

***Consultations with people with  
experience of homelessness on the  
proposed changes to the Activities  
Local Law 2009***

**Report**

Prepared for

**City of Melbourne**

March 2017



## Executive summary

Over the period 1 to 9 March 2017, 98 people were surveyed about the City of Melbourne's proposed changes to the *Activities Local Law 2009*. Of these, 91 people were either currently homeless or had previously experienced homelessness. Two thirds of respondents were male and one third were female.

Overall, there was a high level of opposition to the proposed changes by Council, with most respondents feeling that it would only worsen the current situation and the long term chances for people who were already vulnerable and facing severe disadvantage. The majority of respondents felt that homeless people have no choice but to sleep rough and that they are in the city because it is safer and allows them to be close to services providing the basic necessities of life. They felt that if the local laws were changed as proposed, rough sleepers would move into other Council areas further away from services and where it is less safe.

In relation to the three key elements of the proposed changes:

- **67% do not support** the change to the definition of camping (see Section 6)
- **72% do not support** giving Council officers the authority to remove unattended belongings on the street (see Section 7)
- **91% do not support** the proposed fine of up to \$388 for retrieving confiscated belongings (see Section 8).

The main suggestions to reduce the number of belongings that people have on the street and encourage them not to leave their things unattended were:

- the provision of free/low cost lockers and storage, and
- providing safe adequate housing or shelter with storage, so that people and their belongings are not on the street.

Those surveyed predicted a range of mostly negative effects from the proposed changes to the local law. It was predicted that the proposed changes will:

- Not solve homelessness and make it harder for people to get back on track and for services to help them.
- Result in increased mental health problems, including increased suicide rates and increased drug and alcohol use.
- Result in increased crime as people will seek to replace their belongings, break into places to sleep so they are not on the street and steal to replace confiscated belongings.
- Result in increased disaffection and disengagement from society as a result of further marginalisation.
- Encourage other Councils to adopt similar laws leaving nowhere for rough sleepers to go.

In addition, respondents provided a wide range of comments and suggestions about practical ways of assisting rough sleepers and assistance to get people into housing including comments on material resources, service responses, facilities needed and barriers to accessing housing.

Overall, there was a very high level of interest and engagement from all those approached for this project. There is likely to be ongoing interest from this cohort in

the outcomes from the next stage of Council's deliberations on this issue and a need for effective communication about any changes to the *Activities Local Law 2009*.

Quotes from survey respondents are in italics -

*Although I am disadvantaged, I still have the same rights as other Melbournians to live my life in health and peace. This local law makes me live in fear and will make my ability to access services poorer and I will be excluded from my already limited access to services.*

*Homelessness is not a choice for most people. It's not a disease. Homeless people are human beings. People feel safer in the city and are less likely to be bashed or murdered.*

*How is this supposed to help anyone?*

*I don't agree that homeless people should be left with nowhere to go, where else are they meant to go with no home and safety! I believe the government should have more empathy towards human rights.*

*It's just wrong. I understand that people shouldn't be leaving their stuff around but the fact is they've got nowhere to put it.*

*Won't change nothing - not going to make it better just one big headache. Who's going to pay to get their stuff back? People will still be homeless.*

*[The changes will] increase friction between the homeless and authorities - raise conflict. Increase friction between the general public and the homeless... Putting fuel onto a fire that we don't need.*

*If you push people to the suburbs it will be a death sentence like in the Footscray fire. Where will they go? They will be harmed outside the city. Those who are visible on the streets have mental health/drug alcohol issues. Not safe for a woman on the street. In the suburbs, hoons drive around and terrorise homeless people.*

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## List of Attachments

**Attachment A.** Sample Promotional flier

**Attachment B.** City of Melbourne *Activities Local Law 2009* Survey for People with Experience of Homelessness.

**Attachment C.** Frequently Asked Questions (FAQs)

**Attachment D.** Colour City of Melbourne Municipal Boundary Map (see)

**Attachment E.** Visual response scale

## 1. Introduction

Giving voice to people experiencing homelessness is vital, particularly in consultations on legal or policy changes that will directly affect them. This survey has been conducted on behalf of the City of Melbourne in recognition of the need to ensure that all voices and perspectives are heard by Council and its Future Melbourne Committee in making the decision on whether to introduce the proposed changes to the *Activities Local Law 2009*.

This report presents the voices of those who will be most affected by the proposed changes the laws – the people who live their lives in the public spaces of Melbourne – on the city streets, in the city parks, in train stations and many other shared spaces.

### 1.1 Background

In the past two years, the number of people sleeping rough in the City of Melbourne has increased by 74 per cent according to the 2016 StreetCount. It is not illegal to be homeless or sleep on the streets in the City of Melbourne. The presentation of rough sleeping in the central city has changed with people preferring to be in more visible locations as they feel safer rather than being hidden away. This has led to an increase in the number of people sleeping in prominent pedestrian thoroughfares in the central city. There has also been an increase in the number of groups of people sleeping in the city, with a corresponding increase in the amount of belongings present on the street.

The City of Melbourne has a number of projects and initiatives working with housing services and outreach organisations to coordinate service delivery for rough sleepers and provide pathways out of homelessness. For example, the City of Melbourne has piloted a training program for businesses to learn about homelessness and how to engage with people sleeping rough in the city area, called Connect Respect. Despite these various initiatives, due to housing affordability and other issues, the numbers of people becoming homeless seems to be increasing.

In December 2016, Victoria Police requested that the City of Melbourne review its *Activities Local Law 2009* in order to strengthen the response to these issues across the City of Melbourne. At its Future Melbourne Committee meeting on 17 February 2017, Council endorsed the proposed amendments to the *Activities Local Law 2009* with the intention of providing a broader definition of camping and to better balance the needs of all people who share public spaces in our city in response to the request from Victoria Police.

The proposal to amend the local law then entered a statutory consultation stage running from 16 February until 17 March 2017. The consultation process invited community members to share their views on the proposed changes to the *Activities Local Law 2009*. This could be done through the City of Melbourne's Participate Melbourne website and submissions could be made formally as a written contribution or through a survey. At the completion of the consultation phase, the Committee will consider the views and make a decision about the local law.

## 1.2 About the Consultation Project

The City of Melbourne contracted Resolve Community Consulting and Black Ink Writing and Consulting (the Project Team) to develop and conduct a consultation process specifically aimed at collecting the views of people with experience of homelessness and rough sleeping in the city area. It was recognised by the City of Melbourne that these are the people most likely to be affected by the changes to the local law. This group of people are already highly marginalised and face barriers to participating in more mainstream consultations.

The City of Melbourne wanted to ensure that these vulnerable members of our community, including current and former rough sleepers and people at risk of homelessness, have an opportunity to share their views on the proposed amendment to the local law.

The goal of the consultation project was to:

- To run a community engagement process that informs Council on the sentiment of homeless people and people at risk of homelessness regarding the proposed amendment to *Activities Local law 2009*.
- The consultation process designed by the Project Team took the consultation to people in spaces that they feel comfortable and supported – the services that they use to survive on the streets.

## 2. Methodology

The survey was conducted between 1 and 9 March 2017 inclusive. The Project Team, in conjunction with City of Melbourne staff, selected nine services frequented by people who are currently or previously rough sleeping or experiencing other forms of homelessness.

Eight of the services are located in the City of Melbourne and one is located in the City of Yarra. The service located in the City of Yarra is an Indigenous service and was selected on advice from the City of Melbourne as there are no corresponding services in the Melbourne local government area. Special effort was made to include women in the survey with the Project Team attending a women's service and trying to include female service users at other services. A full list of services where the surveys were conducted is in section 3.

The Project Team utilised strong existing networks with homelessness services to set up suitable times and settings for the survey to be conducted. This was arranged around the usual activities at services. It was decided to run two sessions at St Peters Anglicare – a breakfast and a lunch session - based on the advice of the service manager that different cohorts of people attended each session.

City of Melbourne communications staff developed a poster/flier for each service to use in promoting the consultation to service users. A sample flier is at Attachment A. The Project Team sent each service a different poster with the specific times and dates for the consultation at that venue. Service staff put up these posters in their venues to promote the consultation.

