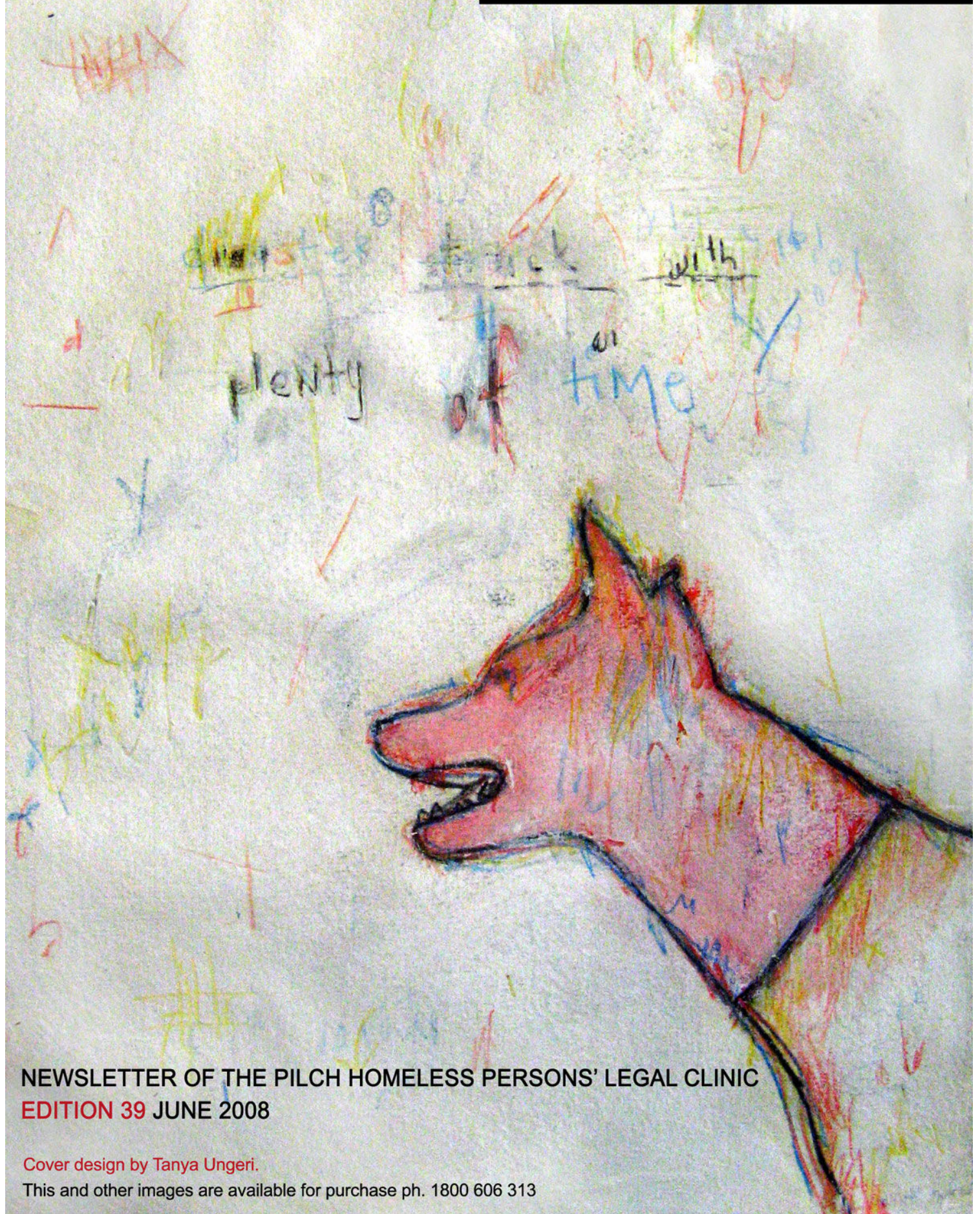


STREET RIGHTS



NEWSLETTER OF THE PILCH HOMELESS PERSONS' LEGAL CLINIC
EDITION 39 JUNE 2008

Cover design by Tanya Unger.

