



Streetlaw Centre WA Inc
Annual General Meeting

The Hon Wayne Martin
Chief Justice of Western Australia

28 October 2008

It is a great pleasure and an honour to have been invited to address the Annual General Meeting of Streetlaw Centre WA Inc. I would like to start by acknowledging the traditional owners of the lands on which we meet, the Nyungar people, and by paying my respects to their Elders both past and present.

It is, as I say, a particular pleasure for me to come and address this group tonight. Perhaps the first question that arises when one looks at a group like this is why? Why do we need a group that focuses particularly on the provision of legal advice and support and assistance to people who are homeless? Well I wondered that myself and I was fortunately assisted by a number of answers that have been provided in the draft annual report from which I borrowed for this section of my remarks.

The first reason, of course, is that people who are homeless are transient. They do not have anywhere as a permanent base. That necessarily creates problems for the provision of advice, the continuity of that advice and for referrals that they need to other agencies. At a very practical level, lawyers have difficulty contacting homeless people and homeless people have difficulty contacting their lawyers. They cannot give an address for mail. They do not have a telephone. They do not have a fax or an email.

All the normal means of communication that we have become so used to in our contemporary world and upon which we so heavily rely are simply not available, so that adds a whole new dimension to the provision of services to people who do not have a home.

The second reason is that people who are homeless have, if you like, a particular characteristic and that is that by being homeless, and being human beings who need food and shelter, it is natural that their primary focus will be upon meeting the basic necessities of life which include the food, shelter, clothing and fundamental aspects of life that many of us take for granted. Because of their need to focus upon those basic essentials, it is natural and inevitable that they will give less priority to their need for legal advice and assistance, even though the reality is that in many cases, the provision of that legal advice and assistance might enable them to break the cycle of homelessness and unemployment, of poverty and despair in which many of these folk are caught up.

The third reason is that a lot of these people unfortunately have a lack of any real awareness or insight as to how to go about addressing the problems that have led to their homelessness. So again, that distinguishes them from many other potential recipients of legal advice who do have

some awareness or insight into the means to pursue to in order to address their predicament.

The fourth feature which I think distinguishes the homeless as a particular group in need of legal support and assistance is really focused upon the need for lawyers who have appropriate skills and abilities to provide those services. Those skills need to be practical. In other words, if you are dealing with a homeless person, the advice that is given has to be very direct and very practical, and you have to be able to deal with all the problems of communication, difficulties of contact, and the like that I have already referred to. People who provide these services must be aware of what is relevant to their clients. The sort of things that are relevant to people who have homes, people who are well established in the community, may not be relevant at all to those who are homeless, and so those who provide the services need to have a well developed sense of what is likely to be relevant to their clients and what is not.

There will be particular communication skills that often will be required of lawyers dealing with homeless people. They need to be able to communicate to those people in terms which they can understand and comprehend. The lawyers providing this support and assistance will also have to be multi-faceted. They will have to be able to direct their mind to

meeting the practical needs of their clients in terms of things like food and sustenance. They will also have to have an awareness of the need for emotional support which many of their clients will need.

The fifth reason that I would give is that there is a great tendency for homeless people to be overlooked by the other agencies. They fall readily and easily through the cracks because they do not have addresses, but also often because of their standard of dress, because of their lack of communication, because they may lack awareness, insight and interpersonal skills. Often they are exactly the sort of people who are missed by the other agencies providing legal support and assistance. So those I think are just some - I am sure you can probably think of other reasons why there needs to be a specialised service, but they are some of the reasons that have occurred to me with the assistance of the annual report.

The other reason we need a service like this is because of the sheer number of homeless people in Perth. The last figure I saw estimated the number of homeless people in Perth at 5,600. That is an extraordinary number of people, especially in a city that is supposed to be enjoying the benefit of an unparalleled period of affluence as a result of the economic boom, that seems to have burst very recently. But that boom, of course,

carried with it an extraordinary paradox, because as a consequence of the boom, there were at least two things that became in short supply in Perth; one was pens for luxury boats; the other was reasonably priced accommodation for people who were on very limited incomes. As a consequence of the demand at all levels for accommodation, those who were at the bottom end of the economic spectrum simply lacked the capacity to find themselves somewhere to live. The enormous paradox of the recent boom was that during the boom, the number of homeless people actually increased rather than decreased, because of the shortage of accommodation. That has heightened the particular need that obviously has been recognised and identified, and which has led to the creation of this service. That need is substantial. I suspect the need is going to get greater before it gets less, whatever government does in relation to the provision of housing and therefore I think the organisers and founders of this group are to be commended for having had the foresight to get this group together.

Unfortunately, the group is still not up and running in the sense of having a base from which services can be provided, but there have been some significant milestones achieved already in the relatively short life of this organisation. The first is the gathering of members, and I am very pleased to see you all here tonight. The second is the creation of a

Committee of Management and a constitutional structure which creates a basis for the provision of services as and when funding has been obtained. There has been a name change, so that we now have a more relevant name – 'Streetlaw' – I think a name that will evoke more to people when they hear it. And very significantly, the organisation has achieved the status of a public benevolent institution under the Commonwealth tax laws which means that any contributions that are made to the organisation will provide a deduction to the benefactor. Links have also been formed with community organisations which are working in related fields, and those links will I think be enormously important as and when the group gets up and running and needs to make contact with potential clients.

Funding is, of course, the big issue that remains to be addressed and I am sure that will be the subject of your deliberations in the meeting that follows. It is a critical issue. This is not an easy time in which to be securing funding for a worthwhile cause such as this, and so I do not under-estimate the challenge that lies ahead of the organisation. But with a bit of skill and a bit of thought, hopefully that funding issue can be addressed.

One of the things that I am very proud of as a lawyer is the demonstrated capacity and willingness of the legal profession to provide pro bono services. It is I think now an accepted and institutionalised part of legal practice recognised by all levels of the profession, including the major firms, but also some of the smaller firms, so that in terms of the provision of the legal services, I would hope that there will not be any great difficulty in finding the man power and the woman power to provide the legal advice that these people so desperately need. What will be more difficult will be providing the infrastructure in terms of buildings and equipment and all the like that will be necessary. That will be a more challenging issue but, as I say, that is an issue that I am sure this group is capable of addressing.

That's all I wish to say as an introduction to this meeting. I do not want to delay you any longer from your important deliberations. I would like to finish by congratulating the organisers of this group and by wishing everybody well in your future endeavours. I hope to see very soon a nameplate up somewhere and some premises from which you will be conducting business. I would like to remain involved with the group as its Patron, and to receive information on a regular basis and to come and meet with you. If there is anything that can be done through my office, I would be only too pleased to assist.