

STREET RIGHTS

NEWSLETTER OF THE PILCH HOMELESS PERSONS' LEGAL CLINIC

Edition 24 – February 2007

PRISONS EDITION

Celebrating 6 Months of the HPLC VACRO Clinic

VACRO and CORRS CHAMBERS WESTGARTH A Successful Partnership

HPLC congratulates VACRO and Corrs staff on 6 months of successful operation of a new legal clinic set up to provide free advice and assistance to pre and post release prisoners and their families. Since September 2006 the HPLC Team at Corrs has assisted over 50 clients on a pro bono basis with a range of legal issues. Corrs volunteer lawyers attend the Clinic weekly from 1:00 to 3:00 pm Thursdays. (see over the page for an interview with Corrs lawyers)

VACRO is a community based welfare providing a range of support services for recently released prisoners, offenders and their families. To make an appointment at the Clinic please call 9602 1366 and speak to the staff at VACRO.



Supporting Offenders and their Families

www.vacro.org.au



www.corrs.com.au

HPLC NEWS & EVENTS CALLING ALL CREATIVE SPIRITS!

In August this year, the Clinic plans to hold a photo exhibition during National Homelessness Week. The exhibition will be held in the Atrium space at Federation Square and will consist entirely of the work of people who have experienced homelessness.

We are seeking 12-14 people from a variety of backgrounds to participate in the project as artists. The artists will have access cameras, and will be mentored by professional photographers. To be involved, please call Kristen Hilton on 9225 6684 or email at projects.pilch@vicbar.com.au.

HPLC GOES TO GENEVA

HPLC Coordinator Kristen Hilton has been granted a Churchill Fellowship to investigate innovative strategies for improving legal services to people experiencing homelessness and at risk of homelessness. She will travel to South Africa, USA, and Europe. Kristen will also attend the Human Rights Council as an NGO representative. Updates will be provided in coming editions of *Street Rights*.

OBTAINING A RENTAL REBATE ON PUBLIC HOUSING WHILE INCARCERATED OR TEMPORARILY ABSENT

HPLC has seen a number of clients with outstanding debts owed to the Office of Housing. In some circumstances, these debts may be avoided with an application to the Office of Housing. The Office of Housing has a policy that public housing tenants who are incarcerated for a short time (up to 6 months) are eligible to have their rent reduced to \$15 per week. To be eligible for this reduction, the applicant must submit a form seeking approval from the Housing Services Manager for the property to be temporarily vacant.

If the tenant resides alone in a property that has a weekly service charge for heating, hot water etc, this is waived for the period of their absence. Applicants will require documentation confirming that the tenant or resident is going to jail and the dates in which the tenant will be incarcerated.

If there are other tenants remaining on the property, income documentation must be provided in order to assess entitlement to a rebate. Tenants are not permitted to sublet their property while they are temporarily absent.

For more information or assistance with a rebate application or outstanding public housing debts please contact the Clinic on 9225 6684.

CREDIT AND DEBT TRAINING FOR IMPRISONED OFFENDERS

In partnership with VACRO and the Financial and Consumer Rights Council, over the next 6 months the HPLC will conduct 10 education and awareness workshops for incarcerated persons in relation to credit and debt matters.

The workshops will be held at 5 different prisons throughout Victoria and will seek to equip participants with skills and knowledge to manage outstanding credit and debt matters and deal with issues in relation to child support, infringement fine debt and social security.

The funding for this project was kindly provided by Consumer Credit Fund.

HPLC GOOD NEWS STORIES

**Names have been changed*

Victims of Crime Assistance: HPLC lawyers successfully represented Sarah* in relation to a victim of crimes compensation matter. Sarah was given an award that included a self-defence course, payment of university subjects that could not be completed due to depression following the assault and special financial assistance. The value of the award totaled over \$5000. Sarah first attended the clinic in 2004 and was suffering from severe depression, drug addiction and trauma related to the crime. Since that time Sarah has made excellent personal progress and has successfully returned to university.

