



# PROPOSED FRAMEWORK FOR RESPONDING EFFECTIVELY TO HOMELESSNESS IN THE CITY OF MELBOURNE

## Background

There is no question that the challenges the Melbourne City Council (**Council**) is facing in relation to homelessness are significant.

The figures are well-known: in Victoria on any given night 22,000 people are homeless; and Victoria has 33,000 people on the waiting list for public housing.<sup>1</sup> There has been a 74% increase in the City of Melbourne's rough sleeping population since 2014, with 247 people sleeping rough in 2016.<sup>2</sup> Agencies have observed the changing face of that population – in particular, the emergence of a younger cohort of rough sleepers under the age of 25.

We understand that the increased visibility of rough sleeping has corresponded with an increase in complaints to Council about the amenity of public places and the accessibility of city streets, including for people with a disability. These concerns have been reflected in media coverage over the past three to six months.

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<sup>1</sup> See Australian Bureau of Statistics, *Census of Population and Housing: Estimating Homelessness* (November 2012) 19 (available at: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2049.0>); and Victorian State Government, *Public housing waiting and transfer list* (September 2016) (available at: <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/research,-data-and-statistics/public-housing-waiting-and-transfer-list>).

<sup>2</sup> See City of Melbourne, *StreetCount highlights number of people sleeping rough* (9 June 2016) (available at: <http://www.melbourne.vic.gov.au/news-and-media/Pages/streetcount-highlights-number-of-people-sleeping-rough.aspx>).

Like Council, the undersigned agencies and organisations have a long history of working with, and for, vulnerable citizens who seek shelter in the City of Melbourne. As agencies at the frontline, we have drawn on our collective expertise to jointly present the Council with a Proposed Framework for Responding Effectively to Homelessness in the City of Melbourne (**Framework**).

The Framework:

- Is informed and endorsed by leading housing, homelessness, legal and community organisations.
- Builds on much of the positive, collaborative, evidence-based work the City of Melbourne is already leading and recognises the significant commitments recently made by the Victorian State Government.
- Proposes practical measures to address the competing obligations and challenges of the City of Melbourne.
- Provides constructive viable alternatives to the proposed amendments to the Activities Local Law 2009 (**Local Law**) via the Activities (Public Amenity and Security) Local Law 2017 (**Proposed Laws**).
- Addresses the Council's challenges without going down a costly, punitive path that will be ineffective.
- Affirms the Melbourne City Council as a leader in effective, evidence-based responses to homelessness.

## Framework

A suite of solutions is required to respond effectively to increasing homelessness in the City of Melbourne. We collectively call on Melbourne City Council to adopt, continue, or advocate for, these solutions.

### 1. Lockers and storage

Homeless service providers, including VincentCare, Living Room, cohealth and Melbourne City Mission's Frontyard Youth Services, already provide lockers or storage that can be used by people experiencing homelessness to store their belongings. There is a shortage of these options and the City of Melbourne could invest in this practical solution that gives people a way of storing their belongings. It will reduce the possessions that are stored on the streets, and will minimise the risk that people's important belongings will be disposed of. We note that Council has a track record of supporting such initiatives – for example, in 2015, Council provided funding for Frontyard to develop storage space onsite.

### 2. Guidance about belongings

It is important to communicate clearly and respectfully with homeless people about the Council's concerns regarding belongings. In the City of Sydney, for example, they use 'two bags and a swag' as an indication of the belongings that a person might need to get by, but also be able to transport reasonably easily and keep an eye on. It strikes a balance between recognising the hardship of having to have all your belongings (e.g. clothes, bedding, medication, documentation, hygiene products and sentimental items) with you, and acknowledging the need for streets to be accessible, including avoiding the accumulation of belongings that are no longer being used by a person sleeping rough. Asking people experiencing homelessness to put things they no longer need near bins or skips in the City will also help identify abandoned items, reduce the burden on Council of clearing these items and minimise the risk that people's important personal belongings will be disposed of.