The Project Team developed a survey based on the mainstream survey used on Participate Melbourne. The survey was designed to correspond to the questions used on Participate Melbourne, but also to gain insights from people on the streets around the proposed changes to the local laws. The survey is at Attachment B.

The survey was reviewed by three people with a lived experience of homelessness to ensure that the survey was adequately worded and would be a useful tool in gaining the views of people who will be most affected by the proposed changes to the local laws. The survey was approved by the City of Melbourne's legal team.

Each survey was conducted by an experienced interviewer – either a professional consultant or a trained and experienced peer consultant. In most cases, the survey was asked and the responses were recorded with a very small number of respondents preferring to fill the survey in themselves.

The Project Team prepared a sheet of Frequently Asked Questions (FAQs) which were approved by the City of Melbourne's legal team (see Attachment C). These were not handed out to anyone but assisted the Project Team to provide correct information about the proposed changes when required. This was a useful tool.

Each team member also had a colour map (see Attachment D) to show survey respondents the City of Melbourne boundaries. This proved a useful tool as most respondents did not seem aware of the municipal boundaries and assumed that the proposed changes to the local laws would only apply to the Melbourne CBD. The map also assisted in answering the questions relating to where they had experienced homelessness.

A visual scale was used to help people answer questions 2, 4 and 7 (see Attachment E). This also meant that the Project Team did not have to read out a lengthy list of

answer choices. This enabled the choices to be matched exactly with the Participate Melbourne survey for ease of comparison. The visual scale worked well for these questions.

Members of the Project Team carried a full copy of the law in case of interest from survey participants. This was useful as some respondents were keen to view the law and a few wanted a copy of the law. The Project Team handed out three copies of the law to interested respondents.

The Project Team also carried copies of the Council's written submission form and gave these to people who on completion of the survey showed further interest in contributing their views to the consultation process. Many of these forms were handed out to respondents on completion of the survey.

Note that the definition of homelessness used for Question 1 was the accepted ABS definition used by City of Melbourne in its homelessness strategy *Pathways* (2014:7) and informed by the Chamberlain and Mackenzie cultural definition of homelessness also referred to in *Pathways*.

The questions sought feedback on the three proposed changes –

- i. to the definition of camping;
- ii. to give council officers to ability to remove people's unattended belongings; and
- iii. the proposed fine for people to pay to retrieve their belongings from Council.

#### NOTE

**Quantitative responses** (Questions 2, 4 and 7) provide a numerical value showing the level of support for these changes. These results are presented in graph format with accompanying analysis. **Qualitative responses** (Questions 3, 5 and 8) provide the opportunity for explanation and discussion of reasons for the level of support for the proposed changes.

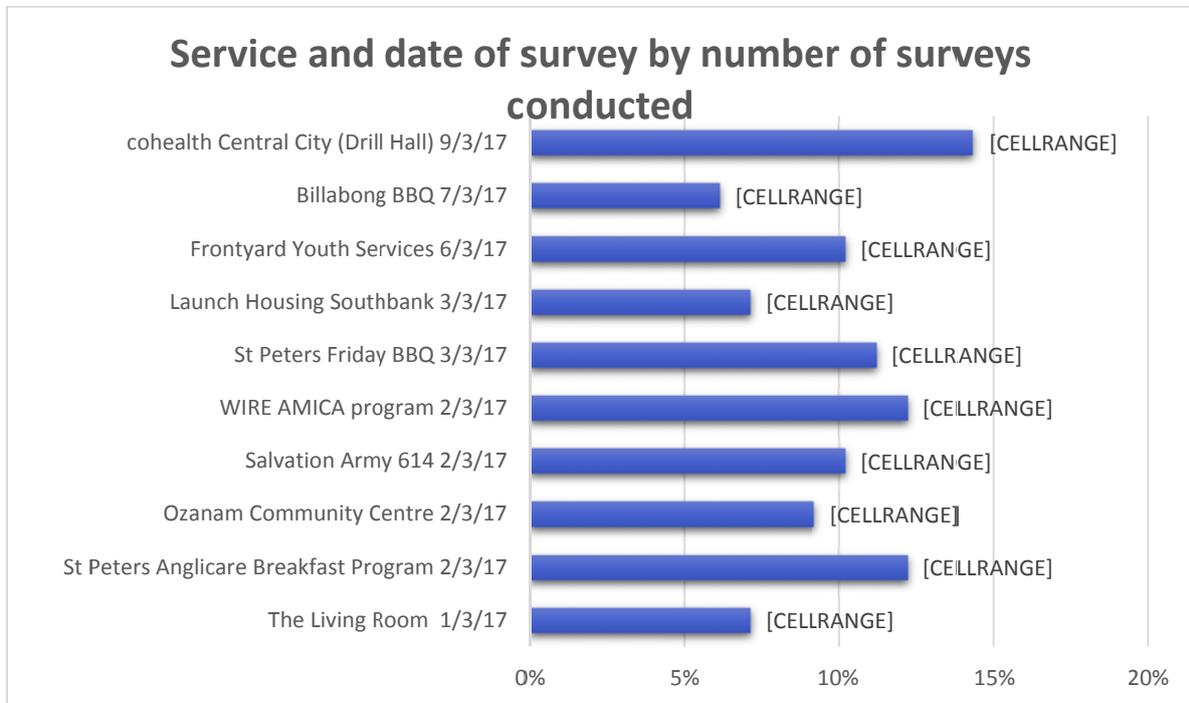
Questions 10-13 are in addition to the questions used in the Participate Melbourne survey and provide qualitative information on other ideas to address these issues and the anticipated effect that these changes might have on the target population of rough sleepers. Ideas were also sought on how to best provide assistance to rough sleepers in the city area. This was seen by the Project Team as a useful addition to the survey to inform Council's work on homelessness. These results are presented in a discussion format including relevant quotes from the surveys.

In addition to this summary report, the Project Team has provided the full spreadsheet of survey responses to the City of Melbourne to feed into the consultation process on the proposed local law changes.

### 3. Participating services and total number of surveys

In total, 98 surveys were collected between 1 and 9 March 2017 at 10 different services/programs. The breakdown of the number of surveys by service and date conducted is presented in Figure 1.

**Figure 1. Service and data of survey by number of surveys conducted**

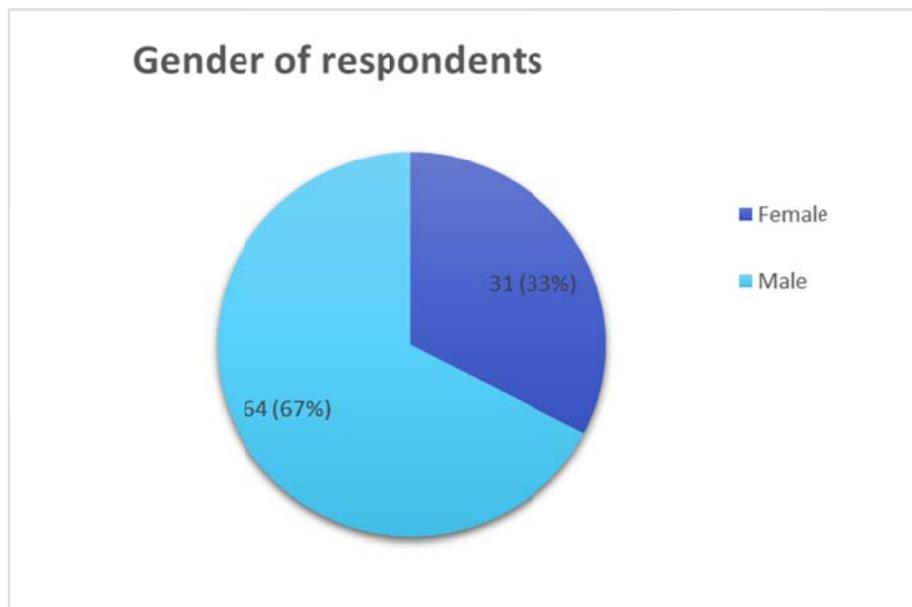


#### 4. Demographic data

The Project Team recorded the gender of each survey respondent and made an estimate as to the age of the respondent. It was deemed unnecessary to collect specific age data so as to keep the survey as short and un-intrusive as possible.

