



VICTORIA POLICE

Legal and Social Issues Committee - Inquiry into Homelessness in Victoria

Victoria Police submission

Victoria Police welcomes the opportunity to make a submission to the Legal and Social Issues Committee's (the Committee) Inquiry into Homelessness in Victoria (the Inquiry).

Consistent with the Committee's focus, this submission describes policies and practices with a bearing on delivering services to the homeless.

Interaction between police and people experiencing homelessness

On the night of the 2016 Census, approximately 42 in every 10,000 people,¹ were experiencing some form of homelessness across Victoria, including in the Melbourne CBD, outer metropolitan areas and regional centres.

Homelessness can take many different forms, with rough sleeping being the most visible subset of homelessness. Police are often called by members of the public who are concerned about, or for, a rough sleeper. On the 19 June 2018, there were 279 people sleeping rough in the City of Melbourne.²

Police respond to people experiencing homelessness through traditional criminal justice interactions as well as other forms of engagement and service delivery, such as referrals. This work is consistent with the organisation's broader remit to help those in need of assistance and is supported by strong relationships with organisations like The Salvation Army, St Vincent's Hospital and the City of Melbourne (CoM), rather than formal or legislative arrangements.

Through this collaborative engagement, Victoria Police aims to continue improving its responses and assistance to people experiencing homelessness.

¹ Australian Bureau of Statistics, 2018

² City of Melbourne, Street Count 2018, Snapshot of People Living Rough

Collaborative engagement to support responses

As described below, Victoria Police is involved in a number of collaborative initiatives aimed at reducing, responding to and understanding the circumstances contributing to people experiencing homelessness in Victoria.

This involvement is underpinned by the organisation's participation in supporting governance arrangements; enabling Victoria Police to forge new relationships with other service delivery organisations and improve communication and connection with people experiencing homelessness.

Membership in these forums also assists Victoria Police to more widely communicate the role of police officers in addressing specific issues related to homelessness, including perceptions of safety.

- *Homelessness Advisory Committee*

The Homelessness Advisory Committee (HAC) is a peak strategic body which works to address issues leading to rough sleeping, develop alternative solutions to reducing rough sleeping and assists with the identification of preferred solutions as part of CoM's decision-making in relation to rough sleeping.

Chaired by the CoM, its membership also includes people with lived experiences of homelessness. Victoria Police was invited by the CoM to join the HAC in 2018.

- *Executive Partnership Group*

The Executive Partnership Group (the group) aims to improve service collaboration and coordination between agencies caring for rough sleepers, and develop strategic outcomes aimed at reducing homelessness in Melbourne's CBD.

Funded by the CoM, the group engages many stakeholders, including Victoria Police.

- *Operating Protocols*

Operating protocols were established and co-signed by the CoM and Victoria Police to effectively manage the amenity of public spaces affected by the behaviour and use by rough sleepers. The operating protocols provide that the best way to manage rough sleeping within the CoM is to refer rough sleepers and homeless persons to support services to start them on the pathway out of homelessness.

Key themes of the operating protocols are:

- stronger connection and partnerships with service providers
- earlier intervention by the CoM with support from Victoria Police
- more assertive actions by the CoM and as required by Victoria Police
- lower tolerance of street clutter and amenity impacts

- a high level of consistency in the application of local law.

- *CoM biannual street count*

CoM conduct a biannual street count to try and identify the number of rough sleepers on the street at a given point in time. Victoria Police was involved in the last street count. The 2020 street count, scheduled for May 2020, has been postponed until later in the year due to COVID-19.

- *Community hub*

The purpose of the Community Hub (the Hub) in the Melbourne CBD is to build a greater understanding of homelessness and strengthen relationships with consumers and the sector. Victoria Police joined The Salvation Army and Ambulance Victoria in launching this Hub, which provides a one stop shop for referrals and support services for people experiencing homelessness, including:

- assistance in relation to the consolidation of warrants and legal encumbrances provided by Victoria Police
- social support services and housing assistance provided by The Salvation Army
- healthcare related assistance provided by Ambulance Victoria
- mental health related assistance provided by St Vincent's Hospital.

The Hub allows people experiencing homelessness to receive advice and assistance in a familiar environment (rather than police stations or doctors' clinics) and also provides police with an opportunity to engage with and build supportive relationships with them in a relaxed and informal setting.

- *Hotspots*

Hotspots is a collaborative stakeholder framework to ensure that rough sleepers are not anonymous in the system and are connected to appropriate support providers.

Membership comprises Victoria Police, the Department of Health and Human Services (DHHS), the CoM, The Salvation Army and other stakeholders who meet weekly to discuss and identify a shared pathway of managing and supporting rough sleepers.