This and other images are available for purchase ph. 1800 606 313

by Monika Pekevsk
PILCH / HPLC Seconded Solicitor

Which Way Home

- A New Approach to Homelessness

Australian Governments' Green Paper on Homelessness

On 22 May 2008, the Australian Government put the issue of homelessness back on the national agenda by releasing a Green Paper on homelessness entitled, 'Which Way Home' (**Green Paper**). The Green Paper deals with some alarming facts about homelessness. For example it is a conservative estimate that every night there are 100,000 (including 10,000 children under the age of 12) who are homeless. Half of these people are under the age of 25. Over the last decade the rates of homelessness have increased whilst Australia has experienced high levels of economic prosperity.

The Green Paper has detailed the issues surrounding homelessness and the reasons why finding stable and secure housing for low-income individuals and families is 'a significant challenge'. The discussion paper also reflects on the numerous service providers for homeless people within our community and considers innovative models from Australia and overseas to not only improve assistance programs for people who are homeless but to create services that have a strong focus on prevention and early intervention.

The government has asked for submissions in response to their Green Paper in order to assist them in formulating a 10 year plan to overcome homelessness in Australia. This 10 year plan will be released in the form of the White Paper, expected to be issued in September 2008.

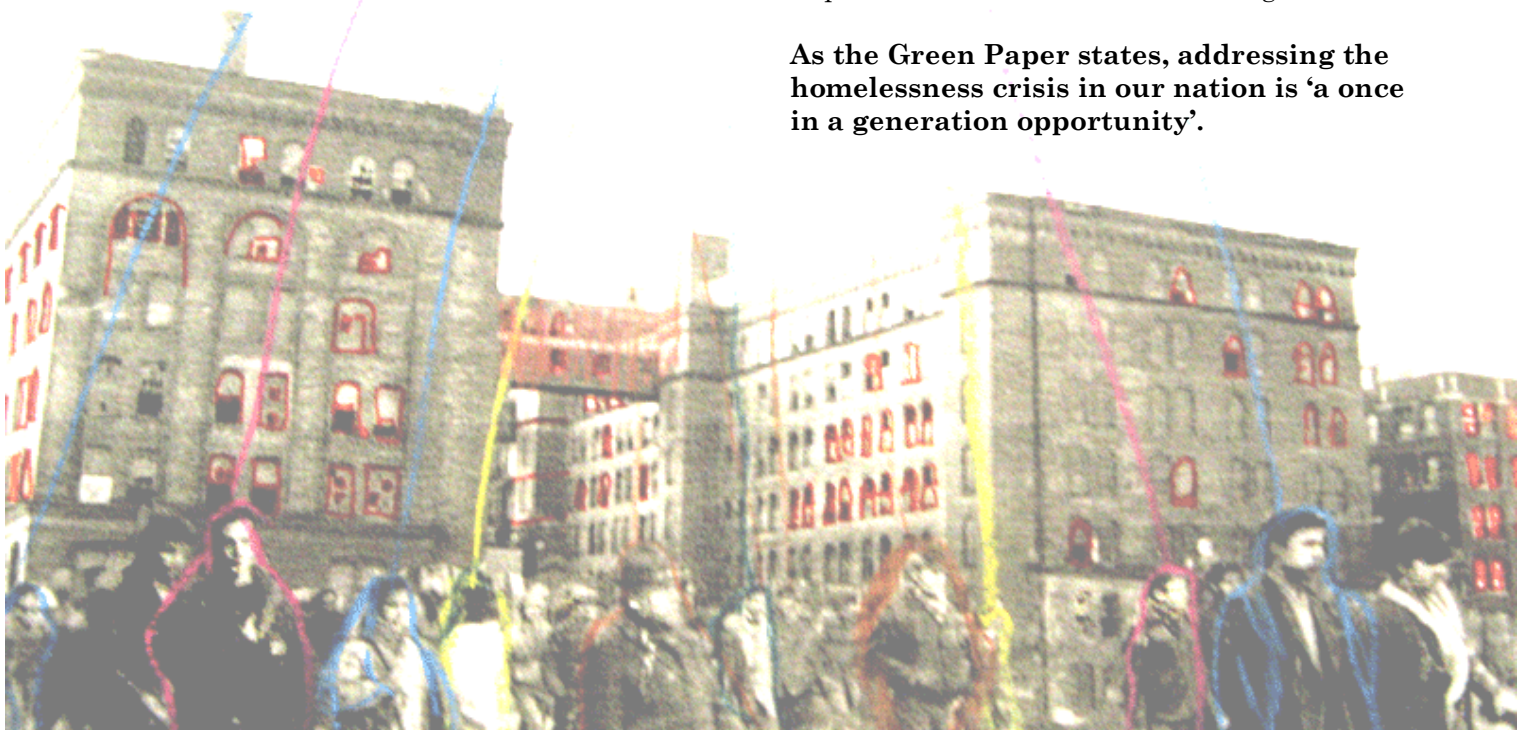
The HPLC is drafting a submission to the government's Green Paper regarding homelessness and social inclusion and would like to include the voices of the homeless people it represents.