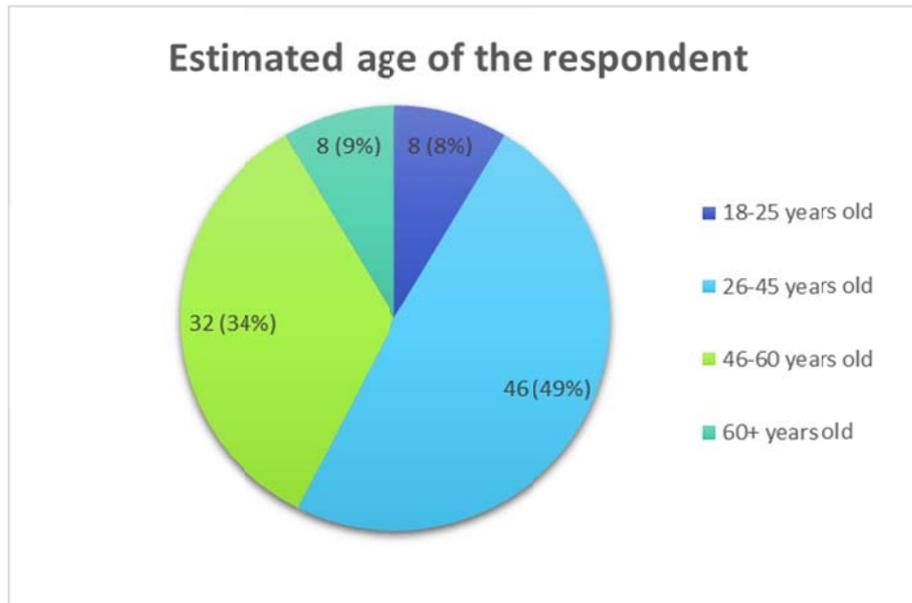
Figure 2 shows that the majority of survey respondents were male (67%) and the minority were female (33%). The majority of women were surveyed at WIRE (11 respondents), a specific women's service, with 20 surveyed at other city services. No women were surveyed at either the Billabong BBQ or St Peters Breakfast program as these are predominantly attended by males.

**Figure 2. Gender of the survey respondents (number and percentage)**



Age estimates of survey respondents showed that almost half of the respondents (49%) were aged 26-45 with the second largest group being the 46-60 age cohort at 34% (see Figure 3). The younger people (8%) were all surveyed at Frontyard with no young people surveyed at other city services. Nine per cent of survey respondents were estimated to be aged 60 years old or over.

**Figure 3. Estimated Age of Survey Respondents (number and percentage)**



## 5. Experience of homelessness

Question 1 sought to assess people's experience of homelessness in the city area. Some people may be homeless or living in inadequate accommodation outside the city area but come into the city to access services, see friends and use public space and facilities. Services mentioned that this was a common experience for women, in particular, and also for men. In addition, people may have stable housing after previously experiencing homelessness and still use services and have valuable insights into the issues under consultation. This question sought to ensure that those people were also included in the survey. Note that respondents were shown a map of the City of Melbourne to help them answer the questions about the city area.

The reported experience of homelessness amongst the survey respondents was as follows:

- 58% (57 people) were experiencing homelessness at the time of the survey.
- Of those who were experiencing homelessness at the time of survey, 70% (40 people) were experiencing homelessness in the City of Melbourne.
- 39% (38 people) had experienced homelessness previously and 7% (7 people) had not experienced homelessness previously.
- Of those who previously experienced homelessness, 28 people had experienced homelessness in the City of Melbourne and 10 people were homeless elsewhere.

The majority of people surveyed (77%) reported spending time in public places in the city area. Spending time in public places in the city gave survey respondents a strong awareness of the issues being raised in the survey. Most people reported using services in the city such as the services where the surveys were conducted.

Survey respondents spent time in public places in the following ways:

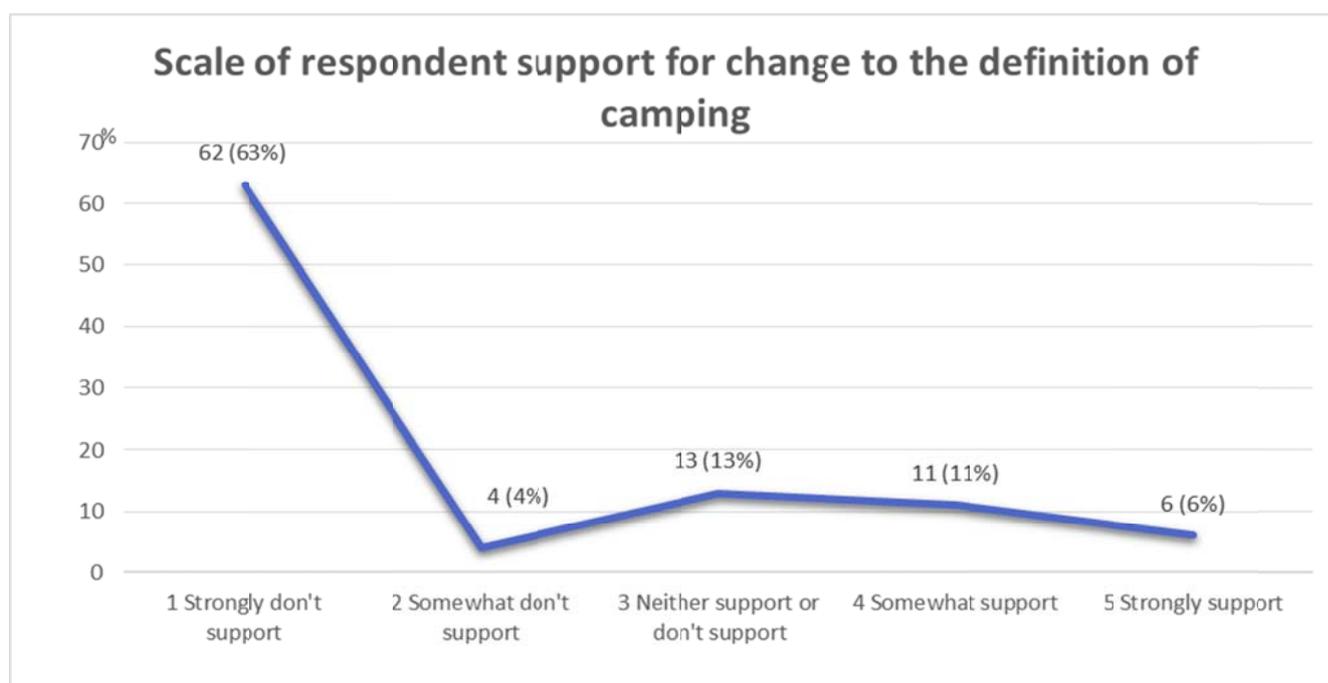
- Shopping and banking
- Visiting galleries, squares and parks
- In transit and using public transport
- Playing sport and keeping fit including using gyms and pools
- Supporting other people on the street
- Libraries
- Accessing services
- Food vans
- Studying
- Having coffee
- Socialising
- Appointments
- Shelter

Only one person mentioned that they spent time begging in the city area. One person who did not spend time in the city said that it was too violent and unsafe.

## 6. Changing the definition of camping

Figure 4 shows that the majority of survey respondents (67%) did not support changing the definition of camping as proposed by Council with 63% strongly not supporting the change and 4% somewhat not supporting the change. Thirteen per cent were neutral on this question seeing it as a grey area and several respondents saying they could not give a definitive answer on the scale. Less than one in five did support this proposed change (17%) with 11% somewhat supporting the change and only 6% strongly supporting the proposed change to the definition of camping. Note there seemed to be little awareness as to the current definition of camping in the local law. Women were less likely to support this change than men with only one woman strongly supporting the change and one woman somewhat supporting this change.

