

Launch of the National Enquiry into Youth Homelessness*An article by Juliet Hardy, PILCH Volunteer*

In recognition of the vast social and economic damage caused by the issue, the National Youth Commission (NYC) has announced a nation-wide independent inquiry into youth homelessness in Australia. Funded by the Caledonia Foundation and chaired by the former head of the Prime Minister's Youth Homelessness Taskforce Major David Eldridge, the inquiry is the first of its kind in nearly twenty years.

The initiative was launched on 8 March in Sydney by former Human Rights and Equal Opportunity Commissioner Brian Burdekin, whose 1989 report "Our Homeless Children" highlighted the plight of the then-20,000 homeless youths living in Australia. The 1989 report shocked the nation with its findings. However despite economic growth and low unemployment levels, the prevalence of youth homelessness remains the same.

Professor Burdekin explained that the inquiry would examine why youth homelessness continues to be a major issue in Australia and would seek input on reforms and actions necessary to ameliorate the current situation. "Everybody has the right to adequate shelter", he stated. "That is a federal responsibility... and in my experience I have to tell you that if you don't have safe, secure housing, the rest of your human rights are pretty academic."

Associate Professor David MacKenzie – also a member of the NYC and a leading researcher on the issue of homelessness – further reiterated the importance of the inquiry, estimating that there are currently a record 26,000 homeless young people living in Australia. "Some research has found that of those who become homeless in their teenage years, at least half will still experience it into adulthood," reported Professor Mackenzie. "By then they may have had children or be in relationships but these are also more at risk of breaking down."

The inquiry will involve scheduled hearings in all capital cities and major regional centres, as well as consultations and interviews with service providers, community organisations, government departments, agencies, and homeless young people. Hearings will be held in Melbourne on 23 and 24 April and the Clinic will appear to give evidence regarding the legal issues faced by young people. The Inquiry will conclude in August, with findings to be released to the public in September.

Homelessness in the UK: A Snapshot

Homelessness in the UK has increased as a social phenomenon with rapid industrialisation. It experienced periods of increase particularly after the two World Wars. Rising house costs and shortage of available housing resulted in the increase in homelessness during the 1950s and 1960s. Between the 1960s and 1970s, there was a rise in community interest in homelessness. However initial legislative solutions to homelessness was generally regarded as inadequate because they were largely temporary and left the discretion to local welfare authorities as to strategies of assistance. The *Housing (Homeless Persons) Act 1977* did not alleviate the problem, and left out single homeless persons and migrants.

With the new *Homelessness Act 2002* (UK), homelessness is dealt with at the grassroots level, with a legal duty being placed on local housing authorities to monitor levels of homelessness, as well as to plan and provide for strategies to assist people who are presently or potentially homeless or are no longer at risk of being homeless but require continued assistance to prevent them from becoming at risk again.¹ This strategy is also employed in Scotland and Northern Ireland. In addition, the *Housing Act 1996* also allows for local housing authority to provide suitable accommodation up until a more permanent housing solution is available.¹

Those who may apply as homeless are not confined to those who "sleep rough" on the streets. The homeless include those who are statutorily defined as homeless, like those who are unintentionally homeless and have a priority need. These include youth, families with dependent children as well as those who have a disability and their carers.

It would seem according to statistical data obtained in the fourth quarter of 2006, that the number of households that have been categorised as statutorily homeless is on the decline and is at its lowest quarterly value since the 1980s.¹ This downward trend has been noticed since 2003, which may indicate that the *Homelessness Act 2002* has had some positive effect. The numbers of rough sleepers have also been reduced to an average of 500 a night.

However a reduction in numbers should not be a reason for complacency. The *Homelessness Act's* long term results remain to be seen. Since the *Homelessness Act* relies on individual local housing authorities to review and plan strategies according to their own needs, these authorities will benefit from the experience of voluntary organisations like Shelter and Crisis who have helped provide assistance to homeless persons since the 1960s. A minimum standard can then be formed and implemented in local housing authorities across the country.

