of evidence, 7 August 2020, p21.

<sup>136</sup> Inner West Council, Submission 22, p3.

<sup>137</sup> Ms Amy Cason, Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service, Transcript of evidence, 7 August 2020, p11.

outreach at locations where they are likely to gather (for example, neighbourhood centres and food vans):

For the Government, the food vans and things like that would be a good opportunity to get out there...

If you went to a place like that where there are 100 homeless people lined up and started having people talk to them...but just having someone down there to say, "Look, these are what your rights are."<sup>138</sup>

- 4.36 Mission Australia further recommended that all reviews and updates of the Protocol should be published and actively promoted to signatory agencies and other stakeholders.<sup>139</sup>

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<sup>138</sup> Mr Greg Coventry, Volunteer, Newtown Neighbourhood Centre, Transcript of evidence, 7 August 2020, pp26-7.

<sup>139</sup> Mission Australia, Submission 27, p3.

## Chapter Five – Reviewing the Protocol

### Regular reviews

#### Summary

Regular reviews of the Protocol for Homeless People in Public Places are essential to ensuring that the information and support services listed are current, and reflect a changing environment and emerging issues. The Protocol states that it would undergo a review every two years. However, it appears that the last review occurred in 2014.

#### Recommendation 20

**The Department of Communities and Justice should conduct a review of the Protocol for Homeless People in Public Places every four years.**

- 5.1 The Committee considers that the Protocol for Homeless People in Public Places (the Protocol) should be reviewed regularly to demonstrate the Government's commitment to ensuring the rights and interests of people sleeping rough. The Protocol needs to be regularly reviewed to ensure that the language is appropriate and the details of support services are current. Regular reviews of the Protocol also mean that it is more likely to reflect changing or emerging issues.
- 5.2 The Guidelines for Implementation of the Protocol stated that the Protocol would be reviewed every two years from the date of its publication (October 2012).<sup>140</sup>
- 5.3 Despite the stated two-year review period, the NSW Government reported that the Protocol was last reviewed in 2014.<sup>141</sup>
- 5.4 The NSW Government submitted that signatory agencies felt that the two-year review period was too frequent and not appropriate for reflecting significant changes.<sup>142</sup>
- 5.5 However, a number of stakeholders suggested that the lack of a regular review process was problematic.
- 5.6 For example, Aboriginal Legal Service (NSW/ACT) submitted that the absence of regular reviews has meant that there was little indication as to whether the Protocol was working effectively.<sup>143</sup>
- 5.7 Shellharbour City Council suggested that the lack of a regular review process has resulted in some of the details for service providers, such as names and contact

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<sup>140</sup> Department of Family and Community Services, Housing NSW, [Protocol for Homeless People in Public Places – Guidelines for Implementation – May 2013](#), p12.

<sup>141</sup> NSW Government, Submission 10, p2 & p5.

<sup>142</sup> NSW Government, Submission 10, p2 & p5.

<sup>143</sup> Aboriginal Legal Service (NSW/ACT), Submission 33, p2.

numbers and addresses, not being current.<sup>144</sup> This is discussed further later in this chapter.

## Input into future reviews

### Summary

Homelessness affects a wide cross-section of our community. The Protocol for Homeless People in Public Places will be improved if the views of people with a lived experience of homelessness, including Aboriginal and Torres Strait Islander people, women, people with disability, young people, LGBTIQ+ people and people from culturally and linguistically diverse communities are sought as part of any future reviews of the Protocol.

### Recommendation 21

**Any review of the Protocol for Homeless People in Public Places should have input from people with a lived experience of homelessness, including but not limited to:**

- **Aboriginal and Torres Strait Islander people**
- **Women**
- **People with disability**
- **Young people**
- **LGBTIQ+ people, and**
- **People from culturally and linguistically diverse communities.**

- 5.8 The Committee recognises that any review of the Protocol should have input from people who have experienced, or are experiencing homelessness from all sections of the community.
- 5.9 As the experiences of homelessness are far reaching and diverse, the voices and contributions of people with a lived experience of homelessness, including Aboriginal and Torres Strait Islander people, women, people with disability, young people, LGBTIQ+ people and people from culturally and linguistically diverse (CALD) communities must be heard. The Committee therefore recommends that these groups should be a part of any future reviews of the Protocol to ensure that their unique needs are considered and addressed.
- 5.10 People with lived experience of homelessness can provide a valuable first-hand account of how the Protocol is or isn't working. Mr Greg Coventry, a volunteer with the Newtown Neighbourhood Centre, shared his experiences on the types of approaches and interactions he experienced while sleeping rough. He spoke of positive experiences with some officials, such as being allowed to sleep without interruption on certain trains, and also negative interactions with others. Mr

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<sup>144</sup> Shellharbour City Council, Submission 2, p2.