**Figure 4. Scale of respondent support for change to the definition of camping (number and percentage)**



### 6.1 Summary of reasons (including quotes from surveys in italics)

Most survey respondents did not support changing this local law as they felt that rough sleepers had no choice or alternative to being on the streets. Some respondents understood the difficult situation that Council is in with the increase in visible street homelessness with accompanying belongings, but most respondents did not see the changes to the local law as a solution but rather as exacerbating the problems faced by those living on the streets. The majority of respondents felt that homeless people have no choice but to sleep rough and that they are in the city because it is safer and allows them to be close to services providing the basic necessities of life. They felt that if the local law was changed, people would move into other Council areas further away from services and where it is less safe.

*I'm homeless and need somewhere to sleep. Can't stay awake 24/7. This will personally affect me.*

*Although I am disadvantaged, I still have the same rights as other Melbournians to live my life in health and peace. This local law makes me live in fear and will make my ability to access services poorer and I will be excluded from my already limited access to services.*

*Because it's an excuse to use persecution towards the homeless and it's very violent to be doing this.*

*Because homelessness is a large problem and it will not be solved by kicking people off the street.*

*I don't agree that homeless people should be left with nowhere to go, where else are they meant to go with no home and safety! I believe the government should have more empathy towards human rights.*

*Wish we didn't have to do it [sleep rough]. Understand camps can be dangerous but they [Council] don't understand our lives.*

*Draconian, harsh law on people who struggle with basics of life.*

*Homelessness is not a choice for most people. It's not a disease. Homeless people are human beings. People feel safer in the city and are less likely to be bashed or murdered.*

Some respondents felt that the proposed amendment was a “knee-jerk” response to media attention to this issue rather than a thoroughly thought through solution to homelessness in the City of Melbourne. Respondents struggled to understand how the proposed amendments will help people on the street and worried that other Councils would follow the lead of the City of Melbourne.

*Just to win the world's most liveable city award, they want to hide the homeless. Not a great idea but it will just move them somewhere else. A lot of facilities and services in Melbourne so they [the homeless] just won't get that help.*

*We can't just criminalize homelessness and expect it to go away. We can't have an exclusion zone for a certain group of homelessness. Homeless people aren't lesser animals*

*Adversely affect a broad number of people. Council needs to be fair and supportive of people sleeping rough - other Councils may follow Melbourne too. I could be adversely affected in the future.*

*Because you're paralysing people in a disadvantaged situation. How is this supposed to help anyone?*

*Criminalising people who have no other option is not the way to go.*

*Homeless people already have no rights - this is just making their situation worse.*

Some respondents questioned the absence of a definition of camping in the local law. Some respondents did not view rough sleeping as camping which is a recreational choice. They do not choose to camp but have no alternative so this is not actually camping.

*Look up camping - this is not the definition of camping. Camping is recreation. Pandering to the Herald Sun – so Council can look good.*

*Define camping - camping is living, camping is how we live. Camping is somewhere to live. Council makes laws for the citizens and that includes the homeless (Indigenous respondent).*

*Worried because it becomes subjective. Too broad [the definition] - need specific camping examples. Need to stop backpackers and grey nomads. Had friends who have had no alternative but to sleep on the street.*

Some survey respondents commented that this question was not ‘black and white’. Some people supported the changes if proper accommodation and support could be found for those affected. They felt it was unfair to bring in such a law without addressing this issue and providing people with viable safe alternatives to rough

sleeping and places to store belongings. A few respondents mentioned the large group of people at Flinders Street during the Australian Open with all of their belongings and did not like the image of homelessness that this group was portraying. They felt that these groups gave other homeless people a bad name – the people that behave and keep to themselves.

In particular, the use of drugs and associated drug paraphernalia on the street and aggressive begging was raised as giving the wrong impression and increasing stigma about rough sleepers in Melbourne. Some people felt the proposed changes to the law should apply to these larger groups but not to the average rough sleeper who keeps their belongings tidy or takes it with them, and generally makes an effort to keep to themselves and out of harm's way.

*People should be allowed to sleep on street but remove their things - messy - needs to be tidy. Don't support beggars.*

*Laws-for groups making trouble should apply -not for people who are quiet and keep to themselves -people who are tucked away, neat and tidy should be left alone -people more visible now and don't support huge groups, drug takers and trouble makers giving others a bad name. I keep to myself.*

*Big groups camping are unsightly and can be aggressive. Everywhere - it's sad. People begging - don't like it - feel hassled.*

*There's got to be consideration of shop keepers but also need to be mindful of the rough sleepers. Needs to be more thought put into what the homeless people are going to do when they are moved.*

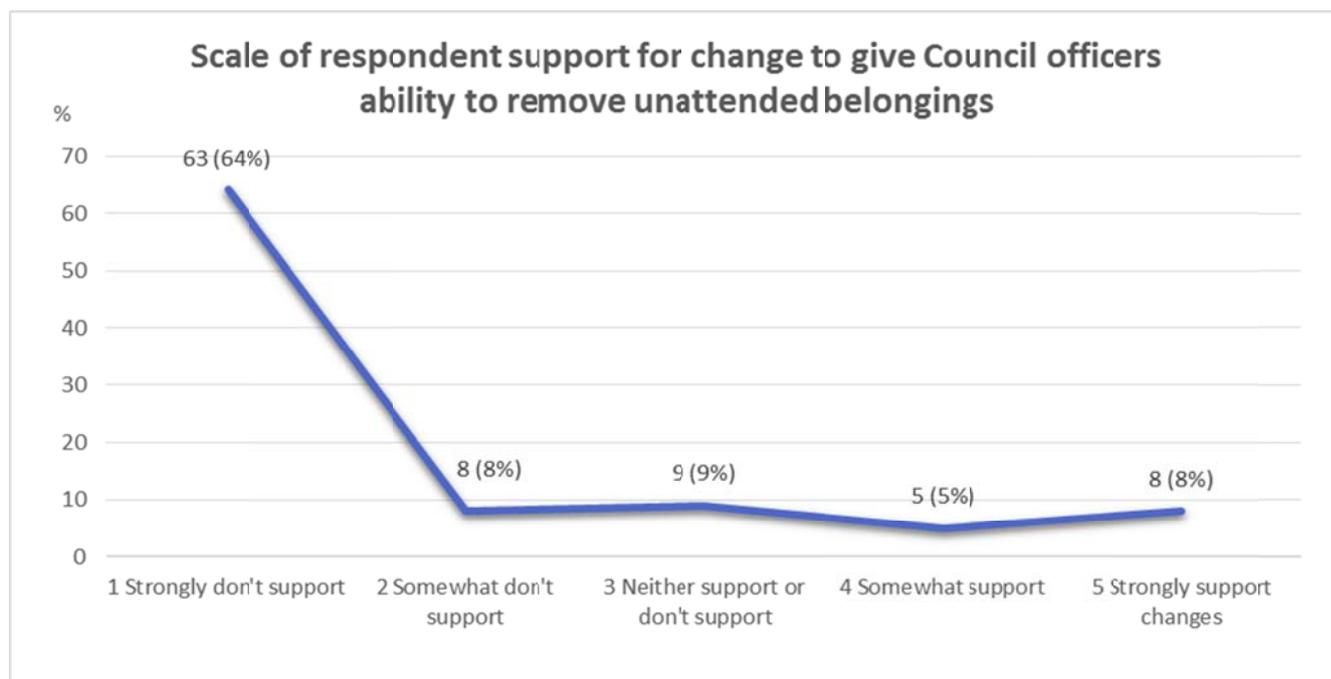
*Shouldn't have tents in sight. I pack myself up every night and take it with me. 50/50 depends on the situation in the area -shouldn't be a big mess- should be neater*

*Both [support and don't support] - if you have no choice not a good look- people shooting up everywhere on the streets -beggars- bullshit -want money and more drugs/alcohol lots of places to get food in Melbourne*

## 7. Giving Council officers the ability to remove and confiscate people’s unattended belongings.

Figure 5 shows that the majority of survey respondents (72%) did not support changing the local law to give Council officers the ability to remove people’s unattended belongings with 64% strongly not supporting the change and 8% somewhat not supporting the change. Nine per cent were neutral on this question and 13% did support this proposed change with 5% somewhat supporting the change and 8% strongly supporting the proposed change. Women were less likely to support this change than men with only one woman strongly supporting the change and none somewhat supporting this change.