### 3. Safe spaces

Council's Night-Time Safe Space Program, currently proposed to run for up to 250 evenings from May to 30 November 2017 (seven nights per week, 11pm – 7am) and to provide summer respite from 1 December – 30 April 2018 (i.e. when notified of extreme heat) can offer an alternative to sleeping rough. We note that the

Salvation Army ran this program during winter in 2016 with the support of the Melbourne City Council. Appropriately-resourced management of the safe space will be crucial to its effectiveness. We also welcome Council's intention that the safe space will provide 'integrated housing and support services on site to help participants find permanent pathways out of homelessness'.<sup>3</sup>

#### **4. Daily support team**

Council has recently engaged a team of specialist homeless assertive outreach workers who will work closely with Council's officers to connect with people sleeping rough and provide information and pathways to services. A direct partnership with an external agency that provides support to people who are experiencing homelessness will improve established service co-ordination mechanisms and allow Council to respond in a more targeted and timely way to the needs of highly vulnerable community members. Launch Housing in partnership with Melbourne City Mission's Frontyard Youth Services have been engaged to deliver this service, which will have the additional benefit of connecting to the wide service and housing offerings of both these agencies and their many partners. The team is due to commence operation on 3 April 2017. This is a new and promising initiative demonstrating Council's willingness to seek supportive solutions to the issue of rough sleeping in the city.

#### **5. Project Connect Respect**

We commend the Melbourne City Council for its development and continuation of this leading and effective project, working with businesses in the CBD to help understand homelessness and respond appropriately to people experiencing homelessness. The collaborative, educative approach, led by consumers, which equips businesses and their staff with referral pathways to homelessness services, is an innovative approach the Council should be proud of. It is a pioneering example of 'non-traditional allies' working together on shared solutions, and could be readily scaled up to address the issues identified by business owners in the city.

#### **6. Homeless People in Public Places Protocol**

As one of the signatories to the original 2006 Homeless People in Public Places Protocol, Council knows the value of the Protocol as a tool for helping authorised officers (and other Council staff and contractors) understand and respond appropriately to homelessness. Reviving the Protocol, in partnership with other frontline agencies, will facilitate a consistent, constructive approach to homelessness. The education that accompanies the Protocol is crucial.<sup>4</sup> Importantly, it is not just a tool within agencies, but can be used to shape conversations and messaging to the public, as can Council's obligations as a public authority under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

#### **7. Involve people experiencing homelessness in solutions**

Council has facilitated engagement with approximately 100 people experiencing homelessness in relation to the Proposed Laws. A number of organisations, including Justice Connect Homeless Law, Inner Melbourne Community Legal, Flemington Kensington Legal Service, Fitzroy Legal Service and cohealth also hosted a community BBQ and information and consultation session attended by approximately 40 people sleeping rough. Facilitating similar events on a regular basis will capture the insights, views, ideas and experiences of people experiencing homelessness which can help inform solutions. An authentic commitment by all levels of government and the community is also needed to make sure the perspectives of those with a lived experience are central to the discussion of homelessness, including participation of individuals who are having or have had a lived experience of homelessness in the development, implementation and evaluation of programs.

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<sup>3</sup> City of Melbourne, 100147 – Night Time Safe Space Program (available at: <https://www.tenderlink.com/notification/index.html?&tenderer=2744.723&alltenders&asemin>).

<sup>4</sup> See, eg, NSW Government Family and Community Services, *Keeping Homeless People Safe in Public Places*, Protocol Guidelines for Implementation, Protocol Facilitator Guide, Protocol Participant Guide (available at: <http://www.housing.nsw.gov.au/help-with-housing/specialist-homelessness-services/what-we-do/homelessness-initiatives/keeping-homeless-people-safe-public-places>).

## 8. Co-ordinated responses

Council has been a leader in facilitating better co-ordination between services working with people sleeping rough in the City of Melbourne. Services are working collaboratively to ensure that people sleeping rough are identified, engaged and have a key service involved. The weekly 'hot spots' meeting brings together management level staff from key outreach services, Council and Victoria Police to provide a co-ordinated and consistent response to address concerns regarding safety and wellbeing for people experiencing homelessness and other members of the community. The 'hot spots' meeting is a relatively recent initiative, has been very positively received and is achieving results in relation to addressing safety concerns. The commencement of the Daily Support Team in early April with a strong role in service co-ordination will consolidate this work.

## 9. Rely on existing laws if needed

While they should only be relied on as a last resort in relation to people experiencing homelessness and mental illness, when necessary, the Council and Victoria Police have a range of existing powers that can be relied on to regulate the use of public space. Police can rely on laws regarding public drunkenness, begging, using offensive language and obstructing the pavement under the *Summary Offences Act 1966* (Vic).<sup>5</sup> Existing move-on powers can also be used when someone is breaching the peace, endangering another person or presenting a risk to public safety.<sup>6</sup> Under the existing Local Law, authorised officers have a range of powers to respond to conduct in public places under part 2.1, including nuisance, offensive language, defecation or urination, obstruction, adversely affecting amenity or using threatening, abusive or insulting words.<sup>7</sup> There is also an existing provision in the Local Law that allows authorised officers to direct a person to remove items, goods or other property and to confiscate the items, goods or other property if it is not removed.<sup>8</sup> Where necessary, as a last resort, these existing powers can be relied on to respond to behaviour or belongings in public places.