Coventry suggested that training, particularly in relation to mental health issues, is important for staff interacting with people sleeping rough.<sup>145</sup>

- 5.11 Ms Nattlie Smith, Director for Policy and Evidence, Aboriginal Housing Office, submitted that a range of Aboriginal voices should be heard in any consultations about the future design and delivery of the Protocol:

I think that if you were to hold a series of different Aboriginal consultations where you were able to take the Protocol out to different communities—Aboriginal Affairs has their Local Decision Making groups across New South Wales, also we have got Closing the Gap and the Coalition of Peaks. So there is a whole bunch of different Aboriginal communities, Aboriginal organisations, Aboriginal Local Decision Making groups that could be consulted with this Protocol to ensure the reflection of Aboriginal voices within the design of the actual protocol.<sup>146</sup>

- 5.12 The Committee heard that women are one of the fastest growing demographics experiencing homelessness and sleeping rough,<sup>147</sup> and that women's experience of homelessness can be quite different to that of men. For this reason it is important that the perspectives of women be considered when reviewing the Protocol.

- 5.13 Ms Nicole Yade, General Manager, Lou's Place, said:

Homelessness is a gendered experience. In our service, as a feminist service, we routinely say homelessness is a feminist issue. Women experience homelessness differently to men. That is not to say that there is not a need for more social housing for everyone, but certainly women experience homelessness in different ways. Women often have the care of their children. Women are often fleeing violence. Women are often survivors of childhood abuse.<sup>148</sup>

- 5.14 Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, acknowledged that, currently, the Protocol did not specifically address people with disability. However, Ms Campbell suggested that it would be valuable to engage and consult with people with disability and the National Disability Insurance Agency when reviewing the Protocol in the future.<sup>149</sup>

## Person-centred and trauma-informed language

### Summary

The Protocol for Homeless People in Public Places should be amended to make its language person-focused and so it does not assign labels to people. The Protocol could, for example, replace references to 'homeless people' with 'people experiencing homelessness'. The Protocol's language should also be sensitive to people's history and experiences of trauma.

<sup>145</sup> Mr Greg Coventry, Volunteer, Newtown Neighbourhood Centre, Transcript of evidence, 7 August 2020, p26 & p30.

<sup>146</sup> Ms Nattlie Smith, Director for Policy and Evidence, NSW Aboriginal Housing Office, Transcript of evidence, 7 August 2020, p42.

<sup>147</sup> Mr Digby Hughes, Senior Policy and Research Officer, Homelessness NSW, Transcript of evidence, 7 August 2020, p5.

<sup>148</sup> Ms Nicole Yade, General Manager, Lou's Place, Transcript of evidence, 7 August 2020, p37.

<sup>149</sup> Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, Transcript of evidence, 17 August 2020, p37.

## Recommendation 22

**The Protocol for Homeless People in Public Places' language should be reviewed to make it person-centred and trauma-informed.**

- 5.15 The Committee recommends that the language used in the Protocol should be improved so that it reflects the humanity and individuality of a person experiencing homelessness, rather than assigning them a label that will only serve to stigmatise them. The Committee believes that it is important to take a person-centred approach that is also sensitive to people's personal experiences of trauma when reviewing the Protocol's language.
- 5.16 Many stakeholders recommended that the term 'homeless people' be reworded in the Protocol to reflect homelessness as a temporary experience. Several suggested the term 'people experiencing homelessness'.<sup>150</sup>
- 5.17 Orange Sky suggested that '...homelessness is not a label, but rather, a state of being', and encouraged the term 'friends on the street' or 'people experiencing a state of homeless'.<sup>151</sup>
- 5.18 Other suggestions for person-focused language being used in future reviews of the Protocol included replacing the term 'mental disorders' with 'people with a mental health condition'.<sup>152</sup>
- 5.19 Ms Amy Cason, Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service, said that as well as the Protocol's language needing to be person-centred it also should be trauma-informed:
- ... the language [should] also be trauma informed. By that we mean that there is an awareness of, and a sensitivity to people's history of trauma and how this might affect their lives, their behaviour, the services and supports that they need.<sup>153</sup>
- 5.20 Orange Sky submitted that the Protocol's language could be used to actively make a connection between people experiencing homelessness, signatory agency staff and other people in the community:

The Protocol tends to make the reader feel like the document is designed to distance officials and service providers from friends rather than bridge the divide... People experiencing homelessness often don't seek support, so approaching it as a 'genuine, non-judgemental' connection as opposed to 'information exchange' may

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<sup>150</sup> For example, NSW Aboriginal Housing Office, Submission 15, p4; Ms Amy Cason, Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service, Transcript of evidence, 7 August 2020, p11; Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, Transcript of evidence, 17 August 2020, p3.

<sup>151</sup> Orange Sky, Submission 8, pp1-2.

<sup>152</sup> Neami National, Submission 17, p2.

<sup>153</sup> Ms Amy Cason, Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service, Transcript of evidence, 7 August 2020, p11.

result in the positive outcome that is desired. Perhaps, the Protocol could be redeveloped to better facilitate a 'connection' as opposed to 'exchange'.<sup>154</sup>

## Currency and accuracy of service provider details

### Summary

The service providers listed in the Protocol for Homeless People in Public Places are out-of-date, with some agency titles and contact details not being current. Regular reviews of this information will ensure that it remains up-to-date and relevant. Reviewing this information also presents the opportunity to expand the contact list to better meet the needs of people sleeping rough.

