

Media Release – 23 May 2008

**Homelessness is a Violation of Human Rights
and a Failure of Government Responsibility**

Any effective national response to homelessness and social exclusion must focus on human rights, according to the PILCH Homeless Persons' Legal Clinic and the Human Rights Law Resource Centre.

'Homelessness is profound form of social exclusion. It is also a violation of human rights and a failure of government responsibility,' said Caroline Adler, Manager/Principal Solicitor of the PILCH Homeless Persons' Legal Clinic.

Responding to the Federal Government's Green Paper on homelessness, Ms Adler said 'The Rudd Government has recognized that homelessness is a complex social issue affecting an increasing number of Australians every year. It is unacceptable that, over the last decade, Australia has experienced unprecedented economic prosperity but also increasing homelessness'.

Ms Adler was critical, however, that the Green Paper did not appear to consider the importance of a legislative response to homelessness which enshrines fundamental human rights.

'The Rudd Government has shown commitment and leadership on the issue of homelessness,' she said. 'A long-term sustainable response to homelessness should not, however, be contingent upon political leadership and goodwill. The human rights of homeless people and the responsibility of governments to address homelessness must be enshrined in legislation.'

Ms Adler said that while aspects of the law and legal problems currently contribute to homelessness, the entrenchment of human rights in law could contribute to its alleviation.

Philip Lynch, Director of the Human Rights Law Resource Centre, said that all people have the right to adequate housing and interconnected human rights, including the rights to health, social security, education, participation, equality, human dignity and respect. 'Respect for and realisation of these rights is essential to prevent and address homelessness,' he said. 'Research, experience and common sense all demonstrate that there is a very strong correlation between respect for human rights and a government's success in addressing homelessness and poverty'.

'The most effective responses to homelessness around the world have recognised that homelessness as a human rights issue and government responsibility,' Mr Lynch said. 'They have involved governments committing rights, benchmarks and performance measures to law.'



Ms Adler said that the Green Paper is the first step in developing a new approach to homelessness and will be followed by a White Paper. 'We welcome the opportunity created by the government to contribute to ensuring a well-resourced, holistic and effective response to homelessness,' she said.

Background

The Green Paper seeks to promote public discussion of homelessness, highlight the challenges faced by people who are homeless, and suggest ways forward. The PILCH Homeless Persons' Legal Clinic is hosting a forum to allow people who have experienced homelessness to provide feedback on the issues raised in the paper and identify other important issues and possible strategies.

Established in 2001, the PILCH Homeless Persons' Legal Clinic has provided free legal assistance to nearly 3000 homeless people. Clinics are staffed by pro bono lawyers from private sector law firms and legal departments at eleven outreach locations across Melbourne including crisis shelters, soup kitchens and welfare agencies.

The Human Rights Law Resource Centre, Australia's first specialist human rights legal service, is an independent community legal centre that aims to promote and protect human rights, particularly the human rights of people that are disadvantaged or living in poverty, through the practice of law. The Centre also aims to support and build the capacity of the legal and community sectors to use human rights in their casework, advocacy and service delivery.

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