Sean Gomes
PILCH Volunteer

HPLC GOOD NEWS STORIES

*Names have been changed

Guardianship/Administration: HPLC Lawyers represented Ben* in a VCAT hearing which resulted in his administration order being revoked. Ben suffered severe brain injuries in a car accident a number of years ago and in 2002 had an administration order placed over his estate, which included a large TAC payout. Since then, Ben has made a miraculous recovery and lives independently, but has been effectively forced by the restrictive nature of the administration order to eek out an existence on Centrelink benefits. Ben was unrepresented when the order was reviewed in 2005 and again in 2006, and both times the order was renewed. Now that the order has been revoked, he is able to start building a future for himself using his TAC payout.

Awards: Congratulations to Daniel Matta, a recent addition to the HPLC team at Clayton Utz who was a recipient of the Chief Justice Medal. The award is administered by the Victoria Law Foundation and is given to a graduating law student who has demonstrated academic excellence in her or his legal studies and a commitment to voluntary community activity and participation. We are very proud to have Daniel on Board!

Where in the world is Kristen Hilton?

After a busy week in Geneva, Kristen travelled to London where she met with numerous law reform agencies and NGOs such as *Interrights*, *Legal Action Group for the Homeless*, and *The British Institute for Human Rights*. Kristen then made a flying visit to Scotland where she met with representatives from the Scottish Housing Ministry.

Next stop: South Africa!



Dear StreetRights friends,

As some of you may be aware, I am currently travelling and conducting research in a number of countries in relation to their housing and human rights situations. Today marks week three of what has been a fascinating trip so far.

To wind back a little, my first week was spent in Geneva attending the 4th session of the United Nations Human Rights Council and meeting with various international non-government organizations (NGOs) and individual activists engaged in human rights work.

The Human Rights Council is an international body within the United Nations System. It is successor to the beleaguered United Nations Commission on Human Rights eventually dismantled in 2006 after receiving heavy criticism for the high-profile positions it gave to member states that did not guarantee the human rights of their own citizens. The purpose of the Council is to respond to situations of human rights violations. It does with varying degrees of success and resolve, although as a new body there is still much hope for its potential. Attending the Council is akin to being at an oversized board meeting with each State fighting for the time and platform to plead their position, trot out their defense or argue for their cause.

It has to be said that Geneva is an odd place. It is a very wealthy city flanked on one side of its magnificent lake with Rolex watch stores and gourmet cheese and chocolate shops patronised by busy world bankers. On the other side the UN building struts as a powerful symbol of universal commitment to the pursuit of peace and human dignity. Within that building of course the reality is quite different and the luxury of the place is in stark contrast to the lives of the people who attend or their advocates to plead with States and the Council to act upon the gross human rights violations in their country.

During the week I spent at the Council, I worked closely with the Centre of Housing Rights and Evictions, an international NGO with a head office in Geneva dedicated to promoting and protecting the housing rights of vulnerable people throughout the world. On the second last day of the Council session we were able to make a joint statement calling for international recognition and support of people's economic, social and cultural rights including the right to adequate housing. We also called upon the States present to support the adoption of an optional protocol to the International Covenant of Economic, Social and Cultural Rights, the major covenant that protects the right to housing, the right to health, the right to education and other fundamental rights.

Currently, if you have been tortured or if your right to freedom of expression is violated, you can complain to the United Nations. However, if you have been forcibly evicted, or if you are unable to access healthcare services, you don't have the same opportunity. The adoption of an optional protocol would mean that individuals who have suffered violations of these rights and have exhausted all actions of redress available to them on a domestic level would be able to make an individual complaint to the UN Committee of Economic, Social and Cultural Rights.

The Clinic has now been asked to join an international coalition of NGO's and independent activists as a part of the UN working group on the development of the protocol. This signals a very important opportunity for us to promote the rights contained in the Covenant, including the right to housing and to help mobilise international, national and regional support. This is particularly critical given that Australia is one of the States who has very clearly announced their opposition to the protocol. My next postcard will be from the United Kingdom.

Until then, warm wishes.

Kris



(To view the webcast of Kristen's presentation go to <http://www.un.org/webcast/unhrc/archive.asp?go=070329>)

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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

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