**Figure 5. Scale of respondent support for change to give Council officers ability to remove unattended belongings (number and percentage)**



### 7.1 Summary of reasons (including quotes from surveys in italics)

Many survey respondents strongly opposed this proposed change as they felt that the meagre belongings that people have with them on the street have immense personal value to those people and it is difficult to make a judgement of value of these belongings without understanding the individual circumstances of each person.

What seems like rubbish to one person could have personal value to another. Respondents felt it was “wrong” to take the belongings of people who are vulnerable and do not have many possessions. Some respondents viewed this as stealing from the most vulnerable people. Others pointed out that if they were not homeless, they would actually have a place to store their belongings (i.e. in their home).

*I don't support belongings being taken, being homeless as it is, is scary, stressful and you are being left with not much and I strongly disagree with belongings being taken.*

*It's wrong and it's theft, that somebody's stuff*

*That's private property, you can't take away people's belongings. Its utter theft*

*How would the government people like and feel if their possessions got stolen? It's stealing from the most vulnerable people*

*From past experiences homeless people have few belongings to call their own and to confiscate is inhumane.*

*Somebody's going to touch my stuff - I won't let them - jail is just another home [to me].*

*I don't agree that anyone has a right to confiscate people's bags/belongings because on the streets where people are situated, to them is like a home. These possessions are the only things they own. It's like walking into one's home and taking their belongings.*

*It's just wrong. I understand that people shouldn't be leaving their stuff around but the fact is they've got nowhere to put it.*

*Completely disgusting- this is probably all they have in the world!*

Some respondents saw this as a human rights issue. Other respondents did not understand how this change would help people who are homeless resolve their problems.

*That is just another way of pushing homeless people under the carpet again rather than assist to help the vulnerable. It is so inhumane.*

*As a valuable member of the Melbourne community my lack of finance and housing should not make it harder for me to have possessions and to live a life in safety and security.*

*Wording should be changed from 'unattended' to 'unwanted'. Against the human rights charter -'right to free will'- not homeless by choice but it's how I live.*

Difficulties in operationalising this change to the local law were raised, such as how Council will track belongings and inform their transient owners of how to retrieve them. Questions were asked about how to define "unattended", the time period this may be applied to and the length of time that people would have to reclaim their belongings. There was confusion about whether belongings could be confiscated if people went to the toilet or went to find food.

*1. Homeless person has no other place to put things. 2. Problems with proof of ownership. 3. \$388 is a lot of money for a homeless person.*

*Yes and no. Personal items such as photos of grandparents are important. Store it for an amount of time and reclaim it. Define 'unattended'. -Going to the toilet. Wait and see if people come back. Time limit for things unattended.*

*Some stuff is rubbish and some are things they depend on. Council officers should have training to help them identify what's valuable to people. They (Council) took my car.*

*Should be given notice first - up to 2-3 days before removed - give them a chance to claim it first.*

*Need to know where to go and how to get your stuff back.*

People cannot always carry all their belongings with them and need a safe place to leave them. Some people are organised with lockers or storage for their belongings and other people carry their belongings around with them or leave them stashed or hidden away from view. Some people have a lot of belongings as they hope to set up a household in the near future and need a place to store their household goods.

*I sometimes leave my stuff but I stash it. My bag has gone missing at the moment. Don't want to carry it around 24/7*

*I've been using a storage locker at Southern Cross Station because I don't want anyone to take it.*

*Because if you take someone's belongings when they have nothing else, what is that person meant to do? Maybe if the people's belongings were put in a safe storage for the owner to access their belongings when they needed them the most.*

There were fears for people with mental health concerns and that taking their belongings would trigger conflict, hopelessness and even suicide. Some of the most vulnerable people with mental health issues are hoarders and that is the reason for having so many things with them.

*That's all they have = they have nothing else. Their stuff helps them not to commit suicide.*

*Just a backpack taken can trigger a mental health reaction.*

*Hoarding is psychological sign that there is something wrong. Taking us away from real issues - removing the rubbish doesn't remove the problem.*

Some respondents mentioned personal mementoes such as photos or gifts from family members as being among their belongings that they have with them on the street. Other people mentioned medications.

*People have got no money to live in a house how are they supposed to afford fines. It makes me so angry. It happened to me and the only photos I had of my dead baby girl got taken away from me.*

*Possessions are their life. People hold onto stuff because it's all they have. Talk to people- don't make judgmental decisions without talking to people*

Some respondents felt that rough sleepers have a responsibility to look after their own possessions and that this is not a Council responsibility. They understood the safety hazards of large amounts of belongings on the pavement in the city area and did not like the look of larger camps full of belongings. Some respondents felt that if belongings are neat then they should not be confiscated.

*If it's neat and named, leave it. If it's a total mess and no name, remove it*

*Hindrance to shoppers - dangerous - nowhere to walk. Flinders St was disgusting. Some come from other places and have houses - they are bored so they come to the city*

*Some stuff should be removed- if it's a pig sty or a mess. eg. Flinders Street. If deemed to be a health issue - filthy and unhealthy [then remove it]. If neat and tidy then leave it.*

*City is not for you to leave your stuff in. Council has a right to take it. People don't need to see your belongings. Might stink and be untidy.*

*Your responsibility to look after your belongings - not Council's responsibility.*

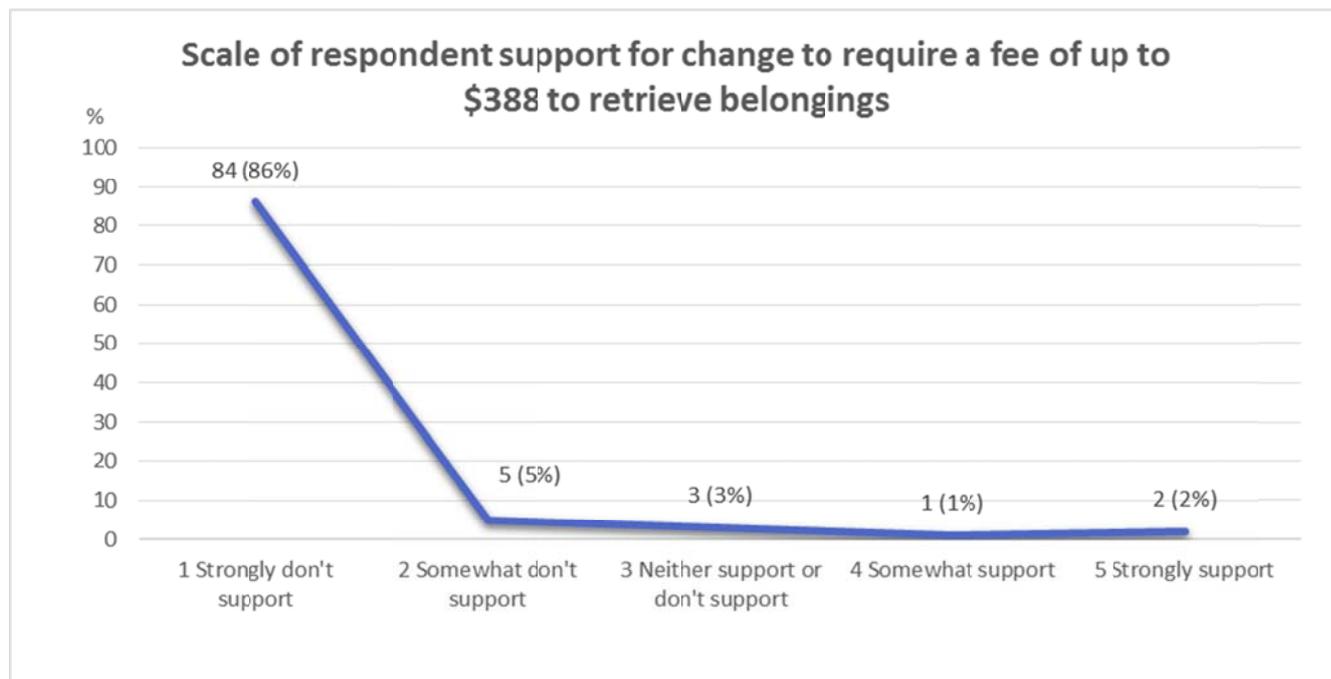
*OH&S - unsafe for Council officers to be put in this position - they are not policemen.*

One respondent was concerned about terrorism and the associated risk of unattended belongings in this context.

