



Using the Law to Prevent Homelessness

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Community & Health Justice Partnerships | Homelessness Law



Acknowledgement of Country

We acknowledge the traditional owners of the land and waters throughout Australia and pay our respect to Elders past and present.

We benefit from the gifts of First Nations peoples, acknowledge the historical and ongoing injustices they bear and support their call for power over their destiny.

Today's session



- ❁ Homelessness in Australia
- ❁ Intersection between homelessness and the law
- ❁ How Homelessness Law prevents and ends homelessness



LawRight's Community and Health Justice Partnerships



- ❁ LawRight is a not-for-profit, community-based legal organisation that coordinates the provision of pro bono legal services for individuals and community groups.
- ❁ Community & Health Justice Partnerships | Homelessness Law implements a best-practice, outreach-based, trauma-informed service delivery model.
- ❁ We collaborate closely with pro bono lawyers from 11 firms to provide on-going support to our shared clients.
- ❁ Recognising the benefits of integrated, holistic legal assistance, our staff lawyers are fully embedded in 7 frontline homelessness, community and health agencies in both Brisbane and Cairns



Our Community Partners



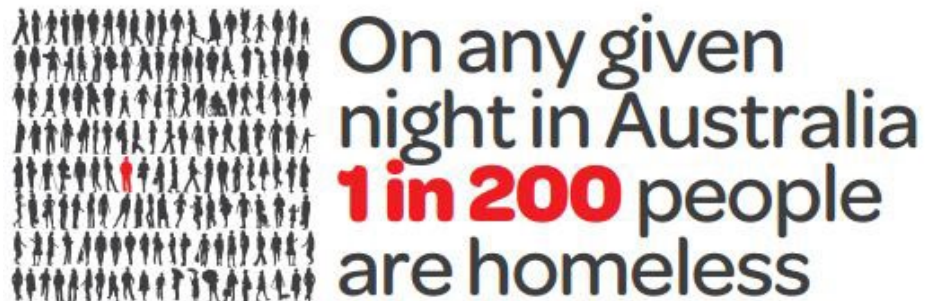
NEW FARM
Neighbourhood Centre



Homelessness in Australia



- ❁ The 2021 ABS Census estimated that, on any given night, over 122,000 people in Australia are experiencing homelessness.
- ❁ Modelling conducted for [Homelessness Australia](#) estimated that in 2022 there were between 2.7 million and 3.2 million Australians at risk of homelessness, including over 700,000 Queenslanders.
- ❁ There is no single definition of homelessness. Most current definitions extend beyond 'rooflessness' to include concepts of home and the adequacy of housing.



*Homelessness Australia, January
2016*

Causes of homelessness



❁ Two primary causes of homelessness:

- lack of affordable and appropriate housing
- insufficient financial means or support

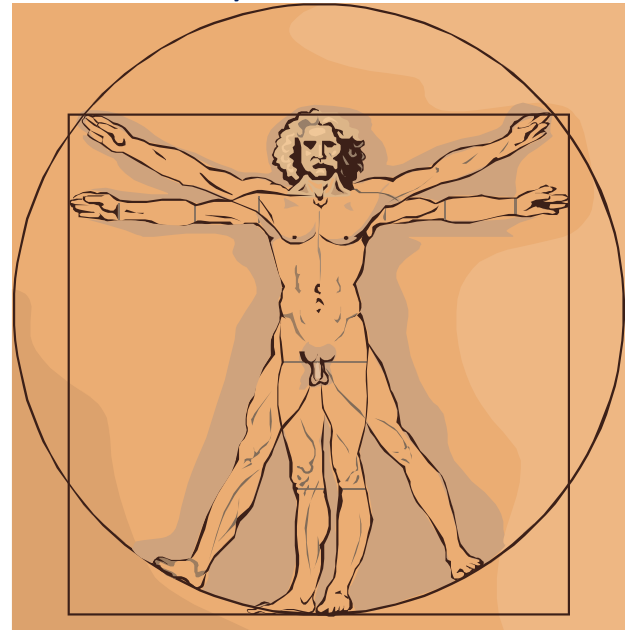
❁ Common experiences that can 'trigger' a period of homelessness

- domestic and family violence, relationship breakdown, financial abuse
- eviction from housing
- mental health episodes
- traumatic life events
- addiction and substance dependency
- exiting state institutions or care

