

Ms Wendy Lindsay  
Chair  
Inquiry into the Protocol for Homeless People in Public Places  
Parliament House  
Sydney 2000

4 March 2020

## **Inquiry into the Protocol for Homeless People in Public Places**

Homelessness NSW is a peak not for profit organisation that works with its members to prevent and reduce homelessness across NSW. Our members include small, locally based community organisations, multiservice agencies with a regional reach and large State-wide service providers.

We welcome the opportunity to provide input into the Inquiry into the Protocol for Homeless People in Public Places.

### *Homelessness in NSW*

NSW is facing a homelessness crisis. Between 2011 and 2016 the number of people experiencing homelessness in NSW increased by 37% from 27,479 to 37,715. During a similar period homelessness services have also experienced unprecedented demand with a 38% increase in clients from 2014 – 2016. This level of demand has been maintained since 2016. In 2018-19 homeless services across NSW saw over 73,000 clients. This is 27% more than they are funded to work with. NSW has now reached the point where more people who need crisis accommodation do not receive it (21,552) than those who do (18,000). And even if supported by a homelessness service, 2 in 3 clients will still be without long term accommodation or housing. What needs noting is this has occurred in a period of unprecedented economic growth in NSW and in the context of budget surpluses driven by a booming housing market.

The primary driver of homelessness in NSW is a lack of affordable housing. Each year Anglicare conduct a Rental Affordability Survey. In 2019 they surveyed over 24,000 properties. There were no rental properties in Sydney and the Illawarra that were suitable for single people on the Parenting Payment, Disability Pension, Youth Allowance or Newstart, without placing them into rental stress. At the same time we have over 50,000 applicants for social housing in NSW with close to 4,500 of them deemed priority. Applicants can wait between 2 and 10 years for a social housing property.

Homelessness is also caused by failures of the service system in preventing homelessness. Over one third of all clients accessing homelessness services are women and children escaping

domestic and family violence; around 30% of all clients are Aboriginal; and youth homelessness continues to increase with over 19,000 unaccompanied young people aged 18 – 24 accessing homelessness services in 2018/19.

The Medical Journal of Australia in March 2018 published research on the characteristics of rough sleepers attending mental health clinics at shelters for the homeless in inner city Sydney. Over 2300 individuals were interviewed over an eight-year period. Their pathway into homelessness is a failure of government institutions in preventing homelessness: 28% exited the prison system, 21% exited from the NSW health system and 21% exited social housing.

The solution to ending homelessness is relatively simple. An adequate supply of social housing and appropriate support for people who require it. Until the NSW Government realigns their policy response we will continue to see high numbers of people experiencing homelessness.

In the lead up to the 2019 NSW State Election Homelessness NSW released our platform developed in consultation with our members and people with lived experience of homelessness and based on evidence from both within Australia and internationally that has shown to end homelessness. In it we called for:

1. An Affordable Housing Strategy that includes the delivery of 5,000 new social housing dwellings every year for 10 years, provides commitments to effective inclusionary zoning and affordable housing targets for new developments and ensures no-exits from social housing.
2. A 10-year plan to end homelessness that includes no exits into homelessness, systemic funding of supportive housing approaches, a focus on ending inner city homelessness and a focus on prevention particularly for young people, women and children experiencing domestic and family violence and Aboriginal people.
3. Enhancements to the Specialist Homelessness System that addresses gaps created by the Going Home Staying Home reforms, particularly domestic and family violence services, youth services and specialist Aboriginal homelessness services.

One year since releasing this we have seen little real commitment to implement these approaches.

What we have seen is the NSW Premier's commitment to halve rough sleeping across NSW by 2025. Rough sleeping is the visible face of homelessness. According to the ABS Census only 7% of homelessness is rough sleeping. That is, 93% of people experiencing are not on the street, but in homeless shelters, couch surfing, in severely overcrowded houses and other insecure accommodation. Government policies need to address all forms of homelessness. Nonetheless this target is welcomed as a starting point to end all homelessness and to improve service system collaboration to prevent and address homelessness.

