

**ANTI-DISCRIMINATION GUIDELINES SURVEY*****Have your say - Earn \$15 - Stop Discrimination!***

Under Victorian law it is currently unlawful to discriminate against someone on various grounds including race, religion, marital status or political and religious belief. Disturbingly however, it remains lawful to discriminate against someone on the basis of homelessness or social status.

You may have experienced discrimination on the basis of homelessness in the past. For example, you may have applied for accommodation and been rejected on the basis that the vacancy has been filled only to find that the accommodation was later rented to someone else. Or, you may have been refused service at a local bar or restaurant on the basis of the way you present.

In an attempt to prevent this type of discrimination, later this year the Victorian Government will introduce guidelines to regulate the conduct of businesses and other entities that provide accommodation and goods and services. The guidelines will focus on addressing the forms of discrimination that occur in these areas on the grounds of homelessness or social status.

Before implementing the guidelines, the Victorian Government is seeking feedback from consumers regarding instances of discrimination on the grounds of homelessness or social status. Accordingly, we are asking you to consider participating in a survey that has been developed by the Homeless Persons' Legal Clinic so that we can inform the Government about the nature and extent of discrimination that occurs in Victoria on these grounds.

The HPLC aims to survey up to 150 people who are homeless, or at risk of homelessness. Consumer consultation workshops will be conducted at the HPLC's ten *pro bono* legal clinics by HPLC volunteer lawyers drawn from PILCH member law firms. In recognition of the importance of your contribution we are offering \$15 for completion of the survey. You can participate in our Anti Discrimination Guidelines survey by one of the following methods:

- Call the Clinic on 9225-6680
- Attend one of our clinic workshops between 5 February and 18 February 2007 (see opposite page for times and clinic details)

**CALL FOR APPLICATIONS TO THE PILCH HOMELESS PERSONS' LEGAL CLINIC CONSUMER ADVISORY GROUP**

- *Are you homeless or formerly homeless?*
- *Do you believe that you should have a say in the decisions that affect you?*
- *Are you committed to the human right to participation?*
- *Do you want to help to improve services for other people who are homeless?*

The PILCH Homeless Persons' Legal Clinic is currently recruiting additional members for its Consumer Advisory Group. The Consumer Advisory Group meets monthly and provides guidance and advice to the Clinic. This advice helps the Clinic improve the quality and accessibility of its legal services and its policy, education and community development activities. Members of the Group will be paid \$20 per hour.

***Key Tasks***

Members of the group must be prepared to:

- Share experiences of homelessness and the effects of homelessness in a variety of forums
- Facilitate and encourage consumer participation amongst service users and service providers
- Provide the HPLC with feedback and input into service evaluations, policies and procedures, law reform and public policies
- Develop mentoring skills so as to build advocacy capacity and self empowerment amongst consumers

***How to Apply***

Applications must be made in writing to the Coordinator of the Clinic, Kristen Hilton, PILCH, Level 1, 550 Lonsdale St, Melbourne, Vic, 3000 or by email to [projects.pilch@vicbar.com.au](mailto:projects.pilch@vicbar.com.au).

Your application should set out your eligibility for membership and what you aim to achieve through participation in the Group. Applications will be assessed having regard to factors including experience, commitment, stakeholder representation and diversity. The closing date for applications: **26 January 2007**

For further information, including a copy of the Consumer Advisory Group Terms of Reference, call the Clinic on 9225 6684. Please also check at our website at [www.pilch.org.au](http://www.pilch.org.au) and follow the link to the Homeless Persons' Legal Clinic.

We look forward to receiving your application!

**HPLC GOOD NEWS STORIES**

**Office of Housing:** Sam\* sought assistance with a dispute with the Office of Housing. In 2002, a VCAT order was made against Sam and in favour of the Office of Housing for payment of \$2392 for expenses related to cleaning and repairs. At a rehearing in 2006, Clinic lawyers were able to successfully argue that much of the damage claimed by the Office of Housing was not caused by Sam. The Member of VCAT was impressed by how well Sam presented and accepted his story, resulting in a large proportion of the costs order being withdrawn.

**Infringement Matters:** Meredith\* incurred 120 infringements over a period of time totaling \$27,000 for e-tag and parking fines. Meredith had been diagnosed with schizophrenia and had drug and alcohol problems for several years leading up to the period in which she committed the infringements. Meredith had also endured intermittent homelessness. Clinic lawyers scheduled a hearing at the Special Circumstances List at the Magistrates' Court, and were successful in getting some of the fines withdrawn before the hearing. At the hearing, Clinic lawyers outlined Meredith's circumstances and the remaining matters were withdrawn.

**VOCAT Award:** John\* was the recipient of an award with a total value of \$9626 as a result of suffering psychological trauma arising from a violent assault. John is now entitled to counseling sessions and Special Financial Assistance. (\*All names have been changed.)