## 8. Proposed fee of up to \$388 to retrieve belongings

Figure 6 shows that the majority of survey respondents (91%) did not support changing the local law to require people to pay a fee of up to \$388 to retrieve their belongings with 86% strongly not supporting the change and 5% somewhat not supporting the change. Three per cent were neutral on this question and 3% did support this proposed change with 1% somewhat supporting the change and 2% strongly supporting the proposed change requiring people to pay a fee of up to \$388 to retrieve their belongings. No women supported this change.

**Figure 6. Scale of respondent support for change to require a fee of up to \$388 to retrieve belongings**



### 8.1 Summary of reasons (including quotes from surveys in italics)

The majority of survey respondents strongly opposed the proposed change to require people to pay a fee of up to \$388 to retrieve their belongings from Council. Many respondents were shocked that Council are considering such a high fee for retrieval of belongings from a group that is experiencing extreme poverty and hardship. Even those respondents who supported Council officers having the ability to remove belongings left unattended did not support this relatively high fee with only three respondents in total showing any support for this change to the local law. Respondents found it difficult to understand how the Council could consider introducing this fee to penalise people who are already disadvantaged and in poverty.

*If people had this sort of money they wouldn't be homeless.*

*I'm homeless and have nowhere to go and you're going to take my only things? How would I afford to get my own stuff back?*

*Disgusting. Taking someone's stuff away and asking them to pay is like putting a knife to their throats for them. How can they do that?*

*It makes me very angry - a lot of the homeless people are not on benefits. Homelessness is not a crime, so why are we treated as criminals over our own stuff?*

*There is no way that homeless people have the disposable income to pay this. Their only options will be to have their belongings permanently taken or become further entrenched in poverty.*

*Why would I pay that much money for my stuff? If I had that money I wouldn't be homeless.*

Some respondents felt that Council was introducing different rules for wealthy and the poor and specifically targeting poor people as a way to raise revenue.

*Bit rude. People on the streets can't afford that stuff...People in suits who throw cigarette butts don't get fined but the homeless will.*

*That's criminal, trying to make money off the miserable.*

*It's outrageous, It's like getting blood out of a stone. That's what the Nazis did to the poor.*

*I believe it's really inhumane to try and get revenue out of homeless people. There are so many ways you could increase the budget but instead you're targeting the most vulnerable people in our society.*

Suggestions in relation to this issue included a smaller fee, warnings and notices to give people the chance to move their things.

*1. I don't think it is practical. 2. It way too much, say example \$50 would be better 3. It will have people sleeping with no bedding.*

*Reduce the fine. Small fine but not that much. To discourage people from leaving stuff. Singapore doesn't have homeless - how do they do it?*

*It's a large amount of money. What about repeat offenders? Warning first and then if it continues, a fine should be imposed and then higher eg. \$500 to be a real deterrent*

*You can get a lot for \$388 - you could buy it new. Charge the second time only with a warning first then a fine.*

*Stopping groups of more than 2-3 people in one spot. Administer law with variability in terms of respecting people who they know. It needs to be implemented in with the right intentions. Take photos of property and review by a panel so there is a more accountable process and evidence.*

How people replace their necessities was raised often with some suggesting increased crime as people affected break into houses to sleep and replace basic necessities. Others forecast an increased burden on services who would be called on to replace belongings such as blankets, sleeping bags and clothes. Respondents also felt it was a waste of time as people would not reclaim their belongings anyway. Some respondents believed that as people would not be able to afford to pay the fine, the confiscation will most likely be permanent.

*You're wasting resources to get rid of people's things. Fines will not be paid so therefore unnecessary overloading the legal system*

*Just disgusting - sticking the knife into people with absolutely no money. Nobody will ever come back and pay so it's effectively just like taking it permanently.*

*Completely crazy- nobody has that sort of money. Their stuff probably isn't even worth that much, so it's just gone isn't it?*

*Their stuff isn't even worth \$20*

*I don't have \$388 worth of possessions so it's not worth it. What a joke. It will add to landfill eg. swags and services will have to give new things which cost money.*

Some respondents felt that this is criminalising homelessness and pushing vulnerable people into the justice system. People talked about not having money to pay for essentials such as food and medication if they have to pay the fine.

A large number of respondents felt that having to pay a high fee such as \$388 would exacerbate the problems experienced by homeless people and further entrench them in poverty. Respondents foresee increased conflict and increased crime.

*Not solving problems just making it more difficult.*

*I will disobey this law.*

*I have \$60,000 fines already.*

*This will cause a high amount of issues for Council and justice system. For those who have nothing and won't accept of their last minimal belongings being taken and have to pay when in poverty.*

*They can't afford it, do you want them to commit crimes to be able to claim their own belongings?*

*How will it help in pathways forward? \$475 fortnight income. If you take all my belongings and I'm left with nothing. It will lead to increased criminal activity with breaking into houses to sleep.*

## 9. Ideas and suggestions to encourage people not to leave their belongings unattended or have so many belongings on the street

The main suggestions to reduce the number of belongings that people have on the street and encourage them not to leave their things unattended were:

- the provision of free/low cost lockers and storage and
- providing safe adequate housing or shelter with storage for people so they and their belongings are not on the street.

Providing housing for people was seen as a real and effective long term solution to problems of homelessness and belongings on the street.

*Provide housing and you wouldn't need to fine or confiscate people's belongings.*

*More long term housing - less stigma and harassment - more spaces where people can rest such as a room provided at libraries. Lockers and more storage, more safe emergency accommodation, support for family violence, structural change to services like mental health and pet friendly crisis accommodation would all help.*

*Put them into houses. Solve the problem. Look at what Utah did.*

*Invest in housing to reduce this issue, rather than minimising the problem cut it off at the source. Eliminate it.*

Some people mentioned using the lockers at Southern Cross Station and St Marks or having a storage unit in a private facility for their belongings.

*Free lockers with punch numbers - pin numbers in numerous places around the city because we have lots of homeless. Put lockers near to where they sleep.*

*\$10 a week - Fort Knox storage.*

*City Council should provide lockers*

*Southern Cross \$8 a day but could have special lockers - cheap lockers- small fee. I used lockers and got fined for not paying at Southern Cross*

*Plenty of abandoned buildings and other places that people can leave their things. There's got to be something else we can do.*

Having designated camps where camping is allowed and people are supervised and can sleep and store their belongings was also raised as an idea to address these issues.

*Put in place some facilities (like the Brighton beach houses) where people could leave their belongings and have somewhere to rest. Need to have workers there to oversee the space and help get people into housing.*

*Camps - supervised, secure where people can sleep*

Another respondent mentioned having a pool/gym membership through cohealth and using the locker at the gym to store his belongings and also having a place to keep fit and have a shower. He reported building a good rapport with the gym staff which helped him in other ways.

Another idea was to discourage the amount of things donated to people on the street and to develop a social enterprise business producing foldable beds with underneath storage to employ homeless people.

Some respondents recommended that more information about storage options should be made available to people who are rough sleeping and providing information about how to live on the street neatly and safely was also suggested.