- *Operation Protocol*

Operation Protocol is an outreach program to deliver immediate health, enforcement and housing pathways including by identifying, supporting and referring rough sleepers to appropriate services such as short-term rental accommodation and access to mental health support services.

Stakeholders include Victoria Police, CoM's mobile support team, The Salvation Army and Inner North West Mental Health. Operation Protocol uses information obtained from Hotspots to engage with and support rough sleepers.

- *Mental Health and Police – Homeless Response*

The purpose of the Mental Health and Police – Homelessness Response (MHaP-HR) is to provide timely, appropriate and effective treatment and links to services for people experiencing mental health issues who are also sleeping rough in the Melbourne CBD.

It is a collaborative project between Victoria Police and Inner West Area Mental Health Service based at The Royal Melbourne Hospital, and provides a pathway for Victoria Police members to refer eligible people directly for assessment, treatment and support.

- *Justice Access Advisory Group (JAAG)*

The JAAG brings stakeholders from the criminal justice environment to support homeless people who have contact with the criminal justice system and explore opportunities to help people experiencing homelessness break the cycle of criminal offending and reduce their exposure to the criminal justice system. Victoria Police is a member of the JAAG.

- *Operation Minta II*

Victoria Police recognise some homeless persons commit offences, such as beg alms. Section 49A of the Victorian *Summary Offences Act 1966* provides that it is an offence for a person to beg or gather alms. This offence is regularly policed in the Melbourne CBD by Victoria Police as part of Operation Minta II. Operation Minta II is a two-pronged strategy comprising of multi-agency days and police only enforcement days.

Multi-agency

The multi-agency days involve Victoria Police, CoM, Launch Housing, Police Ambulance and Critical Early Response (PACER) and the Salvation Army attending identified locations where people experiencing homelessness congregate. CoM serve notices on homeless persons regarding the removal of structures and Victoria Police attend to prevent breaches of peace. The other agencies attend to engage with persons experiencing homelessness and to offer a range of support and referral services such as welfare and housing.

Police enforcement

The Melbourne Divisional Intelligence Unit prepares and provides police members with a list of homeless persons of interest in the Melbourne CBD to be used as part of the operation. The police only enforcement days involve dedicated foot patrols in Melbourne CBD by police officers who engage with the community and homeless persons to identify any criminal offences such as begging, assaults, drug possession, traffic or use. During

the enforcement days, police members also identify homeless persons who police wish to engage with for a range of reasons including outstanding warrants of apprehension.

Organisational approaches

Victoria Police members may be required to use legislative powers when responding to the needs of the community and persons experiencing homelessness. These powers are general - rather than specific to the needs of people experiencing homelessness – and relate to the commission of offences, or apprehension for the purpose of preventing serious and imminent harm to the person or any other person.³

Police apply their discretion in using these powers, consistent with the *Charter of Human Rights and Responsibilities Act 2006*, to respond to the needs of people experiencing homelessness in the least restrictive means practical.

To support police understanding of people experiencing homelessness. Victoria Police has also established a number of programs, including:

- A 'walk in their shoes' program run by Melbourne East Police Station to provide police with knowledge about people experiencing homelessness in Melbourne's CBD and available assistance options.

This is a collaborative program with Justice Connect and the Council to Homeless Persons and includes workshops/presentations by the Council for Homeless People, CoM's Mobile Support Team and current or former persons who have lived experiences of homelessness.

- *Victoria Police Community Encounters program* - established in 2009.

Community Encounters provides police recruits with an opportunity to engage with a diverse group of volunteers to understand the issues and experiences faced by members of the community, introducing recruits to new ways of thinking about the community they engage with and assists them to tailor their police response to suit individual needs.

In relevant circumstances, police also have the option to refer people experiencing homelessness to services. The Victoria Police referral (VPeR) system is consent-based for non-crisis, non-family violence situations.

In March 2019, Victoria Police successfully trialled homelessness as a referral type on VPeR in the local government areas of Hume and Moreland; this has now been expanded into

³ Relevant provisions include section 458, *Summary Offences Act 1966*, sections 458, 459, and 462A *Crimes Act 1958* and section 351, *Mental Health Act 2014*.

Hume, Moreland, Brimbank, Melton, Geelong, Surf Coast and Ballarat LGAs and provides options to assist people with:

- information and advocacy in relation to private rental
- referral to community health services, legal aid and material aid
- housing establishment funds towards rent in advance, rental arrears or crisis accommodation
- crisis accommodation
- prioritising, matching and allocating support and housing through a state-wide database.

Conclusion

Victoria Police is committed to developing and supporting initiatives aimed at responding to and reducing homelessness across Victoria, and appreciates the opportunity to describe areas of good organisational practice

Victoria Police will continue to participate in the development of associated frameworks, initiatives and policies by all levels of government and looks forward to ongoing inclusion and discussion.