Individual Risk Factors

Work/Money

Relationships



Health

Housing

Structural and Social Factors

Homelessness and the Law



- ✿ The relationship between an experience of homelessness and societies various laws, policies and practices is complex.
- ✿ It is well-established that:
 - people experiencing homelessness or housing insecurity are likely to have multiple (more than 3) unresolved legal issues simultaneously, face significant barriers to effectively address these issues, and commonly need to prioritise basic needs above legal needs.
 - the inability to resolve legal issues ‘can cause, prolong and entrench homelessness and result in the escalation of legal issues’.
- ✿ Unresolved legal issues often intersect with broader personal and social issues. Many people won’t identify that the issues they face are ‘legal issues’ or that the law may offer a resolution.
- ✿ Common issues include: consumer credit and debt matters, housing and tenancy disputes, fines and criminalisation, an experience of family and/or sexual violence, and interactions with government.
- ✿ The [Law Council’s The Justice Project](#) has more information.

Homelessness and the Law



“homelessness almost inevitably brings increased contact with the law, while simultaneously making it hard to navigate the justice system and to access legal assistance. In practical terms, the law can push you into homelessness, impact disproportionately on you while you’re homeless and present barriers to exiting homelessness.”

Justice Connect Homeless Law, Under One Roof (2016)

“it may be difficult to separate the social problems [experienced by people who are homeless] ... – including social exclusion, isolation, physical health problems, and mental health disorders – from their legal difficulties.”

Tamara Walsh, quoted in the Law Council’s The Justice Project

LawRight's Homelessness Law



- ❁ Homelessness Law representations people experiencing or at risk of homelessness, with a focus on key priority cohorts including:
 - women and their families with an experience of violence;
 - children and young Queenslanders; and
 - people in or exiting prison
- ❁ Homelessness Law runs four targeted programs:
 - Your Own Home Project: *Preventing Homelessness for Woman & their Families*
 - Stable Futures for Young Queenslanders: *Stopping Homelessness for Children & Young People*
 - Help to Heal: *Helping Victim-Survivors Access Support and Avoid Homelessness*
 - Homelessness Consumer Advocacy Project: *Addressing Financial Products Targeted at Queenslanders in Financial Hardship*
- ❁ You can [read more](#) about Homelessness Law and Multicultural Law.



Homelessness Law's Areas of Law



Money and debt disputes



Financial support for victims of violent crimes



Fines and Infringements



Housing and Tenancy Disputes



Homelessness Law's

CONSUMER ADVOCACY PROJECT

DECEMBER 2024

Drawing from Homelessness Law's frontline casework, this report provides insights into the everyday financial issues impacting people with insecure housing and outlines the impact of holistic, trauma-informed legal assistance.

LawRight extends our sincere thanks to our pro bono and community partners for their collaboration and support of our work through our Homelessness Law's Consumer Advocacy Project.



Homelessness Law's Impact Theory



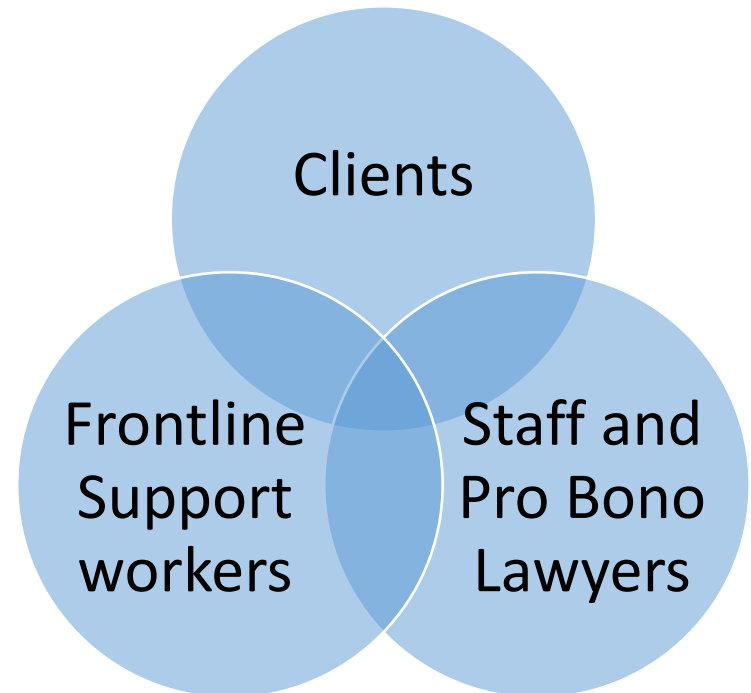
We can prevent and end homelessness by **resolving legal issues:**

- ❄️ that put housing at risk or increase housing insecurity
- ❄️ that create barriers to people moving into safe and secure housing

Homelessness Law **collaborates to scale its impact** by:

- ❄️ increasing the capacity of community, homelessness & health workers through training and collaboration.
- ❄️ advocating for improved laws that lead to fairer outcomes.