### Recommendation 23

**The titles and contact details of service providers contained in the Protocol for Homeless People in Public Places should be reviewed annually for currency and accuracy with the updated version being circulated to all signatories with the request that it is circulated to officers and staff.**

- 5.21 While a review of the current service providers listed in the Protocol shows that most of the details are current, the Committee recommends that this information be reviewed and updated more regularly. This will ensure that it remains current and useful to staff of signatory agencies and people sleeping rough. The Committee also supports the inclusion of more service providers to better meet the needs of people sleeping rough.
- 5.22 As noted earlier in this chapter, on its release, the Protocol stated that it would undergo a review every two years. This has not occurred.
- 5.23 The lack of a regular review process has resulted in the names and contact details of service providers not being updated for some time and some of the organisation titles and contact details no longer being correct.<sup>155</sup>
- 5.24 Stakeholders noted the importance of accurate contact details for the Protocol to be effective.<sup>156</sup> Regularly reviewing this information will ensure that the details remain current and useful to staff of signatory agencies. Mission Australia also recommended that signatory agencies be notified when any updates are made to the list of service providers.<sup>157</sup>
- 5.25 Stakeholders suggested that, as part of any future review of the Protocol, the service providers listed could also be expanded include more support services that are specialised to, for example, Aboriginal and Torres Strait Islander, CALD and LGBTIQ+ communities.<sup>158</sup>

<sup>154</sup> Orange Sky, Submission 8, p2

<sup>155</sup> Shellharbour City Council, Submission 2, p2.

<sup>156</sup> Mission Australia, Submission 27, pp2-3; Public Interest Advocacy Centre, Submission 34, p7.

<sup>157</sup> Mission Australia, Submission 27, p3.

<sup>158</sup> Byron Shire Council, Submission 21, p1; Ms Nattalie Smith, Director for Policy and Evidence, NSW Aboriginal Housing Office, Transcript of evidence, 7 August 2020, p41.

## Appendix One – Terms of reference

That the Committee inquires into and reports on:

- a) Whether the Protocol continues to provide an effective framework for Government organisations with an operational presence in public places and for services that support people who are experiencing homelessness.
- b) The extent to which the Protocol is being implemented in practice by Government organisations providing direct service delivery, and non-government organisations contracted on behalf of Government.
- c) The appropriateness of the Protocol to support joint responses between Government organisations, non-government organisations and local governments working in partnership to respond to homelessness.
- d) Whether the Protocol adequately protects the rights and interests of people who are experiencing homelessness who use public places, including indigenous people and minority groups.
- e) Whether the Protocol appropriately balances the rights and interests of people who are experiencing homelessness with those of residents, businesses and other people and organisations using public places.
- f) Any other related matters.

## Appendix Two – Conduct of inquiry

### **Adopting terms of reference**

On 14 November 2019 the Committee resolved to inquire into and report on the operation of the Protocol for Homeless People in Public Places. The terms of reference for the inquiry are at Appendix 1.

### **Call for submissions**

The Committee Chair made a video announcing the inquiry and calling for submissions, which was shared via the Parliament of NSW's Facebook page and Twitter feed.

The Committee also issued a media release and wrote to key stakeholders inviting them to make a submission.

Submissions closed on 28 February 2020. Thirty five submissions were received from the community, service providers, local councils and the NSW Government.

A list of submissions is at Appendix Three. Submissions are available on the Committee website.

### **Public hearings**

The Committee held two public hearings at Parliament House in August 2020, with witnesses representing the services providers, local councils and the NSW Government.

A list of public hearing witnesses is at Appendix Four. Transcripts of evidence taken at the hearings are available via the Committee's webpage.

## Appendix Three – Submissions

<b>No.</b>	<b>Author</b>
1	Mr Grant Mistler
2	Shellharbour City Council
3	Disability Council NSW
4	City of Newcastle
5	Penrith City Council
6	Local Government NSW
7	Confidential
8	Orange Sky Australia
9	Northern Beaches Council Community Safety Committee
10	NSW Government
11	Name suppressed
12	City of Sydney
13	Confidential
14	Wagga Wagga City Council
15	Aboriginal Housing Office
16	Liverpool City Council
17	Neami National
18	Legal Aid NSW
19	Wollongong City Council
20	Tweed Shire Council
21	Byron Shire Council
22	Inner West Council
23	End Street Sleeping Collaboration
24	Positive Life NSW
25	City of Parramatta Council
26	St Vincent's Health Network Sydney
27	Mission Australia
28	Confidential
29	Confidential
30	Homelessness NSW
30a	Homelessness NSW
31	Yfoundations

<b>No.</b>	<b>Author</b>
32	Exodus Foundation
33	Aboriginal Legal Service (NSW/ACT) Limited
34	Public Interest Advocacy Centre Ltd

## Appendix Four – Witnesses

**7 August 2020 – Macquarie Room, Parliament House, Sydney NSW**

<b>Witness</b>	<b>Position and organisation</b>
Ms Katherine McKernan	Chief Executive Officer, Homelessness NSW
Mr Digby Hughes	Senior Policy and Research Officer, Homelessness NSW
Ms Erin Longbottom	Nursing Unit Manager, Homeless Health Service, St Vincent's Homeless Health Service
Ms Amy Cason	Assertive Outreach Services Manager, Homeless Health Service, St Vincent's Homeless Health Service
Mr Brendan Clifford	Senior Project Officer, Inclusive Health Officer, St Vincent's Homeless Health Service
Mr James Toomey	CEO, Mission Australia
Ms Nada Nasser	NSW State Director, Mission Australia
Mr Greg Coventry	Volunteer, Newtown Neighbourhood Centre
Mr Jason Preston	Case Manager, Newtown Neighbourhood Centre
Ms Nicole Yade	General Manager, Lou's Place
Ms Nattlie Smith	Director for Policy and Evidence, Aboriginal Housing Office
Mr Shane Jakupiec	Regional Manager, Neami National
Ms Maddy Humphreys	Project Officer, Homelessness, Public Interest Advocacy Centre
Ms Rebecca Warfield	Consumer Representative, StreetCare, Public Interest Advocacy Centre
Ms Roslyn Cook	Managing Solicitor, Homeless Persons' Legal Service, Public Interest Advocacy Centre