## HOMELESSNESS: AN INTERNATIONAL PERSPECTIVE

Over the next couple of editions, *StreetRights* will cast a spotlight on the way other countries are dealing with homelessness and the right to adequate housing.

### France

#### **France looks set to introduce a legal right to housing!**

In France, an organisation known as *The Children of Don Quixote* has successfully campaigned to bring about laws which would create a 'legal right' to housing. Earlier this year a tent city (pictured below) was established along the River Sienne in the middle of Paris and in other major cities of France to bring attention to the issue prior to the April presidential elections. Existing homeless, as well as local Parisians were invited to sleep in the tents during some of the coldest months of the year. To date, the campaign has been successful in highlighting the plight of the nation's estimated 86,000 homeless. In a bill proposed by the French Government, housing is set to become a 'legal right', and if passed, will mean that a person without lodging would have a right to sue the Government. France's Government has also agreed to provide 27,000 places for the homeless. More recently, Socialist presidential candidate Segolene Royal visited a Paris squat where homeless families have taken shelter, and said the fight against homelessness should become one of France's priorities.

### Scotland

The recent developments in France have been in part influenced by progressive responses to homelessness by other European Governments. In 2001, the Scottish Government introduced the *Housing (Scotland) Act* which places a legal obligation on local authorities to ensure that all people suffering from homelessness are provided with temporary accommodation. A further act introduced in 2003 strengthens the commitment by seeking to abolish the distinction between those with 'priority' need and those 'not in priority'. The practical effect of the 'priority' distinction had been that those homeless households that did not have dependant children were missing out on accommodation because they were not deemed to have priority housing needs. The new legislation makes no such distinction. In addition to these legislative reforms, a new '*Code of Guidance on Homelessness*' provides local Scottish authorities with guidance on how to operate their homelessness functions. All local authorities have to 'have regard to' the Code in their policies and practice.

### Japan

In February 2003, a first ever nation-wide survey found that there was 25,296 homeless people in Japan. Those close to the issue report that the number is significantly greater, and on the rise. The survey found that the majority of the Japanese homeless population are aged over 50, and many were formerly involved in postwar construction, but have since been left unemployed, with very little means to support themselves. The *Seoul Times* has reported that the problem is attributed to deeply rooted discrimination, in particular a prejudice against middle aged and older people. In recent years, the cities of Japan have seen a proliferation of 'Zero Yen' houses in parks and public places (such as those pictured below) which quickly fold away and can be easily rebuilt after police raids.



(Left: Make-shift shelter in Osaka Castle Park, Japan.  
Right: Tents established in protest along the Sienne, France)

## THE CLINIC PROVIDES FREE LEGAL ADVICE AT THESE LOCATIONS AND TIMES:

### The Big Issue

148 Lonsdale St, Melb 3000  
**Mon: 10:00am - 11:00am**

### Melbourne Citymission

214 Nicholson St  
Footscray 3011

**Mon: 10:30am - 1:00pm**

Footscray train station  
Tram 82 (Droop St)

### Ozanam House

179 Flemington Rd,  
North Melb 3051

**Tues: 10:00am - 12:00pm**

Flemington Bridge train station  
Trams 55, 59, 68 (Flemington Rd)

### Urban Seed (Credo Café)

174 Collins St, Melb 3000  
**Tues: 12:00pm - 1:00pm**

### Flagstaff Crisis Accommodation

9 Roden St, West Melb 3003

**Tues: 1:00pm - 2:30pm**

North Melbourne train station  
Tram 57 (Victoria St)

### The Lazarus Centre

203 Flinders Lane, Melb 3000  
By appointment - call 9639 8510

### St Peter's Eastern Hill

15 Gisborne St, East Melb 3002

**Wed: 7:30am - 9:00am**

Parliament train station  
Trams 24, 42, 109 (Victoria Pde)

### Hanover Southbank

52 Haig St, Southbank 3205

**Wed: 1:15pm - 3:00pm**

Spencer Street train station  
Tram 112 (Clarendon St)

### HomeGround Housing

1A/68 Oxford St  
Collingwood 3066

**Thurs: 12:00pm - 2:00pm**

Collingwood train station  
Tram 86 (Smith St)

### Salvation Army Life Centre

69 Bourke St, Melb 3000

**Thurs: 1:00pm - 2:00pm**

### VACRO

116 Hardware St, Melb 3000

**Thurs: 1.00 - 3.00pm**

Melbourne central station  
Tram 19, 57 and 59 (Elizabeth St)

### PILCH

Level 1, 550 Lonsdale St  
Melbourne VIC 3000

(03) 9225 6684

[www.pilch.org.au](http://www.pilch.org.au)

## QUOTE OF THE MONTH:

"There is a lot that happens around the world we cannot control. We cannot stop earthquakes, we cannot prevent droughts, and we cannot prevent all conflict, but when we know where the hungry, the homeless and the sick exist, then we can help".

**Jan Schakowsky**