

**Submission  
No 22**

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

**Organisation:** Inner West Council

**Date Received:** 28 February 2020



28 February 2020

Wendy Lindsay MP

Committee Chair

Committee on Community Services

Parliament House

Macquarie St

Sydney NSW 2000

Dear Ms Lindsay

Inner West Council is pleased to submit the following submission regarding the Inquiry into the Protocol for Homeless People in Public Places.

Sincerely

Prue Foreman

Acting Director City Living

# Submission from Inner West Council to the Inquiry into the Protocol for Homeless People in Public Places

28 February 2020

## Inner West Context

Inner West Council has been actively responding to increased numbers of people sleeping rough in public places in our community since 2016. Some of the ways Council is addressing this complex issue include:

- **Inner West Council Homelessness Policy:** Responding to the needs of people who are homeless in the Inner West community (adopted 2017)
- **Inner West Council Affordable Housing Policy** (adopted 2017)
- **Homelessness Protocol:** An internal Council guide for responding to rough sleeping in the Inner West
- **Annual Homeless Street Counts:** five years of data on street homelessness 2016-2020
- **Multi-Agency Assertive Outreach Collaboration:** monthly Ashfield and Newtown Outreach patrols involving Inner West Council; Department of Communities and Justice; NSW Health; Newtown Neighbourhood Centre; Wesley Mission; Missionbeat; NEAMI; Youth off the Streets. Council won the New South Wales Local Government Excellence Award last year for the work of this community partnership in addressing homelessness.
- **Our Inner West 2036:** Inner West Council's strategic plan outcome 2.4 states "Everyone has a roof over their head and a suitable place to call home" and in strategy 2.4.3 commits council to "Assist people who are homeless or sleeping rough"

As a result of Council's commitment to addressing homelessness, we take a keen interest in the NSW Protocol for Homeless People in Public Places and this Inquiry. The existing NSW Protocol has informed the Inner West Council's Homelessness Protocol. The Inquiry into the NSW Protocol is timely given the increasing numbers of local councils that are responding to street homelessness, and the Premier's Priority to halve street homelessness across NSW by 2025. In responding to this Inquiry, we have drawn upon our experience in managing public places where people are sleeping rough and assisting people to transition to housing.

## Response to the Terms of Reference

- 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.**

The framework provided by the Protocol both asserts the rights of people who are homeless, while acknowledging the ability to approach people in circumstances such as when behaviour threatens their safety or the safety and security of others. This is an important element of the framework for

local government as councils strive to achieve a balanced response to any issues that may emerge as a consequence of someone sleeping in a public place. The reference to being able to approach people who are homeless to offer assistance is an important principle as it underpins the success of the assertive outreach patrols that operate in Newtown and Ashfield.

There has been some misunderstanding of the Protocol within the community and by some Council staff in the past, as the rights of homeless people to be in public places has been interpreted as meaning that the person can't be approached to offer assistance or respond to public safety, health or other issues. The more passive response to people sleeping rough has sometimes meant that staff and residents don't report instances where they notice people sleeping rough, and this in turn delays assistance being offered by homeless services. While the Protocol does identify circumstances where health and safety implications may be considered, the Protocol should provide greater clarity regarding this.

Inner West Council will be addressing this misconception through homelessness training that will be rolled out across front line staff, where staff will be encouraged to report instances of homelessness that they may come across through the normal course of their work. It is hoped that demonstrating to staff the benefits for the person when they are connected to appropriate services will result in increased reporting of locations where people are staying. The NSW government may wish to consider providing training to local government staff regarding the way the Protocol should be interpreted at the local level. In addition, a public awareness campaign by government aimed at increasing understanding of how people may report instances of rough sleeping to homeless services would be beneficial.