**17 August 2020 – Jubilee Room, Parliament House, Sydney NSW, and by videoconference**

<b>Witness</b>	<b>Position and organisation</b>
Mr Brett Macklin	Director, Homelessness and Housing, St Vincent de Paul Society NSW
Ms Karen Soper	Manager, Homelessness and Housing, St Vincent de Paul Society NSW
Ms Cindi Anne Petersen	Executive Officer, Launchpad Youth Community Inc.
Mr Steven Wenzel	Service Director, Community Programs, Momentum Collective
Ms Nicole Secomb	Community Services Manager, Momentum Collective
Ms Katie Burgess	Acting Senior Manager Governance, Northern Rivers Community Gateway
Mr Tony Davies	Chief Executive Officer, Social Futures
Ms Cathy Serventy	Senior Manager, Housing and Employment, Social Futures
Ms Virginia Walker	Chief Executive Officer, Momentum Collective
Ms Jenny Ranft	Divisional Manager, Community Services, Wentworth Community Housing
Ms Monica Barone	Chief Executive Officer, City of Sydney Council
Ms Gowan Vyse	Manager, Social Policy and Programs, City of Sydney Council
Mr Jon Swain	Manager Homelessness, City of Sydney Council
Mr Nick Carlile	Public Space Liaison Officer, Byron Shire Council
Ms Jeni Pollard	City Activation, Community and Place Manager, Penrith City Council
Ms Vesna Kapetanovic	Community Projects Officer, Penrith City Council
Ms Chantelle Howse	Coordinator Community Development, Tweed Shire Council
Ms Megan Ang	Acting Manager, Community Service, Hawkesbury City Council

<b>Witness</b>	<b>Position and organisation</b>
Mr Paul Vevers	Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice
Ms Anne Campbell	Executive Director, Housing and Homelessness, Department of Communities and Justice

## Appendix Five – Extracts from minutes

### **MINUTES OF MEETING No 2**

12:33 pm, 18 September 2019

Room 1254, Parliament House

#### **Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong, Ms Trish Doyle

#### **Officers in attendance**

Clara Hawker, Bjarne Nordin, Kieran Lewis, Derya Sekmen

#### **1. Confirmation of minutes**

Resolved on the motion of Ms Leong, seconded by Ms Gibbons, that the minutes of the meeting of 20 June 2019 be confirmed.

#### **2. \*\*\***

#### **3. Background briefs**

The Committee discussed potential inquiry topics.

- \*\*\*.
- Ms Lindsay suggested that further advice was being sought in relation to the following topics:
  - o Homelessness and the capacity of agencies to meet previous commitments to address street sleeping homelessness, including the development of protocols for homeless people.
  - o \*\*\*
  - o \*\*\*

Discussion ensued.

The Committee agreed to seek further advice and to make a determination about a new inquiry at the next meeting.

#### **4. Next meeting**

The Committee adjourned at 12:59pm until 17 October 2019 in Room 1254.

### **MINUTES OF MEETING No 3**

11:36 am, 17 October 2019

Room 1254, Parliament House

**Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Ms Melanie Gibbons, Mr David Harris

**Officers in attendance**

Clara Hawker, Mohini Mehta

**1. Apologies**

Ms Jenny Leong, Ms Trish Doyle

**2. Confirmation of minutes**

Resolved on the motion of Ms Gibbons, seconded by Mr Clancy, that the minutes of the meeting of 18 September 2019 be confirmed.

**3. \*\*\***

**4. Background briefs**

The Committee reviewed two separate proposals for the conduct of an inquiry addressed to the Chair from:

- The Hon Gareth Ward MP, Minister for Families and Communities, Minister for Disability Services, dated 16 October 2019, requesting that the Committee conducts an Inquiry into the Protocol for Homeless People in Public Places, and
- \*\*\*

Resolved on the motion of Mr Saunders, that the Committee adopts Minister Ward's inquiry proposal.

The Committee agreed to confirm the Terms of Reference, Inquiry program and submission stakeholder's list for adoption at the next meeting.

**5. Next meeting**

The Committee adjourned at 12:00noon until 14 November 2019 in Room 1254.

**MINUTES OF MEETING No 4**

9:49 am, 14 November 2019

Room 1254, Parliament House

**Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Mr David Harris

**Officers in attendance**

Clara Hawker, Bjarne Nordin, Kieran Lewis, Jennifer Gallagher

**1. Apologies**

Ms Jenny Leong, Ms Trish Doyle, Ms Melanie Gibbons

**2. Confirmation of minutes**

Resolved on the motion of Mr Harris, seconded by Mr Clancy:

That the minutes of deliberative meeting No. 3 of 17 October 2019, be confirmed.