## 10. Consider the evidence

Evidence indicates these tougher laws will not effectively address homelessness. We refer you to successful examples of reducing homelessness: Street to Home in Melbourne (after two years, 70% of people in the Street to Home program were in independent secure accommodation);<sup>9</sup> Brisbane's 500 Lives, 500 Homes (since 2014, Housing First principles have been applied to assist 410 households (142 families and 268 individuals) to end their homelessness);<sup>10</sup> Housing First in Utah (reduced the number of chronically homeless people by 91% from nearly 2,000 people in 2005, to fewer than 200 in 2016); Finland (since 2008, long-term homelessness has decreased by 35% (1,345 persons));<sup>11</sup> and At Home/Chez Soi in Canada (in a randomised control trial where 1000 people participated in Housing First, and 1000 received 'treatment as usual', over 80% of those who received Housing First remained housed after the first year).<sup>12</sup> These successful programs did not rely on law enforcement. Effective engagement and outreach, coupled with access to permanent supportive housing, were the crucial ingredients of these models. Conversely, cities such as Los Angeles that introduced laws to regulate people sleeping rough failed to reduce visible rough sleeping.<sup>13</sup>

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<sup>5</sup> *Summary Offences Act 1966* (Vic) ss 13, 49A, 17 and 5.

<sup>6</sup> *Summary Offences Act 1966* (Vic) s 6.

<sup>7</sup> Melbourne City Council, *Activities Local Law 2009* cl 2.1.

<sup>8</sup> Melbourne City Council, *Activities Local Law 2009* cl 14.17.

<sup>9</sup> See, eg, Guy Johnson and Chris Chamberlain, *Evaluation of the Melbourne Street to Home Program: Final Report*, HomeGround Services (2015).

<sup>10</sup> Micah Projects, *Housing First: A roadmap to ending homelessness in Brisbane* (2016) 11 (available at: [http://micahprojects.org.au/assets/docs/Publications/20161129\\_Housing-First-Roadmap-WEB.pdf](http://micahprojects.org.au/assets/docs/Publications/20161129_Housing-First-Roadmap-WEB.pdf)).

<sup>11</sup> The Centre for Social Justice, *Housing First: Housing-led solutions to rough sleeping and homelessness* (March 2017) (available at: [http://www.housingnet.co.uk/pdf/CSJJ5157\\_Homelessness\\_report\\_070317\\_WEB.pdf](http://www.housingnet.co.uk/pdf/CSJJ5157_Homelessness_report_070317_WEB.pdf)).

<sup>12</sup> Mental Health Commission of Canada, *National Final Report: Cross-Site At Home/Chez Soi Project* (available at: [http://homelesshub.ca/sites/default/files/mhcc\\_at\\_home\\_report\\_national\\_cross-site\\_eng\\_2.pdf](http://homelesshub.ca/sites/default/files/mhcc_at_home_report_national_cross-site_eng_2.pdf)).

<sup>13</sup> See, eg, Mollie Lowery, "Housing first: What L.A. can learn from Utah on homelessness" in *Los Angeles Times* (3 June 2015) (available at: <http://www.latimes.com/nation/la-oe-0603-lowery-homeless-utah-la-20150603-story.html>): 'Los Angeles County's chronically homeless population rose from 7,475 in 2013 to 12,356 this year, according to the latest estimate ... The city of Los Angeles has increased the number of anti-homeless laws on the books by 59% since 1990. There are now 23 restrictions and 19 laws that criminalize homelessness in some way. Each year, the city spends \$80 million enforcing these rules — containing, moving and jailing people who have no choice but to sleep, stand and eat in public'.

## 11. Communicate effectively

Consistently communicating with the public about the causes of homelessness and the significant amount of work being done to effectively respond to homelessness in the City of Melbourne, as part of a well thought out strategy, will work to shape community understanding and lead to better-informed responses across the community. As Council has said many times, it is not a crime to be homeless and moving people on will not solve the problem. Media messages should be developed thoughtfully, avoiding stereotypes or stigma regarding homelessness, and consistently with the *Media Representation of Homelessness Communique*.<sup>14</sup>

## 12. Remember the importance of prevention

Through programs like the Social Housing Advocacy and Support Program and the Women's Homelessness Prevention Project, Council knows the significant benefit of stopping homelessness before it starts.<sup>15</sup> We urge Council to continue to support and advocate for a legal, policy and services framework that prevents avoidable evictions into homelessness.