While some of the Protocol is written in the negative, pointing out what not to do, use of positive language and positive solutions such as the role and positive impacts of assertive outreach and coordinated multi-agency initiatives could be referenced in the Protocol. While the Protocol deals with responding to homelessness rather than the causes of homelessness, it may still be worthwhile for the Protocol to including links to the NSW Homelessness Strategy 2018-2023 to provide the protocol with broader context regarding causes and solutions.

**Recommendation 1:** The Protocol framework's recognition of both the rights of people who are homeless as well as the circumstances where someone can be approached is supported, however the Protocol could be strengthened by:

- Providing greater clarity regarding the ability of relevant staff from homeless services and government agencies to approach people who are sleeping rough to offer assistance
- Referencing the valuable and effective role played by assertive outreach and multi-agency initiatives that deliver outreach services
- Identifying the need for public education about the Protocol, as well as targeted training for local government
- Using more positive language and reference to positive strategies, such as assertive outreach, that have successfully been employed by local communities to address street homelessness
- Adding reference to the NSW Homelessness Strategy 2018-2023

**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.**

The Protocol does not reference the role of Specialist Homeless Services (SHS) in responding to people sleeping in public places, especially those services that provide outreach services and case workers. The role of SHS's 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.

Consequently, the ability of local councils to assist people sleeping rough to exit homelessness is highly dependent on effective commissioning of SHS's by the Department of Communities and Justice. The existing SHS's in the Inner West are stretched beyond capacity to be able to respond to the growing demand for these crucial services.

It is crucial that every local community has access to a SHS that is adequately funded to provide outreach case workers, ideally from a service located in reasonable proximity to the council area to ensure timely responses to requests for assistance. It is very understandable that so many SHS's are clustered in the City of Sydney given the high numbers of people sleeping rough in that area, however in recent years the numbers of people in suburban areas such as Ashfield and Newtown has increased, and the network and capability of SHS's needs to reflect that.

**Recommendation 2:** The commissioning of Specialist Homeless Services by the Department of Communities and Justice needs to ensure every local government area has access to adequately funded outreach case workers able to assist with responding to homelessness in public places.

In addition to current inadequacies in the funding and geographic spread of SHS's, another barrier to assisting people sleeping rough to find alternatives to rough sleeping is the lack of safe and secure housing. Housing shortages compromise the Housing First model that entails quickly providing housing as the first priority, prior to addressing other issues that the person may need assistance with. The lack of social and affordable housing as well as crisis and transitional accommodation impacts on the ability to address homelessness in public places. Post crisis support also needs to be adequately supported to ensure cycles of homelessness are not perpetuated.

The lack of services funded to address co-morbidity represents a constraint on the effectiveness of the Protocol. It is particularly difficult for people sleeping rough in public places to get the support they need to transition to housing when they need assistance with both drug addiction and mental health issues.

**Recommendation 3:** The Protocol should acknowledge that availability of safe and secure housing to support the Housing First model, as well as access to co-morbidity services, are important in ensuring that people in public places are treated respectfully and assisted to exit homelessness.

**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.**

The Protocol does not elaborate on the respective roles and responsibilities of different state agencies, local government and non-government organisations (NGO's) in responding to people who

are homeless in public places. In dealing with an issue as complex as homelessness it would be beneficial for there to be guidance regarding roles, especially for local councils who may not have previously had much involvement with this issue.

Collaborative responses to homelessness are crucial in responding effectively to homelessness, especially when there are clearly documented roles, objectives and evidence regarding outcomes. Information sharing (with consent) through multi-agency partnerships enables agencies to work together to provide a seamless response to the person requiring assistance. The Protocol could reference the collaborative, multi-agency partnerships as best practice in enabling key players work together to deliver housing outcomes for the person who is sleeping rough.

**Recommendation 4:** The Protocol should reference the desirability of government agencies, NGO's and local councils to form multi-agency collaborations to address homelessness as best practice approach to addressing homelessness in local communities.

