

**Submission
No 25**

INQUIRY INTO THE PROTOCOL FOR HOMELESS PEOPLE IN PUBLIC PLACES

Organisation: City of Parramatta Council

Date Received: 28 February 2020



CITY OF PARRAMATTA

Wendy Lindsay MP
Chair - Legislative Assembly Committee on
Community Services
Parliament House
Macquarie St
Sydney NSW 2000

Your Reference	Inquiry into the Protocol for Homeless People in Public Places
Our Reference	D07187213 – F2018/02701
Contact	[REDACTED]
Telephone	[REDACTED]
Email	[REDACTED]

28 / 20 February 2020

Dear Wendy Lindsay MP

RE: Inquiry into the Protocol for Homeless People in Public Places

City of Parramatta Council (Council) has long taken an active and committed role in seeking to reduce homelessness within our community. Council's Homelessness Policy was developed in 2011, reviewed, and re-endorsed in December 2019. The aim of the Homelessness Policy is to minimise homelessness in the Parramatta Local Government Area, and in doing so:

- a) Improve the wellbeing of those at risk and those who are homeless, and;
- b) Support the continued prosperity of the City for the benefit of the wider business and residential community.

Central to Council's Policy is a commitment to work together with the Government and non-Government agencies active across Parramatta to respond to and assist those experiencing homelessness. Adherence to the Protocol for Homeless People in Public Places has been part of this policy since 2011.

Council tenders the following submission in response to the Legislative Assembly Committee on Community Services Inquiry into the Protocol for Homeless People in Public Places. Our response draws on our eight years of experience operating under the Protocol, plus the input received from recent consultations in reviewing our Homelessness Policy.

Thank you for this opportunity to provide feedback. Council remains ready to assist in any future effort to improve the wellbeing of those who are experiencing homelessness and further inquiry into the opportunity to prevent homelessness across our communities.

Regards,

Brett Newman
Chief Executive Officer

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au



CITY OF PARRAMATTA

**Legislative Assembly Committee on Community Services
Inquiry into the Protocol for Homeless People in Public Places
Submission on behalf of City of Parramatta Council**

Headings follow the Terms of Reference issued by the Committee.

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 Protocol plays an important role in framing the way Council works with services and organisations to maintain respect for, and to uphold the rights of, people experiencing homelessness in public places and who may require support to access government services.

The application of the Protocol is supported by Council and has been embedded in Council's policies, procedures and daily functions. As the primary manager of public space across the Parramatta LGA, including Centenary Square, footpaths and laneways, parks and open space, the Protocol provides a clear framework to guide the interactions that Council Officers have with people who may be sleeping rough or at risk of homelessness. Our procedures, based upon the Protocol, ask Council Officers to respect the rights and privacy of those individuals and to prioritise connecting individuals with available support services. Council Officers effectively manage to balance this practice with our requirements to maintain amenity and ensure everyone is able to access and use public space in a safe manner.

The Parramatta Region Homelessness Interagency provides a forum for positive and strong collaborative action among a network of local homeless sector agencies and Government agencies. Council Officers rely on referrals to these local services in their daily work.

However, despite this effort, the 2019 street count of people experiencing homelessness conducted by Council revealed there were 91 rough sleepers throughout the Parramatta CBD and the CBD fringes. This was an increase of 44% from 2018 and there has been a consistent increase since 2013. This indicates a deeper systemic failure to prevent people who are at risk of homelessness from becoming homeless and points to the need for a more integrated prevention approach beyond the Protocol.

The Protocol is not effective in isolation, as the Protocol does not seek to prevent people becoming homeless. In order to be effective, the Protocol requires a greater, strategic and collaborative focus on prevention. This includes the development and implementation of a strategy to increase the supply of affordable housing across the City; a cross-agency and cross-sector long-term plan to end homelessness; and enhancement to the provision of specialist homelessness services, including outreach.