## 13. Access to health, mental health and drug and alcohol services

While housing is of course crucial to any effective response to homelessness, without prompt access to mental health, primary health and drug and alcohol services, it is more difficult for people with complex needs to exit homelessness and sustain housing. Data from the Rough Sleeping Initiative (**RSI**) shows that 56% of people who have engaged with the service self-reported having a diagnosis of a mental illness. Additional data recently collected shows that 42% of the RSI client group had been forced to leave housing due to the impact of their substance use. In addition, 52% of the group had received medical care through an emergency department, and exactly half had been admitted as an inpatient. The RSI and Street to Home teams include specialist nurses from RDNS to respond quickly and facilitate better access to tertiary health services. The figures demonstrate that there is a need for a streamlined health, mental health and AOD response specific to this cohort. Melbourne City Mission has recently received funding through the North Western Melbourne Primary Health Network to establish a new specialist mental health service for young people who are homeless – or at risk of homelessness – and experiencing first-episode psychosis. Clinicians based at Frontyard Youth Services in King Street will provide a mix of crisis response including clinical street outreach, short-term interventions through to longer-term case management. This new service – a first for Melbourne's CBD – will be integrated with other health, counselling, legal and housing supports located at Frontyard. Learnings from this new approach will be shared with all City of Melbourne stakeholders, to inform other work in this space.

## 14. A Housing First approach – Assertive outreach with permanent housing *and* support attached

Overcoming the challenge of access to enough housing and ongoing support remains the primary impediment to reducing rough sleeping in the City of Melbourne and the Council's response must recognise this.

There are a number of small but highly effective programs in inner Melbourne, such as Melbourne Street to Home, that use the internationally recognised Housing First approach to ending homelessness with chronically homeless rough sleepers. Where they have been able to access appropriate and affordable housing these programs have successfully sustained people in independent long-term housing (for example, 70% of Street to Home participants remained housed after two years in the program).<sup>16</sup>

Unfortunately, for the majority of people sleeping rough, appropriate housing opportunities have not been available. Current wait times for public housing for single people under 55, even with the highest priority, are three to four years. While some people have been successfully accommodated in shared housing or rooming houses, others have experienced, or fear experiencing, violence in these housing types.

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<sup>14</sup> See *Communique from housing and homelessness agencies in Melbourne* (July 2016) (available at: <http://chp.org.au/wp-content/uploads/2017/03/Communique-from-housing-and-homelessness-agencies-in-Melbourne-2.pdf>). See also Council to Homeless Persons, *Media Guide: Media Representations of Homelessness* (2016) (available at: <http://chp.org.au/wp-content/uploads/2015/05/150513-media-reporting-fact-sheet.pdf>).

<sup>15</sup> See, eg, Council to Homeless Persons, *Pre-budget Submission 2017–18* (November 2016) 9 (available at: <http://chp.org.au/wp-content/uploads/2016/11/161026-State-Budget-Submission-2017.pdf>).

<sup>16</sup> Johnson and Chamberlain, above n 9.

Melbourne City Mission's Frontyard service also notes that a youth-specialist response to rough sleeping is required because younger people in the CBD tend to have intermittent patterns of rough sleeping and are not accessing programs like Street to Home. An early intervention response that disrupts the trajectory of street-attached young people into entrenched rough sleeping is needed.

Across the board, access to housing continues to be the greatest barrier to effectively responding to homelessness. Some of the capacity needed, though not all, will be delivered over time as the initiatives recently announced in the Victorian Government's 'Homes for Victorians' plan are implemented.

Importantly, in addition to housing, there is a need for ongoing support to be provided for many of the target cohort. Current RSI data shows that up to 75% of those sleeping rough have a level of complexity of need that suggests that long term supportive housing is the most suitable outcome. Programs such as Melbourne Street to Home and Journey to Social Inclusion show the success that can be achieved in maintaining housing and improving overall well-being when long term support is also provided.

If access to affordable and appropriate housing was available and there was capacity to provide the flexible support people with more complex needs require to remain housed we could reduce the numbers of people sleeping rough to a very small group of people at any given time.

There has been a recent large boost in a range of housing specifically designated for rough sleepers by the Victorian Government: spot purchases and head leases announced in November 2016; the extension of Ozanam House that recently commenced; funding for 75 private rental brokerage packages for people with less intensive support needs; the reservation of 40 transitional housing properties for direct access; a boost to the case management capacity of the Street to Home program; the creation of flexible packages of support and brokerage; 40 units of trans-locatable housing; and further case management flexible funding packages through the mental health division of the Department of Health and Human Services. All of these measures are either in their very early stages of implementation or still being commissioned, but when they are in place, they will make a real difference.