Unfortunately, we have just missed the initial target of reducing rough sleeping in the City of Sydney LGA by 25%, instead achieving a reduction of 23%.

The failure to fully meet the target is due to two main factors. The first is the lack of new investment in supportive housing approaches (social housing combined with wraparound supports to assist in maintaining that housing) and the second is the absence of a co-ordinated and collaborative planning approach that outlines the roles and responsibilities of both

government, NGO and community stakeholders and holds those stakeholders to account in delivering services that will assist with meeting the target.

### *The Protocol for Homeless People in Public Places*

One of the elements that is vital to a collaborative and planned approach to meeting the Premier's target to halve rough sleeping is the Protocol for Homeless People in Public Places (the Protocol). The Protocol was developed almost 20 years ago and was an initiative that led the way across Australia in recognising the rights of people sleeping rough and in outlining the roles and responsibilities of a broad range of public space agencies in ensuring that people sleeping rough were supported to remain safe and to access services.

The Protocol was only actively implemented in the City of Sydney LGA and there was no monitoring or assessment of its implementation. Anecdotally, we have been advised by members and people experiencing homelessness that nonetheless the Protocol was a key document in raising community awareness of people sleeping rough's right to public space and in improving public space agency responses including policing, council and transport worker responses to people sleeping rough.

A rights based approach is vitally important to supporting the rights of people sleeping rough as they have a high number of interactions with the NSW Police. According to our 2015 Registry Week research the 516 respondents had over 9,200 interactions with the police in the prior 6 months.

Unfortunately, the Protocol has had uncertain status since the NSW Government introduced the Bill in 2017 authorising the NSW Police to remove people experiencing homelessness on crown land if the appropriate Minister deems there to be a public safety issue in response to people sleeping rough in Martin Place.

Homelessness NSW believes that the Protocol needs to be reviewed, updated and introduced across NSW with the following:

- Maintaining its rights based approach and support of people sleeping rough including acknowledgement of the rights of people sleeping rough. It must highlight that people who are sleeping rough can be from different backgrounds, genders and ages, and as such must be simple and succinct and include consideration of different needs and support requirements.
- A whole of government commitment to the Protocol that requires all relevant government agencies to develop an implementation and monitoring plan and is signed off by the NSW Premier;
- The requirement for all Local Councils, where there is significant rough sleeping, to commit to the Protocol and develop a LGA implementation and monitoring plan outlining the council service roles and responsibilities and to co-ordinate NGO and community stakeholder commitment to the Protocol. This should include key local businesses and community groups;
- Inclusion in LGA implementation and monitoring plans strategies that identify the support needs and culturally safe ways of working with Aboriginal people sleeping rough and engagement with local Aboriginal communities and organisations;
- A planning process around significant development and infrastructure projects to ensure the rights of people sleeping rough and to coordinate the response to people sleeping

rough in these areas so that service contact and safety is maintained. Martin Place is an example of the need for collaboration and coordination in this instance, as the issue escalated following the developer's need to access the space being utilised by people sleeping rough.

- A complaints process or right of appeal for people sleeping rough if an agency fails to meet its obligations with regard to the Protocol. This issue has been consistently raised by people with experience of sleeping rough in consultations on access to public space and policing.
- Training for public space agency staff in contact with people sleeping rough on experiences of homelessness, the rights based approach of the Protocol and how to support people sleeping rough. This should prioritise NSW Police officers in areas with significant rough sleeping. It should also be extended to those with a private security license who have responsibility for public space or other areas such as licensed venues.
- Funding provided for the employment of Public Space Liaison Officers in LGAs with significant communities of people sleeping rough. The first point of contact for many people sleeping rough is their local council. Some councils are now employing Public Space Liaison Officers as a conduit between rough sleepers and other members of the community. Homelessness NSW would encourage the NSW Government to engage with ourselves and Local Government NSW to see these valuable positions rolled out across NSW in areas with hotspots of rough sleepers.

We look forward to discussing these matters further with the Committee. Please contact me at [katherine@homelessnessnsw.org.au](mailto:katherine@homelessnessnsw.org.au)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Katherine McKernan'.

Katherine McKernan  
CEO