

16 March 2017

Manager, Governance and Legal  
Melbourne City Council  
Via email: [com.meetings@melbourne.vic.gov.au](mailto:com.meetings@melbourne.vic.gov.au)

To the Manager, Governance and Legal

***Re proposed Activities (Public Amenity and Security) Local Law 2017***

I write to you as the Chief Executive Officer of Melbourne City Mission – an organisation that has worked for, and alongside, people experiencing homelessness in Melbourne for more than 160 years. For the past 30 years, this work has included the provision of early intervention services and crisis support in the CBD for young people aged 12 – 25 who are homeless or at risk of homelessness, via Frontyard Integrated Youth Services in King Street. The purpose of this work is to disrupt trajectories into long-term homelessness.

Melbourne City Mission's work in this space has always been characterised by strong partnerships with the City of Melbourne, of which Frontyard is just one example.

We commend Council for the role it proactively takes to alleviate street-based homelessness – one of the community's most complex social issues. We recognise that Council is working to resolve issues that are the result of service system failures in other jurisdictions that sit outside local government. We also understand that the levers that Council has at its disposal are very different to those available to State and Commonwealth governments, and that one of these levers is the use of local laws to manage public spaces.

Melbourne City Mission understands **why** Council has sought to introduce this new local law. We share Council's concerns about the prevalence of rough sleeping in Melbourne and understand the difficulties for Council associated with the increase in unattended items on major pedestrian thoroughfares and other public places.

Like Council, Melbourne City Mission:

- is concerned that the number of people rough sleeping in the CBD has increased
- does not believe Melbourne's streets are a safe or appropriate housing option for our citizens
- understands that city residents, workers and visitors have concerns about public amenity
- agrees that people with disabilities have the right to move around the city unimpeded.

**However, Melbourne City Mission does not support the introduction of the proposed Activities (Public Amenity and Security) Local Law 2017 to address these concerns.**

Council has long had a reputation for responses to homelessness that are **nuanced, evidence-based and progressive**. We do not believe that the proposed new local law is consistent with this approach.

**The evidence from other policy jurisdictions is that a law and order approach to homelessness-related issues is neither impactful nor cost-effective.** For example, we know that in the public transport space, issuing fines to homeless public transport users travelling without a Myki has not only failed to effect behaviour change, but has created costly unintended consequences in other parts of the service system (particularly courts). A law and order approach has also compounded trauma, increased people's mistrust and alienation of the 'system' (making it difficult for services to effectively engage), and entrenching – rather than disrupting – homelessness.

We agree with our partner Homeless Law that “*tougher enforcement will not deliver the solutions the City of Melbourne or the community is seeking*”<sup>1</sup>. We also share Homeless Law’s concerns that the proposed Activities (Public Amenity and Security) Local Law risks pushing people off the Hoddle Grid, to the edges of the city, isolated from services and supports.

Melbourne City Mission believes that Council initiatives – such as The Rough Sleepers Service Coordination Project – together with new State Government investment (for example, Targeted Care Packages with significant brokerage funds and the capacity to work in a very flexible, individualised way with people experiencing homelessness) provides a strong foundation from which to stem the increase in rough sleeping, and provide effective responses to the current rough sleeping population.

We urge Council **not** to proceed with the introduction of this new local law – which effectively criminalises homelessness, even though we know that this is not Council’s intent.

Instead, we urge Council to adopt the ‘Proposed Framework for Responding to Homelessness in the City of Melbourne’, which Justice Connect will be submitting to Council on behalf of an alliance of the City’s leading legal, health, homelessness, housing, mental health, and family violence organisations – including Melbourne City Mission.

This Framework – which Melbourne City Mission assisted to develop – details more than a dozen areas for action, including:

- Non-punitive, low-cost, high-impact actions to reduce the volume of unattended items in the city
- Initiatives that make the city feel safe for everyone – people experiencing homelessness, other city residents, business owners and city workers, and visitors
- Scale up of proven programs and services (such as Street to Home) that enable rough sleepers to safely transition from the streets. The Framework proposes that these intensive housing and support models be extended to, and adapted for, young people who are only intermittently rough sleeping options but are on a trajectory to long-term homelessness without a significant ‘disruptor’.
- Further investment in mechanisms that support service coordination.

Should Councillors or Council officers seek further information about this Proposed Framework – or any other aspects of our submission objecting to the introduction of this new local law – Melbourne City Mission would be pleased to assist. Sherri Bruinhout, General Manager, Homelessness and Justice Services, can be contacted via email [sbruinhout@mcm.org.au](mailto:sbruinhout@mcm.org.au) or mobile 0417 575 282.

Yours sincerely,



Vicki Sutton  
**Chief Executive Officer.**

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<sup>1</sup> Source: <https://www.justiceconnect.org.au/our-programs/homeless-law/law-and-policy-reform/infringements-and-public-space-offences/melbourne-dont-criminalise-homelessness>