**3. Adoption of Inquiry**

The Committee considered the draft terms of reference, timeline and stakeholder list for an inquiry into the Protocol of Homeless People in Public Places, referred by Minister Ward.

Resolved on the motion of Mr Clancy, seconded by Mr Harris:

- That the Committee adopts the proposed terms of reference, as amended, for an inquiry into the Protocol for Homeless People in Public Places.
- That the Committee agrees to the indicative timeline for the inquiry, as proposed.
- That the Committee writes to all organisations identified in the stakeholder list circulated, inviting submissions by 28 February.
- That the Committee advertises the inquiry, including using social media platforms.

**4. Next meeting**

The Committee adjourned at 9:53 am until a date and time to be confirmed.

**MINUTES OF MEETING No. 5**

3.35 pm, 2 April 2020

Conducted via teleconference

**Members present**

Ms Wendy Lindsay (Chair), Mr Justin Clancy, Ms Trish Doyle, Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong

**Officers in attendance**

Clara Hawker, Rohan Tyler, Leon Last, Jennifer Gallagher

**1. Apologies**

Mr Dugald Saunders (Deputy Chair)

**2. Confirmation of minutes**

Resolved on the motion of Mr Clancy, seconded by Mr Harris:

That the minutes of deliberative meeting No. 4 of 14 November 2019 be confirmed.

### **3. Inquiry into the Protocol for Homeless People in Public Places**

Resolved on the motion of Mr Harris, seconded by Ms Leong:

That the following submissions be published in full, with private contact details redacted:

1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33 and 34.

That submission 11 be kept partially confidential to the Committee.

That the following submissions be kept confidential to the Committee: 7, 13, 28 and 29.

Discussion ensued about the progress of the inquiry.

The Committee undertook to write to stakeholders who have made a submission to the inquiry to thank them and advise them of the progress of the inquiry.

### **4. Next meeting**

The Committee adjourned at 3.50 pm until Thursday 23 April 2020.

## **MINUTES OF MEETING No. 6**

3.35 pm, 18 June 2020

Macquarie Room, Parliament House

### **Members present**

Ms Wendy Lindsay (Chair), Mr Justin Clancy, Ms Trish Doyle, Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong

### **Officers in attendance**

Clara Hawker, Rohan Tyler, Leon Last

#### **1. Apologies**

Mr Dugald Saunders (Deputy Chair)

#### **2. Confirmation of minutes**

Resolved on the motion of Ms Leong, seconded by Mr Clancy:

That the minutes of deliberative meeting no. 5 of 2 April 2020 be confirmed.

#### **3. Inquiry into the Protocol for Homeless People in Public Places**

The Committee discussed the progress of the inquiry, including possible dates for public hearings and potential witnesses to invite to give evidence.

Resolved on the motion of Ms Doyle, seconded by Ms Gibbons:

That the Committee conduct public hearings in Sydney for the Inquiry into the Protocol for Homeless People in Public Places, at a time and date to be agreed; and that witnesses be invited to appear to give evidence.

#### **4. Next meeting**

The Committee adjourned at 3.48 pm until a time and date to be confirmed.

#### **MINUTES OF MEETING No. 7**

8.50 am, 7 August 2020

Macquarie Room, Parliament House

#### **Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Ms Trish Doyle, Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong

#### **Officers in attendance**

Clara Hawker, Rohan Tyler, Leon Last, Jennifer Gallagher

#### **1. Apologies**

Mr Justin Clancy

#### **2. Deliberative meeting**

##### **2.1 Confirmation of minutes**

Resolved on the motion of Ms Gibbons, seconded by Mr Saunders:

That the minutes of deliberative meeting no. 6 of 18 June 2020 be confirmed.

##### **2.2** Resolved on the motion of Ms Doyle, seconded by Ms Gibbons:

That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 7 August 2020, in accordance with the guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

##### **2.3** Resolved on the motion of Ms Leong, seconded by Ms Doyle:

That witnesses be requested to return answers to questions taken on notice and additional questions within 2 weeks (with an extension, if requested) of the date on which the questions are forwarded to the witnesses.

The deliberative meeting concluded at 9.00 am.

#### **3. Public hearing: Inquiry into the Protocol for Homeless People in Public Places**

Witnesses were admitted. The Chair opened the public hearing at 9.02 am and, after welcoming the witnesses, made a short opening statement.

Ms Katherine McKernan, Chief Executive Officer, Homelessness NSW, and Mr Digby Hughes, Senior Policy and Research Officer, Homelessness NSW, were affirmed.

Ms McKernan made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

Ms Erin Longbottom, Nursing Unit Manager, St Vincent's Homeless Health Service, Mr Brendan Clifford, Senior Project Officer, Inclusive Health Officer, St Vincent's Homeless Health Service, and Ms Amy Cason, Assertive Outreach Services Manager, St Vincent's Homeless Health Service, were affirmed.

Ms Cason made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

The hearing adjourned at 10.40 am and resumed at 10.54 am.

Mr James Toomey, CEO, Mission Australia, was sworn.

Ms Nada Nasser, NSW State Director, Mission Australia, was affirmed.

Mr Toomey made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

Mr Greg Coventry, Volunteer, Newtown Neighbourhood Centre, was sworn.