In order to assist HPLC in drafting their submission to the Green Paper, HPLC invited people who are or have experienced homelessness to attend a Consumer Forum at Melbourne Town Hall on 24 June 2008. Over 50 people were in attendance. A representative of the Federal Government department responsible for drafting the Green and White Papers also attended the Consumer Forum to answer questions and listen to peoples' ideas.

The Consumer Forum addressed the major issues in the Green Paper. Importantly, it also contained an 'open mic' session for forum members experiencing homelessness to put forward their own ideas about how to solve homelessness and improve service delivery in relation to homelessness. Lastly, forum participants spent time writing personal submissions to the Green Paper, which have been posted (uncensored) directly to the Government by the HPLC.

We will report back in more detail about the ideas coming out of the Consumer Forum and about the HPLC's submission to the Green Paper in the next edition of Street Rights.

As the Green Paper states, addressing the homelessness crisis in our nation is 'a once in a generation opportunity'.



What are My Rights?

Credit & Debt Reporting

Did you know that every time you apply for credit (i.e. when you apply for a mobile phone contract, a credit card or loan) a record of that request is recorded on your credit report? Also, if you 'default' on a loan, credit card or mobile phone account (i.e. you fail to pay an amount owing) then that default is listed on your credit report. Your credit report is a file of information about you and how you've performed with previous credit, loans or accounts. It also contains information about court ordered debts and bankruptcy applications.

If you've been late or have missed a number of payments on loans or accounts, your credit history will be a little up and down on your credit report and it might be used to refuse you a new loan or credit card etc. For example, when you apply for the loan or credit card, the bank or company will get a copy of your credit report. Based on your history (ie. whether it is regarded that you made late payments or failed to pay loans), they may reject the application. This means that it is important that the information on your credit report is accurate.

If you are having difficulty obtaining a loan, a credit card or applying for a new mobile phone, it may be because of an adverse credit listing or a negative credit report. HPLC lawyers can assist you to investigate this and to obtain a copy of your credit report.

Information that lenders and debt collectors place on a persons' credit report is not always correct. Sometimes they list applications for credit that you may not have requested. Lenders sometimes list credit defaults without giving people notice that the listing is going to happen. Also, bad listings are frequently not corrected, even if a person has actually paid off a debt.

The problems described above are some among many that can be challenged.

HPLC lawyers can also assist with the following matters:

- Accessing your credit report to obtain your 'credit rating';
- Accessing your credit report to ensure that the information contained within it is accurate, and challenge listings where appropriate; and
- Information on your rights when dealing with credit providers and reporting agencies.

Please contact Caroline Adler, Manager/Principal Solicitor, HPLC, or Amy Barry-Macaulay, Lawyer, HPLC, on 1800 606 313 for more information.

Q & A

Grace McGuinness
Baker & McKenzie



What inspires you to work with the HPLC?

