

I'm not sure what the formal approach to writing this is, but at a Justice Connect event last week it was said these submissions could simply be a sentence. I was at that event because I am a consumer participant in the homeless sector and as somebody who has had a lived experience it would be really helpful if the term 'Public Authority' could be clearly defined and maybe have some process where Public Authorities are obligated to provide their clients with a copy of the Charter and/or a booklet or brochure written in plain English that explains the Authority's obligations and the person's rights - this could potentially become part of expanding the public education and awareness campaign and create employment opportunities for people with a lived experience.

Whilst I was homeless in 2011 I was aware of the Charter as well as how many breaches I felt I was subjected to as a result of homelessness - homelessness was not a choice. Homelessness was imposed on me by an affordable housing crisis and a series of systematic errors and blunders - this was no more my choice than it is somebody's choice to be female, male or gender non-specific, but under the current Charter and Anti-discrimination Act the absence of homeless people as requiring protection against discrimination perpetuates the myth and stereotype that homelessness is a choice - I feel very strongly that its omission is a breach of my human rights. I had doctors who refused to see me simply because I did not have an address. I was denied equitable access before the courts due to being homeless and have experienced significant breaches as a result. I had no recourse - I've only just found out that to raise a Charter issue it has to be backed onto another legal argument - that's ridiculous - as are the words 'Supreme Court' when discussing options - that's not equitable, that's scary.

There seems to be a big push for potential human rights breaches to be heard at VCAT as stand alone cases - something I fully support, however I do not support financial restitution at this point in history. We have an affordable housing crisis and whilst I would love Victoria to work towards aligning the Charter with the UN Declaration and including a person's right to shelter, I appreciate it's addition at this point would cause considerable chaos - as I believe financial restitution could within the homeless sector. Because of the housing affordability crisis housing services have no choice but to breach people's rights - if there was financial restitution for breaches it could cripple the sector worse than it already is. I do however believe the services should be held accountable for breaches and that VCAT should be able to impose something of value on the services to change policies, procedures and practices to reduce the number of breaches - whilst lobbying the Government and private enterprise to address the housing affordability crisis continues. I think there should then be a further review in four years where financial restitution is considered as Public Authorities would have had a four year period of judgements and recommendations for it to theoretically not cripple them.