The Housing Outreach Support Team (HOST) has been a crucial partner in addressing rough sleeping and has been central to the effectiveness of the Inner West multi-agency outreach collaboration. However, this team is under-resourced and continues to be stretched beyond capacity as more local council areas require support in addressing homelessness. This successful team should be expanded to enable it to operate effectively over the extended area it is expected to cover.

**Recommendation 5:** There should be an expansion and increased resourcing of the HOST team to enable more homeless people in public places to be assisted to find housing.

**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 could also address the issue of people sleeping in cars, vans and motor homes and provide guidance on appropriate responses to this issue. The Inner West Street Count regularly identifies numerous people sleeping in vehicles, especially in locations adjacent to parks.

**Recommendation 6:** The Protocol should provide some guidance regarding ways to respond to people sleeping in vehicles.

While the Protocol addresses the rights of homeless people to carry with them and store their own belongings, the Protocol could provide some guidance on what this means in practice in terms of the quantity of belongings that's reasonable in shared public places. For example, the City of Sydney defines this as two bags and a swag/roll of bedding, but in some cases in the Inner West extensive campsites have been established with tents, camp showers, hammocks, cooking stations etc.

**Recommendation 7:** The Protocol could provide guidance on reasonable levels of belongings and structures for people to keep in public places.

Homeless people who are non-residents and unable to qualify for welfare or housing assistance have very limited ability to obtain assistance to exit homelessness. The Inner West outreach patrols have identified numerous cases of non-residents sleeping rough and have been very constrained in our ability to assist them.

**Recommendation 8:** The Protocol could provide guidance regarding the rights of non-residents and what if any services are available to assist them.

**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.**

Balancing of the rights of people who are homeless to be in public places with resident expectations regarding the appearance and safety of their local parks falls largely on local councils to resolve and can be challenging. The Protocol could provide a resource kit including practical guidance regarding risk mitigation; health, hygiene and safety issues; and case studies where positive outcomes have been achieved.

**Recommendation 9:** The Protocol could include practical advice and case studies where positive solutions to conflicting interests concerning the use of public places have been effectively managed.

**f) Any other related matters.**

Given their obvious increased vulnerability, 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.

**Recommendation 10:** The Protocol should include guidance regarding responding to people sleeping in public places when extreme weather events are forecast.

## Summary of recommendations

**Recommendation 1:** The Protocol framework's recognition of both the rights of people who are homeless as well as the circumstances where someone can be approached is supported, however the Protocol could be strengthened by:

- Providing greater clarity regarding the ability of relevant staff from homeless services and government agencies to approach people who are sleeping rough to offer assistance
- Referencing the valuable and effective role played by assertive outreach and multi-agency initiatives that deliver outreach services
- Identifying the need for public education about the Protocol, as well as targeted training for local government
- Using more positive language and reference to positive strategies, such as assertive outreach, that have successfully been employed by local communities to address street homelessness
- Adding reference to the NSW Homelessness Strategy 2018-2023

**Recommendation 2:** The commissioning of Specialist Homeless Services by the Department of Communities and Justice needs to ensure every local government area has access to adequately funded outreach case workers able to assist with responding to homelessness in public places.

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**Recommendation 4:** The Protocol should reference the desirability of government agencies, NGO's and local councils to form multi-agency collaborations to address homelessness as best practice approach to addressing homelessness in local communities.

**Recommendation 5:** There should be an expansion and increased resourcing of the HOST team to enable more homeless people in public places to be assisted to find housing.

**Recommendation 6:** The Protocol should provide some guidance regarding ways to respond to people sleeping in vehicles.

**Recommendation 7:** The Protocol could provide guidance on reasonable levels of belongings and structures for people to keep in public places.

**Recommendation 8:** The Protocol could provide guidance regarding the rights of non-residents and what if any services are available to assist them.

**Recommendation 9:** The Protocol could include practical advice and case studies where positive solutions to conflicting interests concerning the use of public places have been effectively managed.

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