Mr Jason Preston, Case Manager, Newtown Neighbourhood Centre, was affirmed.

Mr Coventry made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

The hearing adjourned at 12.20 pm and resumed at 1.20 pm.

Ms Nicole Yade, General Manager, Lou's Place, was affirmed.

Ms Yade made an opening statement.

The Committee commenced questioning the witness. Evidence concluded, the witness withdrew.

Ms Nattalie Smith, Director, Policy and Evidence, Aboriginal Housing Office, was affirmed.

Ms Smith made an opening statement.

The Committee commenced questioning the witness. Evidence concluded, the witness withdrew.

The hearing adjourned at 2.26 pm and resumed at 2.44 pm.

Mr Shane Jakupec, Regional Manager, Neami National, was affirmed.

Mr Jakupec made an opening statement.

The Committee commenced questioning the witness. Evidence concluded, the witness withdrew.

Ms Maddy Humphreys, Project Officer, Homelessness, Public Interest Advocacy Centre, and Ms Rebecca Warfield, Consumer Representative, Public Interest Advocacy Centre, were sworn.

Ms Roslyn Cook, Managing Solicitor, Homeless Persons' Legal Service, Public Interest Advocacy Centre, was affirmed.

Ms Warfield made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

The public hearing concluded at 4.16 pm.

#### **4. Post-hearing deliberative meeting**

The Committee commenced a deliberative meeting at 4.17 pm.

- 4.1** Resolved on the motion of Ms Gibbons, seconded by Mr Saunders:  
That the corrected transcript of public evidence given today be authorised for publication and uploaded on the Committee's website.

#### **5. Next meeting**

The Committee adjourned at 4.20 pm until 17 August 2020 at 8.45 am.

### **MINUTES OF MEETING No. 8**

8.53 am, 17 August 2020

Jubilee Room, Parliament House, and by Webex

#### **Members present**

Ms Wendy Lindsay (Chair), Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong

By Webex: Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Ms Trish Doyle

#### **Officers in attendance**

Clara Hawker, Rohan Tyler, Leon Last, Jennifer Gallagher

#### **1. Deliberative meeting**

##### **1.1 Confirmation of minutes**

Resolved on the motion of Ms Gibbons, seconded by Mr Saunders:

That the minutes of deliberative meeting no. 7 of 7 August 2020 be confirmed.

**1.2** Resolved on the motion of Ms Leong, seconded by Mr Saunders:

That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 17 August 2020, in accordance with the guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

**1.3** Resolved on the motion of Ms Leong, seconded by Mr Clancy:

That witnesses be requested to return answers to questions taken on notice and additional questions within 2 weeks (with an extension, if requested) of the date on which the questions are forwarded to the witnesses.

The deliberative meeting concluded at 8.58 am.

## **2. Public hearing: Inquiry into the Protocol for Homeless People in Public Places**

Witnesses were admitted. The Chair opened the public hearing at 9.00 am and, after welcoming the witnesses, made a short opening statement.

Ms Karen Soper, Manager, Homelessness and Housing, St Vincent de Paul Society NSW, and Mr Brett Macklin, Director, Homelessness and Housing, St Vincent de Paul Society NSW, attended by Webex and were affirmed.

Mr Macklin made an opening statement.

Ms Soper made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

Ms Cindi Petersen, Executive Officer, Launchpad Youth Community Inc., attended by Webex and was affirmed.

Ms Petersen made an opening statement.

The Committee commenced questioning the witness. Evidence concluded, the witness withdrew.

The hearing adjourned at 10.17 am and resumed at 10.45 am.

Mr Tony Davies, CEO, Social Futures, Ms Cathy Serventy, Senior Manager, Housing and Employment, Social Futures, Ms Katy Burgess, Manager, Community Support Programs, Northern Rivers Community Gateway, Ms Nicole Secomb, Community Support Manager, Momentum Collective, and Ms Virginia Walker, CEO, Momentum Collective, attended by Webex and were affirmed.

Mr Steven Wenzel, Service Director, Community Programs, Momentum Collective, attended by Webex and was sworn.

Mr Davies made an opening statement.

Ms Walker made an opening statement.

Ms Burgess made an opening statement.

Mr Wenzel made an opening statement.

Ms Secomb made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

Ms Jenny Ranft, Divisional Manager, Community Services, Wentworth Community Housing, attended by Webex and was sworn.

Ms Ranft made an opening statement.

The Committee commenced questioning the witness. Evidence concluded, the witness withdrew.

Mr Jon Swain, Manager, Homelessness, City of Sydney Council, Ms Gowan Vyse, Manager, Social Policy and Programs, City of Sydney Council, and Ms Monica Barone, CEO, City of Sydney Council, attended by Webex and were affirmed.

Ms Barone made an opening statement.

The Committee commenced questioning the witnesses. Evidence concluded, the witnesses withdrew.

The hearing adjourned at 1.06 pm and resumed at 2.04 pm.

Ms Vesna Kapetanovic, Community Projects Officer, Penrith City Council, Ms Chantelle Howse, Coordinator Community Development, Tweed Shire Council, Mr Nick Carlile, Public Space Liaison Officer, Byron Shire Council, and Ms Megan Ang, Acting Manager, Community Services, Hawkesbury City Council, attended by Webex and were affirmed.