Recommendations:

- i. The framework provided by the Protocol needs to be retained.
- ii. The effectiveness of the Protocol be enhanced through an improved focus on the prevention of homelessness.
- iii. Local Government entities to be provided the opportunity to formalise their commitment to the Protocol in the same way that State Government agencies do.

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au



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.

Council implements the Protocol through our current procedures for engaging with people experiencing homelessness in public spaces under the management of Council. Council also supports the awareness of and application of the Protocol's principles through the provision of information and advice to external businesses, residents and associations who may interact with people experiencing homelessness in spaces accessible to the public, but not under the management of Council or other public institutions. Through our operational experience with Government agencies and non-Government agencies funded by Government, each agency does seek to adhere to the Protocol. However, there is variation in the procedures in which agencies operationalise the Protocol, and these variances are not always clear to external partners.

Recommendations:

- i. Departments and agencies that make a commitment to adhere to the Protocol should be required to create an operational procedure document, specific to their function that can be made available to partner organisations.

c) The appropriateness of the Protocol to support joint responses between government organisations, non-government organisations and local government working in partnership to respond to homelessness.

The Protocol is useful and appropriate in taking a human rights focus to establishing protocols for how people experiencing homelessness should be engaged or interacted with. Being signatories to the Protocol allows agencies to establish quickly shared principles for how they may work together in responding to homelessness.

For City of Parramatta Council, this has included the relationships and partnerships formed with local stakeholders through the Parramatta Region Homelessness Interagency. In 2018, Council joined with the Department of Communities and Justice (formerly Department of Family and Community Services) and other interagency members to establish and deliver a pilot assertive outreach project to rough sleepers in the Parramatta CBD. The shared commitment to the Protocol assisted in establishing how assertive outreach would work within the pilot and the procedures for approaching those individuals sleeping rough. The project proved successful in securing housing and wrap-around support for a number of individuals, and, eighteen months on, those individuals are still maintaining their housing. This pilot demonstrated the importance of relationship building in improving the take-up of assistance and the importance of providing wrap-around support in maintaining housing.

The Protocol has been appropriate in many instances of interactions with people experiencing homelessness that have been positive, proactive and not attracted much attention or issues. The Protocol is appropriate as it establishes a minimum standard for intervention. However, it is noted that complex situations, involving individuals experiencing significant mental health issues and, as a result, causing disruption and risk for other users of the public domain, can easily reach a point where the Protocol provides less technical direction. Council experienced one particular situation where many Government and non-Government agencies were interacting with one person who was experiencing homelessness and significant health issues. This individual was not willing to accept support offered by services and staff found their behaviour to be troubling and, at times, dangerous. The situation went on for a number of months before agencies came together to coordinate a response and seek a different pathway to a solution. For that individual, the different pathway did involve an application for guardianship being made by a service on their behalf in order to ensure that they received the medical and psychological care that they needed. This is not a pathway that local agencies would seek very often, and does demonstrate that agencies were working at the extreme of service intervention. However, what this example demonstrates is that the point of escalation to a coordinated response from local Government and non-Government agencies was slow to start, but effective once established. The Protocol could have assisted in this circumstance if it offered a framework for escalation to coordination. The Protocol would



benefit from communicating a clearer direction on when it is appropriate for services to step in and take more direct action.

Further, there are situations where direct action is required, in circumstances such as disaster management, where the responsibility of service providers and the rights of people experiencing homelessness in public places to be safe needs to be balanced. The recent bushfires and heavy smoke haze in Parramatta did provide an example where people experiencing both homelessness and respiratory issues had increased the need for assistance but being unable to request it for a variety of reasons. Services need to be encouraged to identify instances of risk to personal safety that may require the Protocol's exceptions to be enforced.

Recommendations:

- i. The Protocol should have a clear indication of an escalation point for when the complexities of a particular circumstance move beyond the principles of the Protocol.
- ii. Agencies that are signatories or adherents to the Protocol should be encouraged to seek out collaboration and coordination with other agencies in complex situations.

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.

Housing is a fundamental human right. While the Protocol does uphold each person's right to privacy and dignity, it does not seek to improve access to safe and secure housing.

