

Homeless Person's Legal Clinic Legal Health Check

More than 85% of homeless people have one new legal problem each year and over 50% have at least three. Most of these legal needs are left unaddressed. This can impact on their housing prospects, their finances, and their chances to make a new future. And it's difficult to help when people experiencing homelessness are not aware that they have legal needs. But lawyers can achieve great outcomes if these issues are detected. Frontline community workers are best placed to help recognise the client's legal needs. You already know the client. You have their trust. Sometimes, you even know good free legal service like HPLC but sometimes you just get busy.

The HPLC has developed some quick ways to detect the most common legal needs. Community workers can save time and reduce the number of stresses for people experiencing homelessness. Sometimes it just starts with the right questions.

**More than 85% of homeless people
One new legal problem each year**

Over 50% have at least 3

**HOMELESS
Legal needs unaddressed**

**IMPACT
Housing, finances, future
Make a NEW FUTURE**

UNAWARE They have legal needs

**FRONTLINE
Best placed to recognise emerging needs**

HPLC

QUICK Ways to detect common legal needs

SAVING TIME Reducing the number of crises

ASKING The right questions

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Housing Issues

Luke had recently been evicted from the boarding house where he had been staying for the last three years. He was in a depressive state, lost track of everything including the rent payments. He has been sleeping rough for the last few nights and has just arrived at Roma House. Our case worker, Casey, is running through the assessment interview.

[Luke and Casey seated together]

Kicked out of the hostel

- Lost I.D.
- Lost bond
- Blacklisted

Casey: So how did you end up on the street, Luke?

Luke: I got kicked out of the hostel, I got locked out; lost all my stuff.

Casey: Okay, alright. Well, I guess we should start with talking to the Department of Housing and getting you on the priority list. What do you think?

Luke: Yeah, that would be great.

Casey: Yeah? And are there any legal issues that come to mind?

Luke: No.

Luke actually does have a number of legal issues but he just doesn't think of them that way. He has lost access to personal items, he has lost his bond, and the landlord wants to put him on the tenancy blacklist. If he doesn't get these issues sorted, they could undermine Casey's efforts to organise new accommodation.

So let's try that again using the Legal Health Check. This time when they start talking about housing issues, she goes straight to the housing section on page 3.

Casey: Okay, Luke. If you paid a bond, did you get it back?
Luke: No.
Casey: No? And did you leave any belongings behind?
Luke: Yeah. All my clothes, my stereo, a bag with my birth certificate in it.
Casey: Yeah. That's pretty serious. Was there any rent that was outstanding?
Luke: Yes, about \$300.00.
Casey: Okay. \$300.00. Next question. Now, do you know if you're on the ticker database?
Luke: I'm not sure. Sorry.
Casey: That's a bit of an issue. I think we can help you out with that. We have lawyers that come every Thursday and they can help you out with all that legal stuff. Did you want to make an appointment now?
Luke: Yes, that'd be great.
Casey: And you can ask them to keep me in the loop so that I can talk to them and help out with any stuff.
Luke: Sounds great.

Using the Legal Health Check

Sue: You might be someone who is a worker or a volunteer at an agency that supports people who are homeless or a residential service. Maybe you're a social worker with Centrelink or a nurse who connects with homeless people. Well, people who are homeless have lots of legal needs and they often don't know that they are legal needs or how to see a lawyer or where to find a lawyer. What we know is that they're more likely to talk to someone like you about that need. And so, we want to give you a resource

that will make it easier and more helpful for you to talk about those things and to give the client a helpful referral to a legal service.

Court Notice

Sharon had a big night last night. They had a few drinks and it was all going great until they started walking back from the party. The police stopped them and searched for drugs. They were clean but Sharon became agitated when one of the police was searching her bag. She lost her cool and swore at him. She was served with a notice for offensive language and contravening a direction. This morning, it's all a bit of a blur but she has come to the drop-in center to use the shower when she bumps into Simon, our caseworker.

[Sharon and Simon standing outside]

Public nuisance offence

- Fines
- Warrant

Simon: Hi, Sharon. Why the long face?

Sharon: I got busted by the cops last night for no reason.

Simon: Did they give you a slip?

Sharon: Yes, but it doesn't matter; I don't need to go. They can just add it to my bill.

Simon: Well, you'll have to be on court on Thursday.

Sharon has a collection of paperwork stuffed in her bag and this new notice is about to go straight on that pile. It's a ticking time bomb. She already has over \$7,000.00 worth of fines owing and maybe a warrant out.

Let's try that again. But this time, Simon pulls his trustee Legal Health Check postcard out of his pocket.

How can HPLC help?

Is anyone chasing you for money?
Do you have a SPER debt?
Do you have hassles with bond/rent arrears?
Does the Public Trustee handle your money?
Do you need to go to court?

See the HPLC at BHSC: Tues 9:30 -11AM

Contact us:

W: www.qpilch.org.au

P: (07) 38466317

Sharon: Yeah, but it doesn't matter; I don't need to go. They can just add it to my bill.

Simon: This is something the lawyers can help you with. Did you know

they're at Café One every Tuesday?

Sharon: Lawyers? Useless, mate.

Simon: Now, these guys are good. They're volunteers from big firms. They won't cost you anything. Here, have a look at these questions. See the SPER thing – Rent arrears? Even fines.

Look,

just turn up at Café One, you don't need appointment. Every Tuesday.

Sharon: Alright, cool.

Simon: Oh. Here, you forgot something.

Sharon went to visit the lawyers. They helped her get legal aid at court and sorted out her fines debt with some volunteering.

- Legal aid in court
- Sorted out debt

Benefits of LHC

Kelly: Well, residents of Roma House, when they come in, they have experienced long-term homelessness with complex traumas so

there's a lot going on for people. So it's almost like they're carrying quite a lot of bricks in a bag and they're overloaded. So when they could connect with the clinic, and some of those issues around their legal concerns can be immediately addressed and actually immediately attended to, it lifts a little bit of the burden and actually makes people think that they can have hope that things can change for them.

From a worker perspective, when we were considering legal issues, often we tended to just think of court and maybe criminal cases or in the area of warrants, outstanding warrants and didn't consider other areas that were the legal issues and it can actually be addressed by the clinic. Most notably, I think, or surprisingly for us, it was the issue around debts and the fact that many people coming in have high SPER debt, also have debt with credit card companies. So when workers are having initial talks with residents around their journey and their experiences, often questions that relate directly to the Legal Health Check come up.

Locations

Pindari Women's Hospital
The Drop-In Centre, Townsville
4AAA Kiosk
139 Club
Pindari Men's Hospital
Brisbane Homelessness Service Centre
Roma House
bric housing, Spring Hill
Anglican Women's Hostel
Kyabra Phone Clinic
Brisbane Youth Service
New Farm Neighbourhood Centre
The Basement, Toowoomba

Refugee Civil Law Clinic

Contact us:

W: www.qpilch.org.au
P: (07) 38466317

Want to know more?

hplcadmin@qpilch.org.au

Find a Community Legal Centre

www.qails.org.au

or

Legal Aid Queensland

www.laq.qld.gov.au

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