At age 10 I began photocopying for lolly money in my dad's Rosebud legal practice. Last year Rosebud - halfway between affluent Mt Eliza and Portsea - made the top 22 priority areas for extreme disadvantage nationally. My summer holidays were spent on cases ranging from a waterside mansion falling off a cliff-face, to instructions on PERIN notices, drug and assault charges and custody challenges, sometimes for families I went to school with. While these smaller files rarely recovered on the time (and often emotion) spent, I grew up considering them an integral part of legal practice.

What do you do when you're not being a lawyer?

One of my passions is Australian and local arts. I am particularly proud of all my talented friends - Melbourne musicians, comedians, fashion designers, film directors - and take every opportunity to support them and introduce other people to quality home-grown talent. So part-time groupie, I guess!

The CAG Chronicle June 2008

The 5th National Homelessness Conference

The 5th National Homelessness Conference was held at the Adelaide Convention Centre from 22nd – 23rd May, 2008. I attended the Conference as the HPLC Consumer Advisory Group representative along with Caro and Amy, from the HPLC team, to hear about what the Federal Government is going to do about homelessness in Australia. Showing the government's commitment to the issue, Prime Minister Kevin Rudd opened the Conference on Thursday morning and formally launched the federal government's Green Paper on Homelessness – *'Which Way Home? A New Approach to Homelessness'*.

While the Conference started with a clear government commitment and some high expectations for positive change, by the second day it became clear that a number of attendees had significant and disparate concerns about the federal government's Green Paper, with many raising concerns about funding and changes to the *Supported Accommodation Act 1994 (SAAP)*. There is no doubt that there will be many different submissions to the government's Green Paper, however, there should be one consistent message and that is that the government must change and improve current laws, systems and procedures so that the rights of people experiencing homelessness are better protected. The SAAP system needs to be improved so that it is targeted towards solving homelessness, not merely managing it.

Philip Mangano, Executive Director of the United States Interagency Council on Homelessness, gave closing remarks at the Conference which were truly inspirational. As he said, if the problem still exists (indeed it is worsening in Australia) then there is much room for improvement and positive change. We must strive to improve our currently laws, systems and processes so that together we end homelessness in Australia.

- Kirra

HPLC good news story

Julie lives in community housing and was facing eviction as a result of a 120-day eviction notice under the *Residential Tenancies Act 2007*. Assisted by the HPLC Julie successfully used the *Charter of Human Rights and Responsibilities* to challenge the eviction. The notice required Julie - a pregnant single mother to two young children - to move out of her home and did not provide any reasons for the eviction. In VCAT, the HPLC argued that the landlord (a registered housing association providing community housing to low-income Victorians) had obligations under the *Charter of Human Rights and Responsibilities* and so had to consider Julie's and her family's rights before deciding to evict them. The HPLC also argued that the eviction would result in homelessness or risk of homelessness for Julie and her family. Lastly, the HPLC argued that evicting a family into homelessness, without assisting the family to find alternatives breached Julie's and her children's rights to privacy, family and life. After some negotiation, the community housing authority withdrew the eviction notice and agreed it would not rely on it in the future. As a result, Julie and her family were able to stay in their house.

* Names have been changed

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Melbourne Citymission

214 Nicholson Street
Footscray 3011

Mon: 10:30am - 1:00pm

Footscray train station - Tram 82 (Droop St)

Ozanam House

179 Flemington Rd
North Melbourne 3051

Tues: 10:00am - 12:00pm

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

Urban Seed (Credo Café)

174 Collins St, Melbourne 3000

(Approach via Baptist Pl, off Little Collins) **Tues: 12:00pm - 1:00pm**

Flagstaff Crisis Accommodation

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Salvation Army Life Centre

69 Bourke Street
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The Lazarus Centre

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By appointment - call 9639 8510

St Peter's Eastern Hill

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Wed: 7:30am - 9:00am

Parliament train station - Trams 24, 42, 109
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Hanover Southbank

52 Haig St, Southbank 3205

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Spencer Street train station - Tram 112
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HomeGround Housing

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Collingwood 3066

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