

### THE WORLD'S FOREMOST EXPERT ON THE RIGHT TO ADEQUATE HOUSING VISITS MELBOURNE

On 11 and 12 August 2006 the UN Special Rapporteur on the Right to Adequate Housing, Mr Miloon Kothari, will visit Melbourne as part of his Australian tour.

The Rapporteur will examine the situation on the ground in Australia in relation to safe and adequate housing and report to the UN Human Rights Commission (**HRC**) on whether the commonwealth, state and territory governments are meeting their national and international obligations.

#### The role of the Rapporteur

In recognition that having a secure place to live is one of the fundamental elements for human dignity, physical and mental health and overall quality of life, the HRC appointed a Special Rapporteur on Adequate Housing in April 2000. The Rapporteur is required to focus on adequate housing as a component of the right to an adequate standard of living.

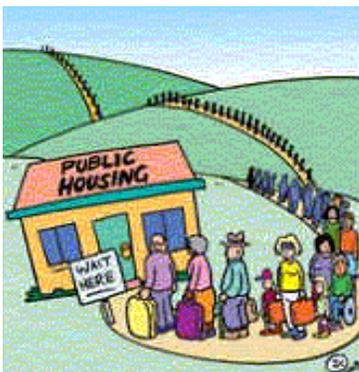
The Rapporteur's role includes:

- (a) reporting on the status, throughout the world, of the realisation of the right to adequate housing and other related rights including the right to be free from discrimination and the right to health; and
- (b) encouraging governments to uphold their obligations and to fulfil, protect and respect these rights.

#### Country visits

In order to report on the progress in and obstacles to the realisation of the right to adequate housing the Rapporteur undertakes country visits each year. During his country visits the Rapporteur also endeavours to identify practical solutions and best practices in the realisation of the right to adequate housing.

While in Melbourne, the Rapporteur will meet with consumers, government representatives, housing agencies and organisations and other non-government organisations.



On 12 August 2006 the Rapporteur will visit Bendigo with the view to gaining an insight into housing issues in rural Victoria. On the evening of 12 August the Rapporteur will speak at a dinner hosted by the HPLC.

Further information regarding the SRAH can be found at <http://www.ohchr.org/english/issues/housing/index.htm>

### CONSUMER FORUM – 11 August 2006 *an outside view from the inside*

The UN Special Rapporteur on the Right to Adequate Housing has accepted the HPLC Consumer Advisory Groups' invitation to meet with consumers during his visit to Melbourne next month.

Under international law, the commonwealth, state and territory governments have obligations to ensure that all their citizens are afforded basic human rights such as:

- the right to safe and adequate housing;
- the right to highest attainable standard of health and health care;
- the right to be treated with dignity and respect; and
- the right to adequate income and social security.

The SRAH considers the direct insight of people who are experiencing or have experienced homelessness key to determining whether basic human rights are being met.

If you are experiencing or have experienced homelessness, the Consumer Advisory Group invites you to share your views and experiences in a supportive environment and inform an international human rights body about a pressing local and domestic issue.

The forum aims to allow consumers to:

- gain knowledge about their human rights and ways in which they can contribute to the increased protection of these rights;
- share their experiences of homelessness; and
- develop recommendations for strengthening the community's response to homelessness.

The testimonials and recommendations of the forum will then go on to inform a report that will be presented to the Rapporteur about the realisation of that right in Australia.

The consumer forum will take place between **11.00 and 2.00 pm on 11 August 2006** at the Yarra Room, Melbourne Town Hall. Consumers will be paid \$25 for their attendance and contribution. MET tickets and lunch will also be provided.

For more information and to register please RSVP to Kristen Hilton on 9225 6684 or [projects.pilch@vicbar.com.au](mailto:projects.pilch@vicbar.com.au)

#### HPLC GOOD NEWS STORIES

##### Centrelink:

Clinic lawyers recently assisted a client who was seeking reinstatement of his mobility allowance. Clinic lawyers obtained confirmation from numerous other organisations with whom the client volunteered and completed the necessary documents required to reinstate the allowance. Despite initial resistance from Centrelink, the allowance was reinstated.