Debt Assistance: Jane* was recently released from jail to find her ex-partner had left their shared house leaving a number of debts in her name. She was unable to pay the debts and had defaulted on a short-term money lending contract. HPLC lawyers carried out negotiation on Jane's behalf in relation to the debts and were successful in having the debts waived. Jane was also provided with advice regarding her tenancy rights.

INTERVIEW WITH HPLC VACRO LAWYERS

Why did Corrs get involved with the VACRO Clinic?

Justin Fox: The legal profession has a tremendous history of social engagement. The big firms are not exempted from that. At Corrs, we regard our pro bono commitment as an essential part of our professional responsibility, and we take it seriously. We also have a pool of extremely talented people who want to get involved. The benefit to the firm is that the program helps us to develop well rounded young lawyers and our next generation of leaders.

What motivated you to be part of the VACRO clinic?

Beth Crilly I thought it sounded like a good opportunity to do something to assist the wider community, and to learn new skills and gain experience at the same time.

Sheree Siow: VACRO seemed like a great organisation to be involved with. It is trying to tackle problems in a proactive way to help ex-prisoners integrate into the community (eg with Bridging the Gap and mentoring programs) and supporting their families.

Janey Tootell: The chance to take a small step to address inequity in the distribution of access to justice and service providers and a desire to try to restore faith in the justice system and the law for those that have had bad experiences.

What is most rewarding in your work at the VACRO clinic?

Justin Fox: My involvement in the program exposes me to whole new areas of practice which I would never usually see in a corporate law firm - I am enjoying learning again!

Sheree Siow: The most rewarding thing is helping people feel empowered by informing them of their rights. Helping them with one issue gives them confidence to handle their other problems (whether legal or personal).

John-Paul Cashen: When you meet a client for the first time they are often exasperated and worn out by their experience with the legal system. It's great to let them know that we are able to help them and that hopefully things will get better from there.

Describe some of the issues that you have come across in your work at the VACRO clinic?

Beth Crilly The client whose matter I have worked on most was injured at work while he was a prisoner in one of Victoria's privatised prisons. A wide range of issues have presented themselves, in addition to the usual issues that arise in any personal injury case. In addition to proving fault and determining the extent of the injury, the matter is complicated by a range of factors that either relate directly to, or have been exacerbated by, the fact that the injury occurred in a prison. For example the limitations of WorkCover, determining the proper defendant, the standard of care that is owed to prisoners while at work and limitation of actions issues.

John Paul Cashen: We've had a very wide range. Immigration matters, issues with the Office of Housing, fines and personal debt, Centrelink issues, and issues with Corrections Victoria are some examples.

What are the biggest problems faced by ex-prisoners today?

Sheree Siow: Some of the biggest problems ex-prisoners face include mental illness, drug addiction, discrimination in employment and housing, debt and homelessness. Even with the best intentions, these significant issues make it difficult for ex-prisoners to integrate into the community. When people leave prison they have little to no income, they also have difficulty finding employment and housing. They often incur more debt which makes it difficult for them to break the poverty cycle or turn away from crime or drugs. Their families have difficulties helping them as they often have their own issues, including caring for dependents, poverty and mental illness.

John-Paul Cashen: Obtaining adequate housing is always difficult. Private rent is expensive and difficult to obtain with a criminal record, and public housing is very limited. This can significantly hamper re-adjustment into the community.

What are the biggest problems faced by current prisoners?

John-Paul Cashen: Family visits can be very difficult with prisons located all around Victoria. Prisoners are also often moved without notice and the families have little or no right to object.

QUOTE OF THE MONTH:

The challenges of housing, homelessness, addictions, and mental health require us to rethink the actions of a generation. Homelessness is a plague that weakens our cities, siphons our strength, and erodes our social fabric. It weakens us all. It is unacceptable. The failed approaches of the past that require more money but deliver no improvement are also not acceptable. New approaches are needed... *Premier Gordon Campbell, British Columbia.*



Justin Fox
Partner in
charge of the
VACRO
program



Sheree Siow
HPLC Volunteer
Lawyer



**John-Paul
Cashen**
HPLC - VACRO
Team Leader
and Volunteer
Lawyer



Janey Tootell
HPLC - VACRO
Team Leader
and Volunteer
Lawyer

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

Tues: 12:30pm - 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