

Protocol for Homeless People in Public Places

August 2014

What is the Protocol?

The NSW Government introduced the Protocol to help ensure that homeless people are treated respectfully and appropriately and are not discriminated against on the basis of their homeless status. The Protocol also aims to assist homeless people to receive services if they need or request them. It is an important element in the Government's strategy for responding effectively to homelessness.

The Protocol

A homeless person is not to be approached unless:

- they request assistance
- they appear to be distressed or in need of assistance
- an official seeks to engage with the person for the purpose of information exchange or provision of a service
- their behaviour threatens their safety or the safety and security of people around them
- their behaviour is likely to result in damage to property or have a negative impact on natural and cultural conservation of environment, including cultural heritage, water pollution and fire risks
- they are sheltering in circumstances that place their or others' health and safety at risk (for example, staying in derelict buildings, high risk areas)
- they are a child who appears to be under the age of 16
- they are a young person who appears to be 16 to 17 years old who may be at risk of significant harm
- they are a child or young person who is in the care of the Director-General of the Department of Family and Community Services or the parental responsibility of the Minister for Family and Community Services.

The Protocol does not prevent organisations from taking appropriate action where health or safety is at risk or a breach of the peace or unlawful behaviour has occurred.


If homeless people require assistance, officials can

- involve appropriate services directly
- provide advice or information on available services
- provide a contact point that the homeless person can either call or go to for further advice or help.

Underlying principles of the Protocol

The Protocol is based on the following principles:

- Homeless people have the same entitlement as any member of the public to:
 - be in public places, at the same time respecting the right of local communities to live in a safe and peaceful environment
 - participate in public activities or events, and
 - carry with them and store their own belongings.

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- Organisations that work in areas where their responsibilities are likely to bring them into contact with homeless people will receive sufficient information to enable them to assist homeless people if required, or help homeless people make contact with appropriate services.
 - Homeless people have diverse backgrounds and needs, these should be considered in any response:
 - Cultural sensitivity and respect should be applied when engaging with Aboriginal homeless people and those from different cultural, linguistic or religious backgrounds. Officials should use interpreter services to assist with referring people to relevant services as required.
 - Many homeless people have complex needs such as mental health and/or drug and alcohol issues, or cognitive impairment. These issues may result in behaviour that is seen to be antisocial.
 - Homeless people may have experienced other issues that affect their needs. For example, they may have experienced domestic violence or left custody or statutory care, or they may be asylum seeking refugees with no contacts in the community.
 - The Protocol does not override existing laws, statutory requirements or regulations. It does not reduce the powers of organisations or their authority to enforce specific laws and regulations.
 - Homeless people have the same access to a right of reply and appeals/complaints mechanisms as all members of the public.

Where the Protocol applies

The Protocol applies only to public places such as parks and outdoor spaces ordinarily accessible to the public. It does not apply to private property, or property which is not generally accessible to the public.

The following government organisations with an operational presence in public places or who provide a service to assist homeless people have endorsed the Protocol:

- Housing NSW
- Community Services
- Department of Premier and Cabinet
- NSW Police Force
- Office of Environment and Heritage
- NSW Health
- RailCorp
- State Transit Authority of NSW
- Sydney Harbour Foreshore Authority
- Sydney Olympic Park Authority
- Aboriginal Affairs
- Ambulance Service of NSW

Each of the above organisations will implement the Protocol within its own organisation and will determine how it should be used by all relevant staff, including contract staff such as security officers. Feedback/complaints about the application of the Protocol will be managed through existing complaints mechanisms.

Local councils have been advised of the Protocol to inform their responses.

Review of the Protocol

This Protocol will be reviewed every two years from the date of its publication, October 2012.

For further information please contact:

Manager, Homelessness Policy and Programs

Housing NSW
Locked Bag 4001
ASHFIELD BC 1800

or visit the Housing NSW website at www.housing.nsw.gov.au

Useful contact numbers

Link2home

1800 152 152 (toll free)

(24 hours a day, 7 days a week, every day of the year)

Link2home is the new statewide telephone information and referral service for NSW. Link2home is available for people who are homeless or at risk of homelessness. It provides information, assessment of people's needs and referrals to specialist homelessness services, support services, temporary accommodation and other services. People who are homeless or at risk of homelessness, or their advocates can call Link2home for help.

LawAccess NSW

1300 888 529

(9am – 5pm Monday to Friday, excluding public holidays)

This state-wide telephone service provides free legal information, referrals and, in some cases, advice to people in NSW who have a legal problem.

Aboriginal Legal Service (NSW/ACT) Limited

02 8303 6600 (Redfern - Zone Office)

(8.30am – 5.30pm Monday to Friday)

This service assists Aboriginal people and Torres Strait Islander people with representation in court, advice and information, and referral to further support services.

Centrelink Indigenous Phone Service

136 380

(8am – 5pm Monday to Friday)

This state-wide telephone service is for Indigenous Australians living in regional and remote areas who would like advice on Centrelink payments and services.

Centrelink Employment Services and Job Network

132 850

(8am – 5pm Monday to Friday)

This state-wide telephone service assists individuals with their Centrelink payments. This line can also be used to book an appointment with the nearest Centrelink social worker.

State-wide services available 24 hours, 7 days

Child Protection Helpline - general community 132 111
- mandatory reporters 133 627

This telephone service, staffed by professionally qualified caseworkers, is available for reporting suspected abuse, neglect or risk of significant harm of children and young people.

The Mandatory Reporter Guide can be accessed via www.sdm.community.nsw.gov.au/mrg/app/summary.page.

The NSW Government's Keep Them Safe: a shared approach to child and wellbeing action plan can be accessed via www.keepthemsafe.nsw.gov.au/home

Domestic Violence Line

1800 656 463 (free call)
1800 671 442 (TTY)

This telephone service provides counselling, information and referrals for those experiencing domestic violence.

Lifeline

131 114

This telephone counselling service takes calls from people needing emotional support and provides services in suicide prevention, crisis support and mental health support.

NSW Rape Crisis Centre

1800 424 017 (free call)

This telephone and online service provides crisis counselling, support and referral for anyone who has experienced sexual violence.

Salvo Care Line

1300 36 36 22 (Regional NSW)
02 8736 3292 (Sydney metropolitan)

This telephone service is staffed by trained counsellors available to listen, assist and provide referrals for

Alcohol and Drug Information Service

02 9361 8000 (Sydney metropolitan)
1800 422 599 (outside Sydney)

This telephone service provides information, referral, crisis counselling and advice about alcohol and illegal drugs.

NSW Mental Health Line

1800 011 511

This telephone service is staffed by mental health professionals and provides mental health information and referral services.

Link2home homelessness line

1800 152 152

This telephone service provides information and referrals for people who are homeless or at risk of homelessness.