Mr Carlile made an opening statement.

Ms Howse made an opening statement.

Ms Jeni Pollard, City Activation, Community and Place Manager, Penrith City Council, attended by Webex and was affirmed.

The Committee commenced questioning the witnesses.

Ms Ang made an opening statement.

Evidence concluded, the witnesses withdrew.

Mr Paul Vevers, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, and Ms Anne Campbell, Executive Director, Housing and Homelessness, Department of Communities and Justice, were sworn.

Mr Vevers made an opening statement.

The Committee commenced questioning the witnesses.

Mr Vevers tendered the following document from the Department of Communities and Justice:

*Attention: Legislative Assembly Committee Members for the Inquiry into the Protocol for Homeless People in Public Places – \*\*\*.*

Evidence concluded, the witnesses withdrew.

The public hearing concluded at 4.05 pm.

### **3. Post-hearing deliberative meeting**

The Committee commenced a deliberative meeting at 4.06 pm.

**3.1** Resolved on the motion of Mr Clancy, seconded by Mr Saunders:

That the corrected transcript of public evidence given today be authorised for publication and uploaded on the Committee's website.

**3.2** Resolved on the motion of Ms Leong, seconded by Mr Harris:

That the name of an individual referred to during the giving of evidence by the Department of Communities and Justice, \*\*\*, be redacted from the corrected public transcript of evidence given today.

**3.3** Resolved on the motion of Mr Harris, seconded by Mr Saunders:

That the Committee accept the following document tendered during the public hearing:

*Attention: Legislative Assembly Committee Members for the Inquiry into the Protocol for Homeless People in Public Places – \*\*\*,  
Department of Communities and Justice.*

### **4. Next meeting**

The Committee adjourned at 4.10 pm until a time and date to be confirmed.

#### **MINUTES OF MEETING No. 9**

11.34 am, 24 September 2020

Meeting Room 1043, Parliament House

#### **Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Ms Trish Doyle, Ms Melanie Gibbons, Mr David Harris, Ms Jenny Leong

**Officers in attendance**

Clara Hawker (by Webex), Rohan Tyler, Leon Last, Jennifer Gallagher

**1. Confirmation of minutes**

Resolved on the motion of Mr Harris, seconded by Ms Doyle:

That the minutes of deliberative meeting no. 8 of 17 August 2020 be confirmed.

**2. Public hearing: Inquiry into the Protocol for Homeless People in Public Places**

Resolved on the motion of Mr Clancy, seconded by Mr Saunders:

That the Committee accepts the supplementary submission from Homelessness NSW and publishes it on the Committee's website, with private contact details and signatures of individuals redacted.

Resolved on the motion of Ms Doyle, seconded by Mr Clancy:

That the Committee accepts the document, *Position Description (Employee) Public Space Liaison Officer*, from City of Sydney Council and publishes it on the Committee's website.

Resolved on the motion of Ms Doyle, seconded by Mr Saunders:

That the Committee accepts written answers to its additional questions from Byron Shire Council, Hawkesbury City Council, Penrith City Council and Tweed Shire Council and publishes them on the Committee's website.

The Committee discussed a proposed timeline for drafting, considering and tabling the inquiry report and considered a proposed report outline.

**3. Next meeting**

The Committee adjourned at 11.43 am until a time and date to be confirmed.

**MINUTES OF MEETING No. 10**

2.04 pm, 16 November 2020

Meeting Room 1136, Parliament House

**Members present**

Ms Wendy Lindsay (Chair), Mr Dugald Saunders (Deputy Chair), Mr Justin Clancy, Ms Trish Doyle, Ms Melanie Gibbons (by Webex), Mr David Harris, Ms Jenny Leong

**Officers in attendance**

Clara Hawker, Rohan Tyler, Leon Last

**1. Confirmation of minutes**

Resolved on the motion of Mr Clancy, seconded by Mr Saunders:

That the minutes of deliberative meeting no. 9 of 24 September 2020 be confirmed.

## 2. Inquiry into the Protocol for Homeless People in Public Places

### 2.1 Consideration of Chair's draft report

Resolved on the motion of Ms Doyle, seconded by Mr Clancy:  
That the Committee consider the draft report on the Protocol for Homeless People in Public Places chapter by chapter.

Resolved on the motion of Ms Leong, seconded by Ms Doyle, that a new paragraph 1.17 be inserted that reads:

'People sleeping rough make up 7 per cent of people experiencing homelessness, according to the ABS Census.' (Footnote, Homelessness NSW, Submission 30, p2).

Resolved on the motion of Ms Doyle, seconded by Mr Clancy:  
That Chapter 1, as amended, stand part of the report.

Resolved, on the motion of Ms Leong, seconded by Ms Doyle:  
That Recommendation 1 be amended by inserting the words, ', implementation plan and accountability mechanisms', after 'The Department of Communities and Justice should consider the development of a review mechanism'.

Resolved on the motion of Ms Doyle, seconded by Mr Saunders:  
That Chapter 2, as amended, stand part of the report.

Resolved, on the motion of Ms Leong, seconded by Ms Gibbons:  
That Recommendation 3 be amended by inserting the words, 'in line with Assertive Outreach Good Practice Guidelines', after the words 'The Protocol for Homeless People in Public Places should have a stronger emphasis on assertive outreach'.

