



RANDWICK CITY COUNCIL

***HOMELESSNESS PROTOCOL***



## 1 Background

From time to time, Council staff receives telephone calls or emails from local residents and businesses about homeless persons sleeping rough in public spaces such as parks, bus shelter and on footpaths. While responding to the needs of homeless persons is not the primary responsibility of the Council, it has an obligation to note their location, establish the state of their well-being and ensure they have access to appropriate welfare. The Randwick Homelessness Protocol provides the Council with a process for responding to these situations. This Protocol applies to circumstances involving rough sleepers.

The term 'rough sleepers' refers to homeless people who do not live in conventional accommodation. In other words, they live on the streets, in deserted buildings, in cars, under bridges, tents and other improvised shelters.

This Protocol was developed in consultation with housing and social support agencies servicing Randwick City. It is consistent with the State Government's current, and draft 2012 Protocols for Homeless People in Public Places. It states among other things that homeless persons shall be treated with dignity and have the same rights as everybody else in public places or premises.

### Where the Protocol applies

The Protocol applies to rough sleepers in *public places* such as parks, open spaces and facilities, which are accessible to the public, owned, controlled or managed by Council.

The Protocol is applied when:

- Council officers come into contact with a person who is sleeping rough in public places owned controlled or managed by Randwick City Council
- members of the community request support for a person who is homeless (rough sleeping)
- homeless person requests information from Council about where they can go for assistance
- Council receives information from members of the public about a person they believe is a rough sleeper

## 2 Underlying Principles of the Protocol

The Protocol uses the following principles:

- All people, including rough sleepers, have a right to be in public places, at the same time respecting the right of the local community members to live in a safe and peaceful environment
- All people, including rough sleepers, have a right to privacy, be respected, and to be left undisturbed, unless they appear to be distressed or in need of assistance
- All people, including rough sleepers, have a right to public amenities and to participate in public activities
- People will not be harassed or moved on from public places unless there is a threat to community safety, their personal safety or if they are causing a disturbance or nuisance
- A homeless person is entitled to carry and store their own belongings with them
- Rough sleepers are individuals with diverse backgrounds, experiences, and abilities. Council Staff will consider these factors when communicating with them or responding to their needs.
- Cultural sensitivity and respect will be applied when responding to rough sleepers who are Aboriginal

or from a culturally and linguistically diverse background

- Some rough sleepers may have a mental illness and/or a disability. Council staff will respond sensitively and without discrimination.
- Council staff whose work brings them directly or indirectly into contact with homeless people will have useful information (Your Guide to Emergency or Temporary Accommodation) to inform homeless people and other members of the community of where to obtain accommodation and support services.
- Rough sleepers, same as all community members, should have access to a right of reply and appeals mechanisms.

### 3 Council's Approach to Homeless Persons (rough sleepers)

#### When will council staff intervene?

Council staff should leave the rough sleeper **alone** unless:

- they request assistance
- they appear to be distressed or in need of assistance
- they are a health, welfare or safety risk
- their behaviour is likely to result in damage to property
- a breach of the peace, an unlawful act is occurring or has occurred and the Police need to be informed
- they are sheltering in circumstances that place themselves or other's health and safety at risk
- they suspect that the person is unaccompanied and under the age of 16 years
- when the homeless person's belongings creates a clutter or impacts on public access

**Contact Council's Community Development Team or Senior Social Planner on 9399 0994 if the person:**

- requests assistance
- appears to be distressed or in need of assistance
- appears to be a health, welfare or safety risk
- is behaving in a manner that is likely to result in damage to property or the environment
- is sheltering in circumstances that place themselves, or other's health and safety at risk
- appears to be unaccompanied and under the age of 16 years

#### How will Council respond to reports?

- Council staff from the Community Development Team will respond accordingly to the situation at hand or from reports it has received
- They will contact the police liaison officer to establish if the police have received reports about the person in question
- They will make a site visit and provide information on temporary accommodation and related support services to the person in question

- In particular situations, they will liaise with Missionbeat representatives to establish an appropriate course of action

## When should members of the public intervene?

### Contact the police if:

- the person is behaving in a manner dangerous to themselves or others
- a breach of the peace is occurring
- an unlawful act is occurring and/or has just occurred

*Note: There is no enforcement requirement with respect to homelessness. Enforcement will only apply where there is a breach of the law, and then it becomes a policing issue.*

### Contact Missionbeat on 1300 306 461 if:

- the person is in apparent urgent need of assistance and it is after the Council's business hours.

(please inform the Council's Community Development Team about your contact with Missionbeat afterwards so that they can follow up on any future actions that may arise.)

### Council's Community Development Team or Senior Social Planner will:

- refer to Missionbeat newly identified rough sleepers for assessment
- keep a centralised record of known rough sleepers and actions taken
- liaise with Missionbeat, Police and Council staff about issues and progress in addressing needs of rough sleepers in Randwick City
- provide information to the community about local support services for homeless persons
- follow up with any referrals of rough sleepers made to Missionbeat by Council staff

## 4 Legal Status of this Protocol

This Homeless Protocol outlines how Council officers respond appropriately to homeless people who are in public places and acting lawfully. The Protocol does not override existing laws, statutory requirements or regulations.

Randwick City Council  
30 Frances Street  
Randwick NSW 2031

Hours of operation:  
8:30am - 5:00pm, Monday to Friday

Call centre: 1300 722 542

[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)