

**Submission
No 11**

**INQUIRY INTO THE PROTOCOL FOR HOMELESS PEOPLE IN PUBLIC
PLACES**

Name: Name suppressed

Date Received: 21 February 2020

Partially
Confidential

- 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.**

As we all know, Local Government has an active ongoing role and presence in public places. This brings staff in regular contact with homeless people. Councils also play an active role in social planning and community services, either directly or indirectly. In areas where there are homeless people, this requires consideration of their needs in the context of public perceptions and feedback. In my view, [REDACTED], the protocol has been valuable in providing a framework for guiding interactions, planning, service provision and communications with regard to homeless people.

- 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.**

Being a relatively small Council, [REDACTED] does not have the resources to provide direct services for homeless people. However, Council's indirect role brings it into regular contact with government and non-government organisations that work with homeless people. The protocol has been used to guide those discussions and local responses.

Further consideration could be given to the challenges faced by organisations with limited resources. For example, expanding the 'useful contacts' list found in the Protocols appendix to include more outreach services and categorising them in their respective regions. This would assist such organisations in better connecting with the appropriate services in a more timely manner.

- 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.**

As noted above, [REDACTED] Council works with government and non-government organisations that work with homeless people. The protocol provides a useful frame of reference for establishing common ground in discussions and service planning.

- 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.**

The protocol details quite clearly when homeless people are to be left alone and when engagement is appropriate, such as to address criminal or anti-social behaviour or offer support when requested. It also helps councils to grapple with the issue of youth homelessness. One of the challenges for [REDACTED] Council has been instances of homeless people behaving in a way that has brought them into conflict with the wider community, but which may not constitute criminal or anti-social behaviour. Examples have been a person setting up camp in a rotunda in the park, a person spreading belongings over a footpath and in a doorway to a shop and loud aggressive arguments between a number of homeless people in the park. Council's response has been to try and establish proactive contact between staff working outdoors (e.g. parks staff and rangers) and homeless people so that such issues may be addressed through dialogue based on a relationship without recourse to

punitive action. The results have been mixed with some situations resolved relatively easier and others requiring a more interventionist approach, such as issuing a notice or removing belongings.

Additionally, while the protocol references LawAccess NSW in its appendix, it would be valuable to see more information relating to the legal needs of homeless people in the protocol itself i.e. family law, domestic violence, general debt and housing related legal issues. Additionally, while the protocol addresses 'appropriate responses to homeless children and young people, Aboriginal people and people of different cultural, linguistic or religious backgrounds' – we would also suggest including more information about responding to the needs of people with a disability, as well as the support services available.

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.**

This issue is partially addressed above. There is sometimes conflict between the rights and interests of homeless people and other people in the area. For example, shopkeepers become concerned about impacts on their trade of a homeless person sitting in or near their doorway and request that action be taken through their elected representatives; and Council gets calls from concerned residents about homeless people who camp in the park, especially if they have companion animals. Similarly, community organisations and local community members who hire Councils facilities have also contacted Council regarding homeless people sleeping in facilities i.e. balconies and outdoor pavilions. It can be difficult to resolve such issues, especially if the homeless person is not willing to cooperate.

There is also another view in the community that help should be provided to homeless people. Council staff have found that it is often not easy to find assistance due to the low level of resourcing of the area, particularly short and longer term housing and case management, with most resources seemingly directed towards [REDACTED] due to their larger numbers.

My recommendation would be that the above issues be considered in the next revision of the protocol, with more guidance provided where possible. Another suggestion would be to consider asking the Office of Local Government to endorse the protocol and provide more support to councils experiencing specific complex issues.