Resolved, on the motion of Ms Leong, seconded by Mr Harris:  
That Recommendation 4 be amended by inserting the word 'existing' after 'The Protocol for Homeless People in Public Places should include guidance, or enhance its', and adding three new bullet points to the list as follows:

- Young people
- LGBTIQ+ people
- Non-citizens'

Resolved, on the motion of Ms Leong, seconded by Mr Clancy, that a new recommendation be inserted, prior to paragraph 3.11 that reads:  
'The Department of Communities and Justice should consider including reference to the appropriate child protection provisions for children under 18 years of age who are sleeping rough and guidance on appropriate responses to people under 24 years of age who are sleeping rough.'

Resolved, on the motion of Ms Gibbons, seconded by Mr Clancy:  
That Recommendation 5 be amended by inserting the words 'The Department of Communities and Justice should give' before the words 'More relevant agencies', and deleting the words 'should have'.

Resolved, on the motion of Ms Leong, seconded by Mr Clancy, that a new recommendation be inserted, prior to paragraph 3.40 that reads:  
'That local councils across NSW be encouraged to become signatories to the Protocol for Homeless People in Public Places. The Department of Communities and Justice, the Office of Local Government and Local Government NSW should consider establishing a coordinating role to support those councils in implementing the Protocol.'

Resolved, on the motion of Ms Leong, seconded by Mr Saunders:  
That Recommendation 6 be amended by inserting 'an implementation plan for signatories as well as' after 'The Protocol for Homeless People in Public Places should include'.

Resolved, on the motion of Ms Leong, seconded by Ms Doyle:  
That Recommendation 11 be amended by deleting the words 'storage of' and inserting the words ', including storage.' after the words 'people sleeping rough'.

Resolved, on the motion of Ms Leong, seconded by Mr Clancy, that a new recommendation be inserted, prior to paragraph 3.102 that reads:  
'The Protocol for Homeless People in Public Places should refer to the importance of the Housing First approach, in line with the NSW Homelessness Strategy 2018-2023.'

Resolved, on the motion of Ms Leong, seconded by Mr Saunders, that:  
Paragraph 3.105 be amended by inserting the word 'Government' after 'This included various', inserting the word 'non-government' after 'and', and deleting the words 'such as' and the following bullet list.

Resolved, on the motion of Ms Leong, seconded by Mr Harris, that a new recommendation be inserted, prior to paragraph 3.110 that reads:  
'The Department of Communities and Justice should consider the benefits of Public Space Liaison Officers with a view to funding these positions in identified areas where there are a high number of people sleeping rough.'

Resolved, on the motion of Ms Leong, seconded by Mr Saunders:  
That Chapter 3, as amended, stand part of the report.

Resolved, on the motion of Ms Leong, seconded by Mr Harris, that a new recommendation be inserted, prior to paragraph 4.1 that reads:  
'The Protocol for Homeless People in Public Places should refer to culturally and linguistically diverse communities and training should include CALD competency and awareness training, as well as awareness and training on how to use the national Translating and Interpreting Service.'

Resolved, on the motion of Ms Leong, seconded by Mr Saunders:  
That Recommendation 13 be amended by deleting the word 'develop' and inserting the words 'seek input from people who have lived experience of homelessness when developing' after 'The Department of Communities and Justice should', and inserting the words 'across NSW' after the words 'the Protocol for Homeless People in Public Places'.

Resolved, on the motion of Ms Leong, seconded by Ms Gibbons, that a new recommendation be inserted, prior to paragraph 4.22 that reads:  
'The Department of Communities and Justice should work with Transport for NSW to ensure staff, agencies and private providers are aware of the Protocol for Homeless People in Public Places and also the pathways available to connect people sleeping rough with support.'

Resolved, on the motion of Mr Saunders, seconded by Ms Leong:  
That Chapter 4, as amended, stand part of the report.

Resolved, on the motion of Ms Leong, seconded by Mr Saunders:  
That Recommendation 14 be amended by replacing the words 'establish an appropriate timeline for regular reviews' with the words 'conduct a review', and inserting the words 'every four years' after the words 'the Protocol for Homeless People in Public Places.'

Resolved, on the motion of Ms Leong, seconded by Mr Harris:  
That Recommendation 15 be amended by adding two new dot points, as follows:

- Young people
- LGBTIQ+ people'

Resolved, on the motion of Ms Leong, seconded by Mr Harris:  
That Recommendation 17 be amended by deleting the word 'regularly', inserting the word 'annually' after the word 'reviewed' and inserting the words 'with the updated version being circulated to all signatories with the request that it is circulated to officers and staff.' after the words 'for currency and accuracy'.

Resolved, on the motion of Mr Harris, seconded by Ms Gibbons:  
That Chapter 5, as amended, stand part of the report.

Resolved, on the motion of Mr Saunders, seconded by Ms Leong:

- That the draft report, as amended, be the report of the Committee, and that it be signed by the Chair and presented to the House;
- That the Chair and Committee staff be permitted to correct stylistic, typographical and grammatical errors; and
- That once tabled, the report be posted on the Committee's website.

**3. \*\*\***

**4. Next meeting**

The Committee adjourned at 3.02 pm until a time and date to be confirmed.