Homelessness Law has lasting impact on our clients by **empowering them through representation.**



"Thank you all so much for the help yous have given me to repair my life! I'm very grateful and I appreciate everything yous have done for me."



*"The team at Lawright literally saved my life! I was suicidal, homeless and in over \$40,000 in debt with no way out. It was a very dark time. **They have had my back and words cannot explain how much the unwavering support has helped me become the person I am today with next to no debt and life skills that I would not have gained anywhere if not for them.** Thank you for everything. From the bottom of my heart!"*

Homelessness Law's Process



Clients meet with us at one of our 8 community partners in person, by telephone or video conference

Working with the clients, we identify their legal issues, the help they are seeking, and their desired goals/outcomes.

Ongoing casework

Ongoing discrete assistance

One-off Advice

Referrals

Information

Pro Bono lawyers allocated to assist on files

Scope of assistance confirmed with client

Lawyers confirm instructions and give initial advice

Lawyers run matters to resolution

Lawyers close the client's file



Homelessness Law Insights and Impact



Though our work, we aim to:

- keep people safely housed
- empower through representation to take early, practical steps to avoid or resolve legal issues going forward
- rebuild trust and confidence in legal systems

Since 2019, we have:

- supported over 2300 people
- accessed **\$2,910,000** in victim support payments
- resolved **\$3,260,900** in consumer debt disputes

Our clients

59% reported an experience of family violence

27% reported an experience of sexual violence

52% identified as living with a disability

18% Aboriginal and/or Torres Strait Islander

31% children & young people

Homelessness Law Insights and Impact



A random review of 20 payday loan client files showed:



Most people presented with multiple high-cost loans. We assisted the 20 individuals to resolve 141 payday loans (mean 7.5, median 3), as well as other precarious credit products.



We identified concerns about how the loans were provided (including whether the loans were provided in breach of the responsible lending laws) in all matters (90%) where this was investigated. We did not fully explore these issues in the remaining 10% of matters based on our client's instructions.



All clients were in financial hardship and living below the poverty line. 94.5% relied on a Centrelink benefit and 85% had insecure housing.



90% of clients presented with other debt and money issues, often directly connected to their experience of poverty and housing insecurity.



70% of clients reported an experience of violence, often connected to their financial hardship, while 65% identified as living with a disability.

Resolution of payday loans

25% Refund to our client
30% Ongoing matters



10% Reduction and
affordable payment plan
35% Resolved without
any further payment

Homelessness Law Insights and Impact



A random review of 25 Victim Assist client files showed:



Most victim-survivors reported multiple experiences of violence. The 25 individuals collectively had **54 successful applications to Victim Assist Queensland** (average 2.16)