*Workshops on how to live on the street.*

*Through education, we don't have opportunities to learn these things. If some haven't been taught, educate rather than punish.*

*I don't leave my stuff around. People who do leave stuff around need to be talked to and given help to understand why this isn't okay. Need to give them community connection to help build respect.*

## 10. Predicted effects of proposed changes on people on the street

Most survey respondents predicted that there would be negative effects from these proposed local law changes on people living on the streets in the City of Melbourne with 91 people answering this question. Note that this question was designed specifically for this target group and does not correlate with any questions in the Participate Melbourne survey. The most commonly cited forecast effects are summarised below (with quotes from respondents in italics)

These changes will not solve homelessness and will only make it harder for people to get back on track and for services to help them.

*Won't change nothing - not going to make it better just one big headache. Who's going to pay to get their stuff back? People will still be homeless.*

*Will affect them immensely. Government getting what they want - no winners - just tightening laws to look good. It's a no win situation for the homeless.*

*Vicious cycle for people. Start collecting things all over again - won't solve anything.*

*If people's belongings get taken away. Council will only put more pressure on services who care and provide new items like Salvos.*

*People will have less in their payments and increase debts, which will make it even harder for people to focus in gaining employment or education in up-skilling themselves which will keep them stuck in poverty.*

*It will affect me because I have nowhere else to go*

The changes will result in increased mental health problems, including increased suicide rates and increased drug and alcohol use.

*It will increase mental health problems. Will put more pressure on people's health, the services and the justice system.*

*It will affect people mentally. Anxiety levels will rise even suicide. People are already struggling mentally.*

*Homeless people - a lot of them will commit suicide.*

There will be increased crime as people will seek to replace their belongings, break into places to sleep so they are not on the street and steal to replace confiscated belongings.

*More breaking and entering to use space for storage*

*Will incite shoplifting. People will steal to get things to replace what's been taken away from them.*

*It will cause crime, a lot of angry poor people will lose their composure as they have absolutely nothing to lose/including their freedom as jail will be heaven - eg, bed, 3 meals a day, work, pay packet, gymnasium etc.*

*More squatting and breaking and entering and car theft, vandalism and burglary. People will break in during the day to use the facilities and then leave.*

The changes will result in increased disaffection and disengagement from society as a result of further marginalisation

*Legitimising disengagement and abuse and division in society ...No long term insight. Short term policy for short term gains.*

*It will make them feel even more disconnected and more isolated. Pushing people to be criminals.*

*I think this change will make people angry and hate the law.*

If these changes are adopted, it is forecast that there will be increased conflict and aggression between Council officers, Police, the general public and people experiencing homelessness. It was felt that these changes would give licence to the general public to treat rough sleepers with less tolerance and understanding.

*Cause trouble between Council, Police and themselves [homeless people].*

*Increase friction b/between the homeless and authorities - raise conflict. Increase friction between the general public and the homeless... Putting fuel onto a fire that we don't need.*

There was concern that other Councils would then follow suit and adopt similar laws leaving nowhere for rough sleepers to go.

*Other councils will copy this law.*

*Impact on councils next door [to Melbourne] will be huge.*

If these changes are adopted, it is anticipated that rough sleepers will be pushed into the other council areas which may be unsafe and further away from the services they need with particular concerns around safety for women.

*If you push people to the suburbs it will be a death sentence like in the Footscray fire. Where will the go? They will be harmed outside the city. Those who are visible on the streets have mental health/drug alcohol issues. Not safe for a woman on the street. In the suburbs, hoons drive around and terrorise homeless people.*

*Less people on the streets. Push people into other areas - that's all that will happen. Majority will move out of city.*

*It will push people more under worse situations. Push women to darker isolated and dangerous spots.*

*Move from one area to another. It's a vicious cycle - clean it up and it pops up somewhere else.*

*The suburbs will be terrorized and swamped.*

## 11. Practical ideas for helping people living on the streets

Respondents were asked what they thought were the most practical types of assistance that could be given to people while they were actually living on the streets, and 88 responses were received to this question. This question is not included in the Participate Melbourne survey, but was included in this consultation process to get a sense of what people with experience of rough sleeping felt was the most helpful assistance that rough sleepers could receive.

There were a wide range of responses, and answers have been grouped into the following categories:

- Material resources
- Service responses
- Facilities needed
- Activities and skills development
- Self-directed support
- Treatment of rough sleepers

### 11.1 Summary of responses

#### Material resources

The most common types of assistance required were basic resources such as food, shelter, blankets, sleeping bags and mats, and showers. Other suggestions included lockers to keep belongings safe, fresh water and “a few luxuries, such as soap”. A number of respondents said that power points for charging phones would be of significant assistance, given how much people rely on these devices.

Providing a range of different short term accommodation options was mentioned by a large number of people, including:

*Give them homes, Government has thousands that can be given to those that need housing.*

*Get them a room – but not with other people who are stuffed up.*

*Shelter overnight and dormitory style - like the old style Ozanam.*

*Put homeless people into vacant properties and they can look after it - be caretakers.*

*Provide with supported accommodation and get them permanent accommodation*

Another theme that arose was the need for people on the streets to get better access to accurate information about the services that were available:

*More info about food vans*

*Helping Out and Ask Izzy both out of date – need up to date information about services*

*Awareness of services – much more difficult than you think and much harder when you can't read and write*

#### Facilities

Respondents most commonly referred to the need for accommodation – either short term or long term – as the most important facility needed. They also suggested a range of additional facilities needed including:

*Outdoor community centre*

*More places like Frontyard and St Marks*

*Showering and washing clothes facility – affordable though*

*Designated sleeping place for people to go – needs to be staff to make it safe and secure*

*A large park where homeless people could pitch a tent – a viable alternative to get people off the streets*

*Central location for services – a one-stop-shop*

*Chill out and rest space*

## **Services**

While many respondents recognised that there were already services available, they made numerous suggestions about how these services could be improved. A greater focus on outreach workers (who would come to people on the street, rather than remain office-based) was mentioned by several people, as was the need for more specialist women's services. Other responses included:

*Help to get identification documents sorted out*

*Utilise grass roots knowledge – people who've been homeless*

*Needs to be more mental health and drug rehab services*

*More support for older people on the streets*

*Outreach with Anonymous X*

Numerous suggestions were made about how to get people to engage more with the services that are available, such as forcing people to attend interviews, providing more regular support, and offering housing along with other support services. Many responses reflected that support services need to be able to respond to the individual needs of those on the streets, but the way services are currently funded and organised means that this is often not possible.

## **Activities and skills development**

Many respondents reflected that people living on the streets needed activities to keep them engaged and positive, given the devastating negative impact of sleeping rough. Suggestions included:

*Able-bodied people could go into rehab and work programs.*

*Give positive and welcoming activities*

*Boot camp – keep fit and not be a bludger*

*Something to do – we took up fishing*

*Get in a club – football or whatever and get a reference from them*

*Community ties for people to get engaged in community*

There were also a number of suggestions about skills development help that people would like to receive, as a positive way of being assisted. These included:

*Money management.*

*Ask about what they wanted to be when they were a child. Work from there.*

*A lot of people have incredible talents - poetry, drawings, art and hidden skills – should be tapped*

## Self-directed support

Several respondents felt that people experiencing rough sleeping should be encouraged to help themselves, and commented that often there was a strong sense of mutual support from other rough sleepers. Rather than having to rely on 'paid professionals' or formal services, it was seen as important to recognise that there is something of a community amongst rough sleepers, and that this should not only be seen as a negative thing.

*Opposite to addiction is respect and self esteem*

*Encouraging people to help each other*

*We were poor but we looked after each other*

## Treatment of rough sleepers

Finally, there was a wide range and number of comments about the practical need for people sleeping rough to be treated better, by officials and by the general public. For many people, it was felt that the experience of homelessness would not be as degrading or traumatic if they were treated in a more respectful and caring manner.

There was a strong sentiment that people experiencing homelessness needed to be made to feel less worthless, and more included, by the wider community. The difficulties of homelessness were often exacerbated or worsened by the treatment that people received. Providing hope – but not false hope – was also considered important.

