

Redfern Legal Centre



**Homelessness Bill Consultation
Homelessness Branch
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PO Box 7576
Canberra Business Centre
Canberra ACT 2610**

Email: homelessnesslegislation@fahcsia.gov.au

Attention: The Hon Brendan O'Connor MP

3 August 2012

Dear Hon Brendan O'Connor MP,

Re: Submission in response to the exposure draft of the Homelessness Bill 2012

Thank you for the opportunity to provide comments on the Federal Government's draft Homelessness Bill 2012.

Please find our Submission attached.

Yours faithfully,

Redfern Legal Centre

Jacqui Swinburne
Acting Chief Executive Officer

Redfern Legal Centre



SUBMISSION:

Submission in response to the exposure draft of the Homelessness Bill 2012

AUTHOR: Jessica Jameson, Jacqui Swinburne

DATE: 3 August 2012

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1. Introduction: Redfern Legal Centre

Redfern Legal Centre (RLC) is an independent, non-profit, community-based legal organisation with a prominent profile in the Redfern area.

RLC has a particular focus on human rights and social justice. Our specialist areas of work are domestic violence, tenancy, credit and debt, employment, discrimination and complaints about police and other governmental agencies. By working collaboratively with key partners, RLC specialist lawyers and advocates provide free advice, conduct case work, deliver community legal education and write publications and submissions. RLC works towards reforming our legal system for the benefit of the community.

2. RLC's work with homelessness

Operating as a specialist service of Redfern Legal Centre, the Inner Sydney Tenants' Advice & Advocacy Service provides tenancy advice and advocacy for private and public tenants in the Redfern catchment area. Tenancy workers provide crucial assistance to tenants who are experiencing problems with their tenancy situation, and in particular provide priority services to people who are at risk of immediate homelessness or who are in fact homeless. The service also provides assistance to boarders and lodgers.

3. RLC's view in summary

RLC welcomes the introduction of an exposure draft bill that identifies the need to address homelessness in Australia through legislative reform. From the experience of RLC specialist tenancy workers, RLC has identified the need to provide greater protection for the rights of people at risk of homelessness, or who are living in a tenancy arrangement not covered by the *Residential Tenancies Act 2010* NSW such as boarders and lodgers.

RLC is concerned about the failure of the exposure draft bill to provide any substantive legal rights or obligations for people at risk or experiencing homelessness, and in particular the insertion of section 13 of the Bill. It is the view of RLC that any legislative response to the area of homelessness would need to take a rights-based approach.

4. RLC's general comments

RLC agrees and supports the submissions by Homeless Persons' Legal Service (HPLS), *Submission in Response to the Exposure draft of the Homelessness Bill 2012*, dated 2 August 2012. In particular, RLC agrees with the submissions that proposed legislation

needs to identify a clear benefit to people who are homeless in the object of the Bill, and broaden the definition of 'specialist homeless services' in Section 4 to other services that provide assistance to people living in boarding houses or temporary accommodation.

Services such as the Inner Sydney Tenants' Advice & Advocacy Services play a key role in reducing and preventing homelessness, and therefore legislative definitions inclusive of these services would be beneficial in the prevention of homelessness.

RLC supports the submissions of HPLS that Section 13 of the draft Bill undermines the enforceability and availability of legal rights for homeless people under the Bill, and agrees that this provision should be removed.