**These investments and innovations – and the leadership that underpins them – have not had time to take effect. The Proposed Laws are not needed. Not only will they fail to add to the above response, they will undermine it, by increasing people's distrust of workers, reducing people's willingness to engage with services, and pushing people to more hidden (and less safe) locations in the City.**

We call on the Melbourne City Council to avoid taking a step backward, and instead to continue forward with your effective, collaborative, evidence-based leadership and with advocacy to address the gaps in housing, prevention and support. This would be an effective framework for preventing and addressing homelessness that we could all commend.

**Endorsed by the undersigned organisations:**

	<b>Organisation</b>	<b>Name</b>	<b>Title/position</b>
1.	Annie North Women's Refuge and Domestic Violence Service	Julie Oberin	CEO
2.	Berry Street	Sandie de Wolf AM	CEO
3.	Bethany Community Support	Grand Boyd	CEO
4.	Centre Against Violence	Kerry Burns	CEO
5.	Centre for Non-Violence	Margaret Augerinos	CEO
6.	cohealth	Lyn Morgain	Chief Executive
7.	Community Housing Federation of Victoria	Lesley Dredge	Executive Officer
8.	Community Housing Ltd	Steve Bevington	Managing Director
9.	Council to Homeless Persons	Jenny Smith	CEO
10.	Domestic Violence Victoria	Fiona McCormack	CEO
11.	emerge	Paula Westhead	Executive Officer
12.	Family Access Network	Sue Carlile	CEO
13.	Federation of Community Legal Centres	Serina McDuff	Executive Officer
14.	Fitzroy Legal Service	Claudia Fatone	Executive Officer
15.	Flat Out Inc.	Jake Argyll	Executive Officer
16.	Flemington & Kensington Community Legal Centre Inc.	Anthony Kelly	Executive Officer
17.	Good Shepherd Australia New Zealand	Dimity Fifer	CEO
18.	Human Rights Law Centre	Hugh de Kretser	Executive Director
19.	Inner Melbourne Community Legal	Daniel Stubbs	CEO

	Organisation	Name	Title/position
20.	Justice Connect Homeless Law	Lucy Adams	Manager and Principal Lawyer
21.	Kids Under Cover	Jo Swift	CEO
22.	Launch Housing	Tony Keenan	CEO
23.	Law Institute of Victoria	Belinda Wilson	President
24.	Lighthouse Foundation	Simon Benjamin	CEO
25.	Melbourne City Mission	Vicki Sutton	CEO
26.	Merri Outreach Support Service Ltd	Robert Sago	CEO
27.	Mission Australia	Noel Mundy	State Director – Tasmania and Victoria
28.	North Western Melbourne Primary Health Network	Christopher Carter	CEO
29.	Odyssey House	Stefan Gruenert	CEO
30.	Port Philip Housing Association	Haleh Homaei	CEO
31.	Quantum Support Services	Ormond Pearson	Interim CEO
32.	Reclink Australia	John Ballis	CEO
33.	Sacred Heart Mission	Cathy Humphrey	CEO
34.	Shelter WA	Eric Dillon	Acting Executive Officer
35.	South Port Community Housing	Janet Goodwin	CEO
36.	St Mary's House of Welcome	Tony McCosker	CEO
37.	StreetSmart	Adam Robinson	CEO/Founder
38.	Tenants Union of Victoria	Mark O'Brien	CEO



	Organisation	Name	Title/position
39.	The Salvation Army	Major Brendan Nottle	Commanding Officer, Melbourne Project 614
40.	UrbanSeed	David Wilson	CEO
41.	VACRO (Victorian Association for the Care and Resettlement of Offenders)	Carol Nikakis	CEO
42.	Victorian Aboriginal Legal Service	Wayne Muir	CEO
43.	VincentCare Victoria	John Blewonski	CEO
44.	Victorian Council of Social Services (VCOSS)	Emma King	CEO
45.	WAYSS Ltd	Gaye Ealy	CEO
46.	Wesley Mission Victoria	Raelene Thompson	CEO
47.	WEstjustice	Denis Nelthorpe	CEO
48.	WIRE Women's Information	Julie Kun	CEO
49.	WISHIN (Women's Information, Support and Housing in the North)	Ange O'Brien	Acting CEO
50.	Women's Health West	Robyn Gregory	CEO
51.	Women's Property Initiatives (WPI)	Jeanette Large	CEO
52.	Women with Disabilities Victoria	Keran Howe	Executive Director
53.	Youth Law	Ariel Couchman	Director
54.	Youth Projects	Melanie Raymond	Chair, Board of Directors