

Government debts kept Peter homeless

Peter Burns never expected to be homeless. He had a successful construction business, owned his home and was in his early 50s. But in early 2011, he found himself on the street as his business collapsed and events spiralled out of control.

As a homeless person he was often fined for doing what the rest of us do in private such as going to the toilet, being intoxicated or sitting for extended periods of time in the one spot. He had a few encounters with the police and other authorities and found himself having to seek out legal assistance.

“At one point I only had the clothes on my back and probably one blanket,” said Peter.

“There was no way I could pay these fines and they created more problems while I was sleeping rough.

“People don’t understand that when you are living on the streets you are also going through trauma and confusion because you can’t believe this is happening to you.

“You are not in the head space to be able to remember to pay a fine or to navigate the justice system or where to find help because all of this is a completely new experience.”

Last week the Queensland State Parliament introduced the State Penalties Enforcement Amendment Bill 2017.

The Bill proposes a number of changes which will help vulnerable Queenslanders better tackle state enforced debts.

Homeless Persons’ Legal Clinic Coordinator Stephen Grace said it wasn’t uncommon to see people who had debts in excess of \$20,000 more commonly for infringements relating to public space and public transport offences.

“A person that is under extreme financial pressure is simply unable to pay this debt,” said Mr Grace.

“The current system for collecting debts in Queensland does not adequately respond to disadvantage and marginalisation.

“In our experience, the current system further exacerbates the challenges faced by Queensland’s most vulnerable, making it very difficult for someone like Peter to get back on his feet.

“The government is expending resources trying to recover money from people experiencing extreme financial hardship, people with no means to pay their fines.

“These resources would be better invested in services to help vulnerable people to break the cycle of poverty.”

According to Mr Grace, money would be better spent enabling the homeless to reduce their debt by providing mental health treatment programs or attending community-based social service programs such as drug or alcohol treatment, and counselling.

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"We support a scheme that allows vulnerable and disadvantaged people to resolve their debt by engaging effectively with healthcare professionals and community agencies," he said.

"Engaging with these services will have a positive impact on the person participating and society as a whole.

"While the Bill is a good start, we encourage the government to continue to engage with the community sector to ensure that the proposed changes are implemented in a fair, clear and flexible way."

Community Legal Centres Queensland Director James Farrell said a planned 30 per cent government funding cut to community legal centres in July this year would have a detrimental effect on homeless numbers.

"Many people who are unable to deal with State Penalty Enforcement Registry debts will seek help from one of Queensland's 33 community legal centres," said Mr Farrell.

"Unfortunately only half of the people who contact one of our community legal centres are able to get the help they need.

"The remaining 50 per cent are turned away because we just don't have the resources we need to provide help for everyone who qualifies.

"Community Legal Centres Queensland is calling on Malcolm Turnbull and George Brandis to reverse their funding decision for community legal centres to ensure homeless people who get caught up in spiralling debts get the legal help they need and the justice they deserve to help them get off the streets."

Ends**NOTES:**

1. Community Legal Centres Queensland Inc (formerly QAILS) is the state-wide peak body representing community legal centres in Queensland. Queensland community legal centres have 40 years of service delivery experience providing free information, advice and referral, casework and representation to the community.
www.communitylegalqld.org.au
2. Work and development orders - Response to consultation paper, July 2015
<http://communitylegalqld.org.au/policy/public-space/work-and-development-orders>

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