Council's consultations with the local community sector, and our own experience in trying to connect people experiencing homelessness to available support services, has demonstrated to Council that the provision of outreach services is important to the effectiveness of the Protocol. The ability of funded outreach services, working in an assertive methodology, to build relationships with people sleeping rough is important in building the trust and connection that leads to the uptake of support or housing offered.

Dedicated homelessness outreach capacity has been severely lacking in Parramatta for some years. Funded services have provided a varying level of service methodologies – some do not provide an on the ground presence in Parramatta. Self-funded services for local not-for-profits have had a more assertive and ongoing presence. Outreach by Government agencies has been low, however, there has been some recent improvements from the Department of Communities and Justice and improved commitments from other departments. Ongoing and consistent outreach presence enables improved service response based on the particular needs of an individual.

Consistent and available outreach services is also important to Council operational officers, as they are more aware of who to contact to make a referral. Council is making its own response to this need, and the shortfall in the local sector, by establishing a Public Space Liaison Officer role, based on the same role at City of Sydney, who will work closely with internal stakeholders and the local homelessness sector. This role brings an opportunity for increased relationship building between Council operational staff and individuals experiencing homelessness and improved coordination between Council operational teams and the local service sector in responding to individual circumstances. It is Council's objective that this new role will ensure that the rights and interests of people who are experiencing homelessness in local public places is given appropriate priority.

Council also notes that different minority groups experiencing homelessness who use public places require culturally appropriate specialist support. The Protocol could benefit from a stronger focus on different needs of minority groups and specialist referral points. The implementation of the Protocol would also be made more effective through increased funding to specialist homelessness services, including those with increased cultural competencies and/or those focused on Aboriginal and Torres Strait Islander people, LGBTI people, people with a disability, women, young people and asylum seekers living in the community.



Recommendations:

- i. An increase in the provision of and funding to services providing localised, consistent and assertive outreach services.
- ii. An increase in the provision of and funding to services providing specialist homelessness services focused on population groups that experience increased disadvantage.

e) Whether the Protocol appropriately balances the rights and interests of people who are experiencing homelessness with those residents, businesses and other people and organisations using public places.

The Protocol provides a clear message that highlights the rights of people experiencing homelessness in public places. However, it fails to outline how all users of public places may interact in a respectful and non-discriminatory way. In particular, in its focus on Government agencies, it is not clear on a framework that can be used for businesses in order to uphold the basic human rights of people experiencing homelessness in public places. This is also relevant for private operators of places that may be perceived as public places.

City of Parramatta Council acknowledges that local private businesses and commercial enterprises are key partners in the effort to reduce homelessness, and believes the private sector has much to contribute to and gain from creating local solutions to homelessness. Enquiries made to Council indicate that businesses are keen to receive guidance on best-practice in interacting with people experiencing homelessness or other forms of disadvantage.

A systemic failing to have a strong, strategic focus on addressing the root causes of homelessness and to offer prevention or early intervention responses to homelessness in public places is creating points of tension and conflict between individuals who are experiencing homelessness and local businesses, residents and visitors to those places. Council is mindful of the potential for negative economic and social impacts on communities as a result of this conflict. In its policy approach, Council seeks to maintain a balance between addressing individual needs and supporting local amenity and the growth of place-based prosperity. The Protocol provides a clear framework for Council in seeking balance, but it contains less opportunities for local businesses and residents to participate in that framework.

Addressing the issues raised in this submission, particularly those relating to improving the capacity of the service sector to provide coordinated responses to homelessness, are crucial to the ability of the Protocol to balance the rights and interests of people who are experiencing homelessness with those residents, businesses and other people and organisations using public places. The willingness of residents and businesses to support the Protocol is dependent on their perception that Government and non-Government services are effectively responding to individuals who are experiencing homelessness.

Recommendations:

- i. Additions be made to the Protocol that indicate how private businesses can implement the Protocol, particularly for those private entities that manage places that may be perceived as the public domain.