##### Victims of Crime:

Clinic lawyers assisted a client who had been sexually abused as a Ward of the State with a Victims of Crime compensation application. The Tribunal initially found that on the basis of the available material it was unable to make an order in favour of the client. However, after filing further materials and reminding the Tribunal that the relevant test is the 'balance of probabilities' test, the Tribunal made an offer of \$20,000 to the client for pain and suffering as well as awarding legal costs.

## BEWARE WELFARE TO WORK! A QUICK GUIDE

The Federal Government's Welfare to Work changes landed with a thud on 1 July 2006. The National Association of Community Legal Centres have labelled them *"the most significant downgrading of the income support system since the Social Security Act was introduced in 1947"*.

The changes will have a significant impact on the most vulnerable members of our community by cutting social security payments, increasing obligations on single parents and those with a disability and removing essential safeguards. Below is a brief overview of the changes.

### 1. Changes to eligibility

Single parents whose youngest child is eight or over are no longer eligible for the Parenting Payment. In addition, people with a disability who can work 15-39 hours a week are no longer eligible for the Disability Support Pension. Instead both groups of people will receive the reduced Newstart Allowance (eg. those on Newstart receive \$45 less a week than those on a Disability Pension).

**It is important to note that those currently on a Disability Pension or Single Parenting Payment are not subject to the new restrictions.** However, if a parent goes off the Single Parenting Payment, for any reason, he or she will be reassessed under the new rules when reapplying for social security. People on a Disability Pension may go off the pension for up to two years before being subject to the new rules.

### 2. Increased restrictions and obligations for people on Newstart

Newstart not only decreases individual payments but also introduces harsh new restrictions, such as:

- decreasing the amount people can earn in part time employment without reducing their weekly payments;
- a requirement for parents to accept work if they will be at least \$25 better off a week regardless of how many hours a person must work to receive that extra \$25;
- a requirement for disabled people to accept any job even if it would make them worse off; and
- an obligation to look for at least part time work and undertake mutual obligation activities such as Work for the Dole.

In addition, those people who are classified as long term unemployed will be forced to participate in full time Work for the Dole, ie. 25 hours a week, while also looking for work.

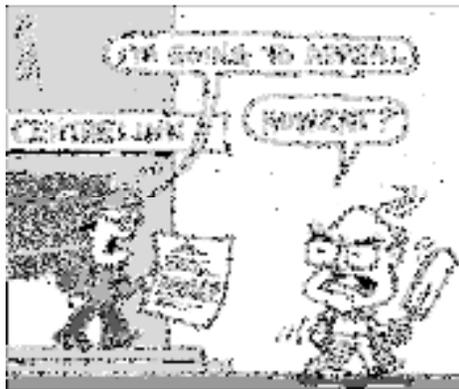
### 3. Breaches

Perhaps most draconian are the revisions to the compliance regime. A person who fails to meet a participation requirement, such as failing to attend a training course, will have their payment suspended until they comply. This applies to anyone receiving Centrelink benefits. Where a person has failed to meet a participation requirement 3 times **their payments can be cut off for a period of eight weeks.**

The eight week no payment period also applies to more serious offences including:

- refusing a suitable job offer;
- voluntarily leaving a job without a valid reason;
- dismissal due to misconduct at work; or
- where a long-term unemployed job seeker fails to turn up for Full Time Work for the dole.

If you require further information regarding the impact of the Welfare to Work changes on your payments please speak to a lawyer at one of HPLC's services.



### QUOTE OF THE MONTH

***I've never believed in lower wages. Never. Never believed in lower wages, I've never believed in lower wages as an economic instrument.*** John Howard, 1996

## 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

Level 1, 550 Lonsdale St  
Melbourne VIC 3000  
(03) 9225 6684  
www.pilch.org.au