

STREET RIGHTS

NEWSLETTER OF THE PILCH HOMELESS PERSONS' LEGAL CLINIC

Edition 22 – November 2006

HPLC VOTING CAMPAIGN

In the lead up to the Victorian State election, the Homeless Persons' Legal Clinic and the Council to Homeless Persons together with the Victorian Electoral Commission are running an education campaign to encourage people experiencing homelessness to enrol and vote. The campaign is the first of its kind to take targeted and comprehensive measures to ensure that the voices of homeless people are heard.

The organisations have developed a *Homeless Persons' Voting Kit* containing relevant and accessible information about the electoral process. The information kits have been widely distributed to homeless people and homelessness services across Victoria.

It is estimated that up to 80,000 homeless people were not enrolled or did not vote in the last Federal election in 2001. Over the last couple of years, the HPLC has been lobbying for reforms to both State and Commonwealth electoral laws to make it easier for homeless people to vote. Changes to the Victorian *Electoral Act* in 2004 made some progress towards addressing challenges faced by homeless people who want to vote. Under the amendments, homeless people who do not have a fixed residential address including people sleeping rough or staying in crisis accommodation can enrol to vote as a No Fixed Address Elector. Importantly, a person enrolled as a No Fixed Address Elector, cannot be fined for failing to vote on Election Day.

Although enrolment for the forthcoming State election has closed, it is possible to enrol at any time to be eligible to vote in future elections. If you would like more information about the Voting Kits please contact the PILCH Homeless Persons' Legal Clinic. Voter enrolment forms are also available from any post office or by contacting the Victorian Electoral Commission on toll free 1800 013 366 or www.13vote.com.au.

STOP PRESS!

In its recent *Access to Justice* statement released on Tuesday 14 November 2006, the Bracks government has promised \$800,000 to improve access to justice for homeless people. The money will be used to establish a Homeless Persons' Liaison Officer at the Melbourne Magistrates' Court and to increase funding to the Homeless Persons' Legal Clinic. Your vote at the coming election can help ensure that advocacy services for homeless people are improved.

VOTING AGAINST HOMELESSNESS

On Saturday 25 November 2006 there will be a Victorian State Election. This is your opportunity to have a say about who represents you in the State Parliament. The State Parliament is responsible for policies and programs in areas including homelessness, housing, health care, transport, education and training, drugs and crime prevention, human rights and anti-discrimination.

Why is it important to enrol and to vote?

1. Voting is empowering.
2. If you don't vote, you let other people decide what is best for you.
3. Your vote could determine the election result. Many seats are won by a handful of votes.
4. Voting is one of the simplest and most effective ways of having your voice heard.
5. Politicians and political parties collect statistics and track information about whether members of various community groups are enrolled to vote and exercise their right to vote. Politicians and political parties are more likely to act in the interests of homeless people if they know that homeless people have the power to vote them in or out of a job!
6. Voting is a legal obligation.
7. Voting is one of the most effective ways of holding politicians accountable and keeping the bastards honest!

The more homeless people that enrol and vote, the more power and influence that homeless people and advocates will have.



HPLC GOOD NEWS STORIES

Infringements: Clinic lawyers assisted a client who was concerned about his outstanding fines and feared the possibility of going to jail. The client was particularly concerned as he was undergoing medical treatment for a serious illness and was anxious that this treatment would be unavailable if he was imprisoned. Clinic lawyers made numerous inquiries and discovered that many of the client's fines had expired and there were no warrants outstanding.

State Trustees: Clinic lawyers assisted a client who had had State Trustees appointed as administrators of his estate while he was an involuntary inpatient in hospital. The client did not want an administrator and had many issues with the way in which State Trustees were managing his estate. Clinic lawyers successfully applied for a re hearing of the administration order on the basis that the client was not present at the original hearing. The administration order was successfully revoked. State Trustees has now handed back management of the estate to the client.

Urgent communication to the UN Special Rapporteur for Adequate Housing

Earlier this month, the Homeless Persons' Legal Clinic in conjunction with the Human Rights Law Resource Centre submitted a request for urgent action to the UN Special Rapporteur on the Right to Adequate Housing in relation to people experiencing homelessness in Australia.

The report contains current information about the current protection, or lack thereof, of the right to housing from a number of housing and homelessness organisations as well as direct insights from homeless people across Australia. It seeks to further assist and inform the Special Rapporteur on the Right to Adequate Housing in his final country report on Australia.

The report is also addressed to the Special Rapporteur on the Right to Health, the Independent Expert on the Right to be Free from Extreme Poverty, the Special Rapporteur on the Rights of Women and the Special Rapporteur on the Rights of Indigenous People. The report elucidates the practical implications of the violations of housing rights and the impact that this has on other human rights. It is hoped that the information contained in the report will prompt independent investigations into these areas.

To view the full document go to www.pilch.org.au.

Youth Homelessness Seminar: A Nation's Shame

On 26 October 2006, the HPLC in conjunction with *Youthlaw* held a seminar on Youth Homelessness in Australia with presentations by the Honourable Alastair Nicholson AO RFD QC, Dr Shelley Mallett and Anna Forsyth. All the presentations were extremely well researched and informative. Below is an excerpt from the Hon Alastair Nicholson's speech:

"In 1987 then Prime Minister Hawke famously said – 'By 1990 no Australian child will be living in poverty.' The media response to that statement was and is overwhelmingly cynical and the statement is still referred to with derision.

It may be that the statement was over ambitious but it did at least adopt the elimination of child poverty as a goal, which is a goal that has been lamentably lacking since that time. A recent report published by the Brotherhood of St Lawrence pointed out that, whereas the European Union and countries such as Canada have made the elimination of child poverty a specific goal, there is no similar commitment from Australian Governments.

...There is a complex series of steps that need to be taken to remedy the disastrous situation which faces homeless children in Australia. What is troublesome is that there appears to be no sense of urgency on the part of the Federal Government to act to do so....

...Homelessness is not confined to the sort of person so often demonised in the media as shiftless and irresponsible and sponging on the rest of the community. It can strike at any family for a number of reasons. This can include families who have hitherto enjoyed long term stability. An accident at work, economic misfortune or an untoward death can pitch a family into homelessness through no fault of their own. The effects are equally traumatic if nothing is done for the family."

The full speech can be viewed at www.pilch.org.au.

Special thanks to the speakers for their excellent presentations, and Blake Dawson Waldron for their generous hosting of the event.



From left: Dr Shelley Mallett, Anna Forsyth and the Hon. Alastair Nicholson.

QUOTE OF THE MONTH:

"Let's start talking about real "early intervention" and have our Commonwealth Government say sorry to our Indigenous people, redistribute some of the wealth, income and power, start to create full employment, an equitable health system based on health promotion, provide safe, affordable housing for everyone, stop treating refugees as criminals and less than human, and free all women and children from domestic and family violence. These seem to be good early intervention strategies."
(J Oberin, 2002).

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 Argyle 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

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www.pilch.org.au