Some of the suggestions for better treatment included:

*Treat them like humans and engaging with them, with respect, honesty and tolerance of their current processes.*

*Everyone shouldn't be treated the same as trouble-makers.*

*Hope. Let them be themselves with no bullies and standovers.*

*Treat them with respect and let them talk and show them respect - don't judge them - that's when they get angry.*

*A f\*\*cking fair go. It's un-Australian to not give everybody a go. Everyone is different.*

*Talking to people, assist with employment and support, be kind, have compassion.*

*Getting rid of stigma will make a difference and opportunities given to further help and educate people.*

## 12. Useful ways of helping people off the streets and into housing

This question was included to get direct feedback from those surveyed about the most useful types of assistance in helping people get off the streets and into housing. There were 83 responses received to this question, many with multiple answers.

The most common responses were grouped into the following categories:

- Housing and accommodation
- Services needed
- Barriers to accessing housing
- Approach required

### 12.1 Summary of responses

#### Housing and accommodation

While long term affordable housing was seen as the most practical and useful way to get people off the street, it was also widely acknowledged that access to this type of housing is severely limited. Many people had given up on ever having access to permanent housing as a realistic option.

People commonly referred to public housing as the best solution, but with many having been on waiting lists for years or even decades, it was not held up by many as a likely option. Other forms of housing such as private rental, community housing and even short term accommodation were seen as the next best option, however the cost and relative scarcity of these was also recognised as a real limitation.

*Provide shelter accommodation (hostel type) with just the basics provided*

*Every homeless person should be put on segment 1 and given top priority in being housed*

*Should provide help to get into private rental – up front*

*In outer areas and smaller housing - cheaper housing.*

There were many negative comments about rooming houses or motel accommodation as a solution, given the poor quality, lack of safety and security and relatively high cost of these options. Many people said they preferred sleeping rough to staying in any of these forms of shelter given previous bad experiences. Some specific comments were:

*Close down all private rooming houses and transitional rooming houses and stop Government funding going to these places.*

*I don't want to move into boarding houses or anything like that.*

*Different rooming houses, too expensive for private - need dry houses for people who need it.*

Other specific comments about the types of housing needed were:

*More women's houses needed*

*Stop the rorting of passing public housing to private housing or any non-profit organisations*

*Gaps for over 25s and for couples*

*Tax people for the space they aren't using and give the money to people who haven't got a house.*

*Need help to keep paying the rent and sustain housing.*

Most respondents were aware of the limited role local government had in the provision of housing, but there were some specific suggestions as to ways in which Council could play a role with numerous people suggesting the use of Council land and buildings for temporary accommodation options such as a formal 'tent city'. Others saw that Council could help people to maintain housing once they accessed it:

*Put aside area for people to camp in the city. Also dormitory accommodation.*

*Council should set up a homeless park where people are allowed to stay, fence it off, toilet facilities, no drugs allowed, rubbish bins. Safe haven for people*

*Could even be set up out of the city on a park or oval. Have some shelter from the rain. No need to provide food. Supervised by the Council.*

*Provide areas with container housing where lots of people can be provided for with the basics.*

*Council buy a building and set it up like a rooming house.*

*Some people will need help with maintaining and cleaning their houses when they get one. Important to give this help if Council can fund it*

Finally, one respondent felt that the only realistic way to get access for housing was for people to take a DIY approach:

*Get people to build their own houses to their own design - modular that they can add to. Use modern technology to build with cheap materials.*

## **Services**

Generally, people were aware of the range of services available for people while they were homeless and the importance of these services in helping to get access to accommodation. However, there was also a strong sentiment that people were likely to need ongoing support if/once they were lucky enough to get access to housing. Some of the specific services that were identified as necessary for people once they had moved on from the streets were:

*Address people's problems, give social skills programs, educate*

*Rehabilitation rather than sitting around getting worse off mentally.*

*Skilling up with living skills*

*More places like here to hangout and relax and watch TV. Chill out. Everyone wants somewhere to chill out - 24/7 place. Places all have different hours.*

*Employment - support for people with criminal records in employment – all the low skilled opportunities go to overseas people*

*Rehab and mental health services.*

*Mentoring, advocacy, money/funding.*

Several respondents also mentioned the need for various services to work in a more coordinated way, with Centrelink being identified as an important central service.

## **Barriers**

Almost every single respondent identified the current barriers in accessing long term (or even short term) housing. The general sentiment was 'not enough housing, and too expensive'. For people on fixed and very low incomes, and even some who

have no income, the barriers were multiple and often overwhelming. Some of the specific barriers to accessing housing faced were:

*Available housing too dangerous especially for women.*

*Long waiting times to get into housing.*

*Services used to take anyone – now too much screening and triaging.*

*Need more housing. Government can build lots of things for the community (sports stadiums etc) - why not build something for the homeless - we are still part of the community.*

*Landlords can just kick us out and replace us with the next guy.*

*Time frames are not realistic- not easy to find a place quickly*

Many of those surveyed had been ‘in the system’ for a long period and were well aware of the resource constraints facing services, as well as the more structural barriers to accessing affordable housing. As one person said:

*No place I have ever gone to has really helped. Places like this are good for a feed, but they can't get you into housing.*

### **Approach required**

There was not a single person surveyed who saw staying on the streets as a preferred option – it was either seen as the last option, or the better of two evils (the alternative being in unsafe or unaffordable short term accommodation). However, respondents felt that as well as providing alternative housing options, there also needed to be a change in approach. Many of the suggestions focused on a more empathetic and compassionate attitude toward rough sleepers.

There were many suggestions about Council and other institutions (such as business, churches and community organisations) working together and leading by example and showing the general community that people experiencing homelessness deserve a fair go, along with properly resourced support services.

Many asked that Council adopt a supportive rather than a punitive approach. Another common suggestion was that Councillors spend time with the homeless, listening and talking to them to gain a better insight into their lives and challenges.

It was also noted that for some rough sleepers, they needed to be more willing to accept assistance and make a positive change in their lives. To create a pathway out of homelessness is not easy for governments, but several people commented that neither is it easy for the individual involved.

## 13. Conclusions

This project highlighted that there are a range of views from people with experience of homelessness who will be most affected by the proposed changes to Council's local laws. However, there was clearly strong opposition from those surveyed for this project to the key changes proposed in the Council resolution on the *Activities Local Law 2009*.

Apart from a strong sentiment that these changes were unfair and unjust for those people who often had no other options available to them, the key reason for this opposition was that people did not believe that these changes would address or deal with the underlying issues forcing people to sleep or live on the streets of Melbourne. While there was some acknowledgement of the need to address the public safety issues that Council has raised, there was a common belief that there are more effective measures that could and should be put in place.

Instead of fining people and confiscating belongings from those who had no other place to keep their possessions, there were a range of other suggestions including the provision of lockers, and other storage solutions as well providing housing and homes to keep people and their belongings off of the streets.

The strongest opposition was to the proposed level of fines being imposed was part of the changes to the local law. Given the dire financial situation of all those who would be impacted, it was felt to be disproportionate to impose such hefty fines of up to \$388. Apart from the fact that no one would have these resources to pay the fines, it was felt that this would only lead to greater criminalisation and eventually imprisonment for non-payment of fines for rough sleepers.

A minority of people felt that the proposed changes to the *Activities Local Law 2009* may be warranted to address the issue of large groups with a lot of belongings on city streets. However, there was a strong qualifier that this would only work if adequate shelter, housing and storage could be provided. Without storage and safe shelter for people it was felt that the proposed changes will only exacerbate people's situations rather than providing solutions.

For some of the respondents who supported the changes, there seemed to be a view that if the local law was changed, it would not apply to them because despite sleeping rough they keep to themselves and keep their belongings tidy and well hidden.

Many respondents also indicated that there needed to be greater clarity around the procedural approach that Council was proposing to take in enacting these laws (with many grey areas about how it would be enforced), and that it was critical for there to be much better information provided about the proposed changes for people who may be affected. Any changes to *Activities Local Law 2009* will need to be effectively communicated to the target group.

Overall, responses from this survey highlighted that people with a lived experience of homelessness have well considered and valuable contributions to this public policy issue. The high level of engagement with this consultation process demonstrates that they are keen to be involved in developing solutions to the issues raised that are feasible, reasonable and have an increased likelihood of working.