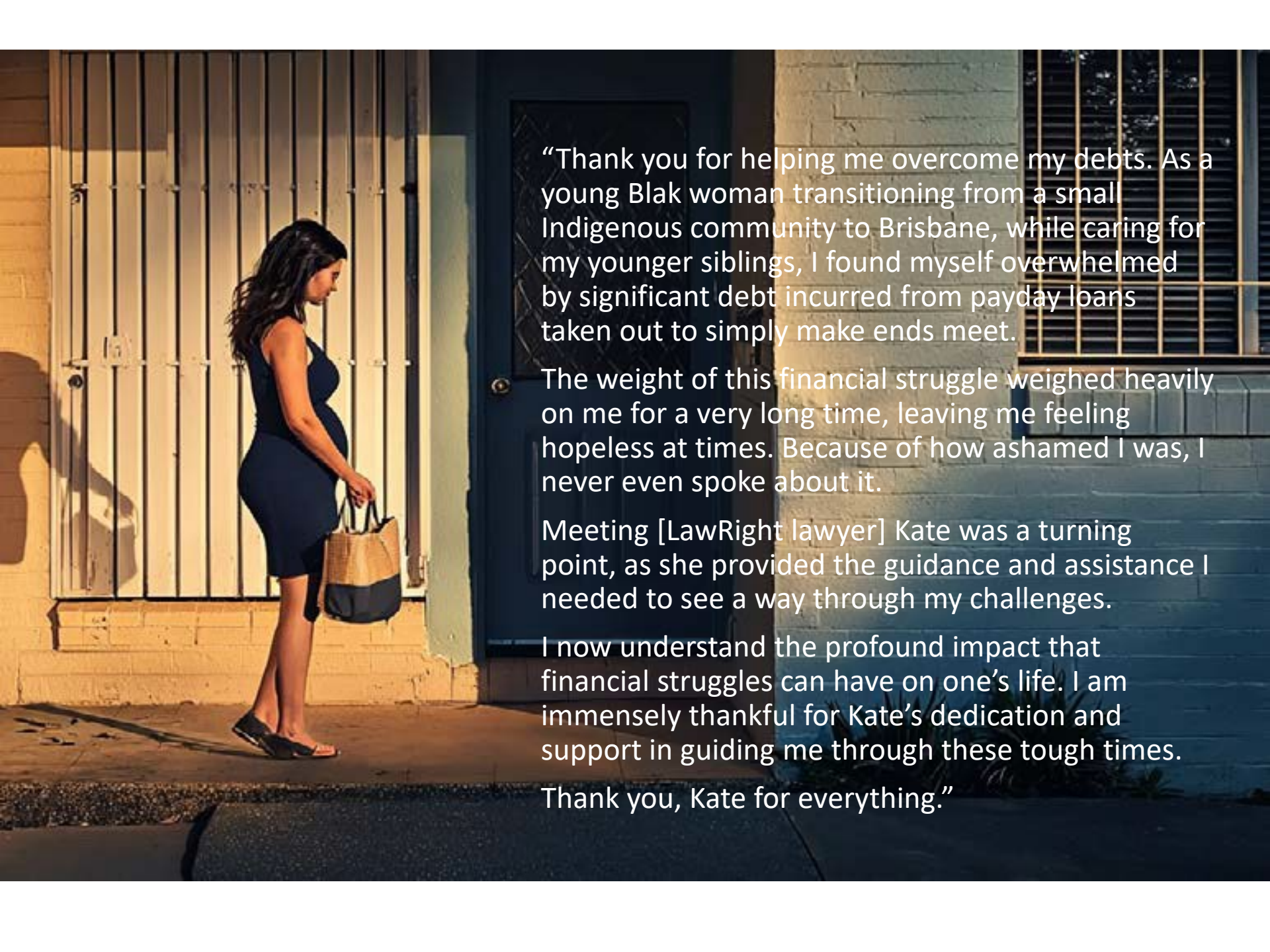


All victim-survivors were in financial hardship and struggling to resolve various debt and money issues, often directly connected to their experience of violence. When they first connected, the 25 victim-survivors owed **\$222,646.43** in **86 unresolved debts** (average 3.62 per victim-survivor). The average debt per victim-survivors was \$10,115.48.



We identified at least **45 other distinct legal issues** (average 1.8 per victim-survivor). Of the files reviewed:

- 60% had government fines being managed by the State Penalties and Enforcement Registry (SPER), including fines connected to an experience of violence.
- 35% had a current tenancy dispute, including disputes that arose following an act of violence.



“Thank you for helping me overcome my debts. As a young Blak woman transitioning from a small Indigenous community to Brisbane, while caring for my younger siblings, I found myself overwhelmed by significant debt incurred from payday loans taken out to simply make ends meet.

The weight of this financial struggle weighed heavily on me for a very long time, leaving me feeling hopeless at times. Because of how ashamed I was, I never even spoke about it.

Meeting [LawRight lawyer] Kate was a turning point, as she provided the guidance and assistance I needed to see a way through my challenges.

I now understand the profound impact that financial struggles can have on one’s life. I am immensely thankful for Kate’s dedication and support in guiding me through these tough times.

Thank you, Kate for everything.”



""The support from LawRight has been so healing and useful after going through a few extremely traumatic events.

It is so hard to access any other kind of assistance, especially when you're homeless. It felt like LawRight were the only ones who showed up and really tried to help me get support and justice for the things I went through.

I was referred by a friend who knew of LawRight. The service has honestly been life changing. Having a team of caring and professional people to help me through this process and to reclaim a sense of dignity has been profound."



Questions?