

**INQUIRY INTO ADMINISTRATION OF THE 2007 NSW  
ELECTION AND RELATED MATTERS**

**Organisation:** Homelessness NSW  
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# Homelessness NSW.ACT



Joint Standing Committee on Electoral Matters  
Parliament House  
Macquarie St  
Sydney NSW 2000

## Introduction

Homelessness NSW is the peak body for the adult homelessness sector in New South Wales. We represent homeless services for single men, single women and families. We work collaboratively with Governments, other peak bodies, community organisations and the private sector to advocate for homeless people and services that support them.

Being homeless is a complex issue, created by the failure of a variety of service systems. Homeless people and those at risk of becoming homeless are affected by common themes that include social exclusion, an ineffective service system, lack of access to housing that is affordable to people on low incomes and a lack of support and supported accommodation services.

At the time of the 2001 Census it was estimated that there were 26,676 people homeless in NSW<sup>1</sup>.

According to the *SAAP Act 1994* a person is homeless if they do not have access to safe, secure and adequate housing. A person is considered not to have access to safe, secure and adequate housing if the only housing to which they have access:

- damages, or is likely to damage, their health; or
- threatens their safety; or

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<sup>1</sup> Chamberlain, C and McKenzie, D, 2004 *Counting the Homeless 2001 New South Wales 2 2004 New South Wales At A Glance*, Australian Bureau of Statistics, ABS Catalogue No. 10303.1

- marginalises them through failing to provide access to adequate personal amenities; or the economic and social supports that a home normally affords; or
- places them in circumstances which threaten or adversely affect the adequacy, safety, security and affordability of that housing; or
- has no security of tenure-that is, they have no legal right to continued occupation of their home.
- A person is also considered homeless if he or she is living in accommodation provided by a SAAP agency or some other form of emergency accommodation.

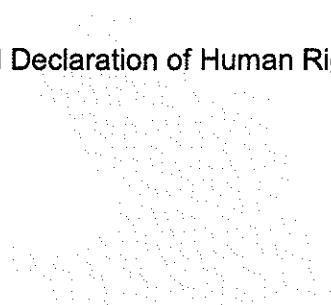
The member organisations of Homelessness NSW provide accommodation to some of the most vulnerable people in NSW. They are people who may have difficulty in keeping to the terms of the tenancy agreement. They provide support as a condition of the tenancy to try to ensure tenancy agreements are not broken and that tenants avoid eviction. They aim to develop people's skills to carry out their tenancy responsibilities successfully and live independently. This support is achieved through the following measures

- case management;
- assessment and referral;
- early intervention and re-establishment of family links;

Homelessness NSW believes that the right to adequate safe housing is a fundamental human right. This right to housing is set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and a number of other widely adhered to international declarations. Article 25 of the Universal Declaration of Human Rights states:

*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

Similarly under Article 21 of the Universal Declaration of Human Rights the right to vote is also a declared human right.



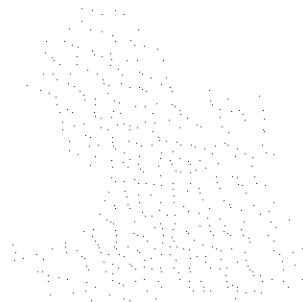
Being homeless is being without - without shelter, without resources, without support, without recognition, without power to influence society. Voting gives people the ability to influence the society in which they live. For people who are homeless it is not only their democratic right, it also can give them self worth. They are being listened to.

If you search the NSW Electoral Commission website for either 'homelessness' or 'homeless' you find no response. There is no information in the 'Glossary of Terms' or 'Frequently Asked Question's' on voting for people who are homeless. There is information for voters who classify themselves as itinerant. Itinerancy has a different connotation and meaning than homelessness. It is only on the Australian Electoral Commission website that any information on enabling people who are homeless to vote is found.

Homelessness NSW would recommend that the NSW Electoral Commission update their website so that specific information referring to people who are homeless is available.

As a part of on an ongoing information campaign Homelessness NSW believes that the NSW Electoral Commission should work with the Australian Electoral Commission, peak bodies and providers of services to people who are homeless. Homelessness NSW have been advised by our members that they believe that the Australian Electoral Commission (AEC) provided more information to them during the 2007 Federal election than was provided by the NSW Electoral Commission during the State election. The NSW Election Commission should make contact with the AEC regarding this matter.

There is no typical 'homeless person'. The right and ability to vote is different for different people.



**Young people** – in the week prior to the 2004 Federal Election 62,583 people joined the electoral roll during the grace period from the issuing of the writs.<sup>2</sup> Young people who are experiencing homelessness would usually have other pressing issues of concern that may preoccupy their thoughts and accordingly they may not be on the electoral roll at all times. Homelessness NSW would recommend that the provision allowing a 7 day 'grace period' after the official election announcement (when the 'election writ' is issued) to make sure that they were validly enrolled be reinstituted.

**Women escaping domestic violence** – unfortunately many women escaping domestic violence have a need to remain hidden from the perpetrator of the violence. This can be problematic when it comes to voting. Currently they have the right to appear as 'silent voters'. In this instance their name appears on the electoral roll, but their address details do not. Homelessness NSW believes that this right could be extended and in some instances allow people the right to be on the roll without their name appearing.

Homelessness NSW has been informed by our members that many women escaping domestic violence are unwilling to attend polling booths and would prefer to postal vote. In regional and remote areas this is particularly an issue. In some communities there are only 1 or 2 polling places. Currently there is no capacity for people to use 'fear for physical safety' as a legitimate reason to use a postal vote. Homelessness NSW would suggest that the NSW Electoral Commission take this matter to the Electoral Council of Australia for discussion.

People are able to apply to become a silent voter and General Postal Voter, but again there is no clear information regarding this on the NSW Electoral Commission website. Homelessness NSW would recommend that this information be made available both via the website and through distribution to organisations that provide services to women escaping domestic violence.

Homelessness NSW also believe that people applying for employment at the Commission should be asked if they are the subject of a domestic violence or any other criminal proceedings, including an apprehended violence order.

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<sup>2</sup> JSCEM, *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, para 2.93  
<http://www.aph.gov.au/house/committee/em/elect04/report/chapter2.pdf>

**People who are rough sleeping** – for fairly obvious reasons many people who are rough sleeping carry minimal possessions, including limited, if any, identification. Homelessness NSW believes that any provision that forces people to produce proof of identity before voting could be discriminatory against people who sleep rough and other people who are homeless.

**Indigenous Australians** - the rate of homelessness of indigenous Australians is higher than for other Australians. This is evidenced by the Australian Institute of Health and Welfare report *Demand for SAAP accommodation by homeless people 2005 -06*. Our members have advised us that their anecdotal evidence is that the rate of enrolment by indigenous Australians who are homeless continues to be very poor. All electoral authorities should implement ongoing culturally appropriate education and training sessions to remedy this situation.

Once again thank you for allowing us to comment and should you require further information on the contents of this submission, please contact Digby Hughes, Policy & Research Officer on phone: (02) 9319 7111 or email: [digby@homelessnessnsw.org.au](mailto:digby@homelessnessnsw.org.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sue Cripps', with a large, stylized flourish at the end.

Sue Cripps  
**CEO**

29 February 2008

