

## Explanatory Memo

The purpose of this document is an explanatory memo for the attached documents.

My neighbours were concerned at:-

- Domestic violence occurring at [REDACTED]
- Department of Human Services (DHS) refusal to accept oral complaints and to act on a written complaint from an adjacent neighbour.

I encountered difficulty with DHS in lodging oral complaints after witnessing two serious domestic violence assaults at that address and I complained:-

1. Orally to the following:-
  - DHS [REDACTED] Housing Office.
  - DHS centralised complaints area.
  - The Office of the Minister.
  - The Ombudsman.
2. In writing to the following:-
  - The Premier
  - The Chief Commissioner of Police.
  - The Ombudsman.

My complaints related to DHS obstruction, involving:-

- Director of Housing rented premises owned or rented by the Director;
- Housing Commission tenanted site at [REDACTED] (the site);
- Serious domestic violence - including female and child assaults;
- DHS refusal to obtain reports from Victoria Police about untoward activities at the site;
- Public order incidents;
- Adverse effect on the site neighbours;
- Protocol between Department of Human Services and Victoria Police;
- Section 250B of the Residential Tenancies Act.

The responses from DHS and the Ombudsman confirm that DHS has no obligation to pass on information to Victoria Police about incidents of domestic violence.

I remain concerned at the:-

- Reporting implications for domestic violence from the Residential Tenancies Act;
- Unwillingness of the Minister, and the Chief Commissioner of Police to investigate my complaints;
- DHS obstruction of oral domestic violence complaints;

I ask The Royal Commission into Family Violence to consider my submission.

Attached are the documents and their directory.

[REDACTED]

25 May 2015

Item	Date	Document	Reference
1	23Apr2014	DHS letter-response to 16Apr2014 complaints	Residential Tenancies Act
2	02May2014	Ombudsman letter-confirms 30Apr2014 discussion	
3	23May2014	DHS letter-DHS protocol re unlawful activity	DHS Reporting Limitations
4	30June2014	Complaint to ombudsman	Agency fragmentation
5	30June2014	Complaint to Premier	
6	09July2014	Ombudsman receipt	
7	21July2014	Email-to Ombudsman-further documentation	
8	21July2014	Ombudsman receipt	
9	31July2014	Premier receipt-referred to Housing Minister	
10	03Aug2014	Housing Minister receipt	
11	21Aug2014	Housing Minister-unwilling to assist	Refers to Ombudsman
12	10Sep2014	Ombudsman email-continuing enquiries	
13	10Sep2014	Complaint to Chief Commissioner of Police	
14	12Sep2014	Chief Commissioner of Police-unwilling to assist	Refers to Ombudsman
15	20Oct2014	Ombudsman email continuing enquiries	
16	07Jan2014	Ombudsman email-continuing enquiries	New investigation officer
17	11Feb2014	Ombudsman-outcome of enquiries	



## Department of Human Services

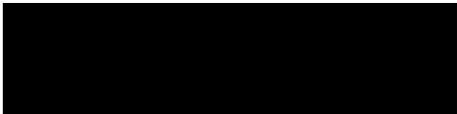
Incorporating: Community Services, Disability Services and Reform, Housing,  
Women's Affairs and Youth Affairs

Frankston Office  
Chatsworth House  
Level 1, 431 Nepean Hwy  
FRANKSTON 3199  
DX211793  
www.dhs.vic.gov.au  
Telephone: 9784 3200  
Facsimile: 9784 3222

Our Ref:

Your Ref:

23 April 2014



Dear Mr [REDACTED]

I write to confirm our conversation of 16 April 2014 in regard to tenancy management issues associated with the public housing property at [REDACTED].

In regard to the Department of Human Services procedures in formally asking Victoria Police to provide a report of their involvement at a specified address, I confirm that I will seek legal advice in this regard and advise you the outcome.

The Department has protocols in place where Victoria Police will provide advice where there have been charges laid for drug dealing from the premises and where there is Domestic Violence and children involved. In each of these instances there is a response in line with the Residential Tenancies Act 1997 (the Act) or the Children, Youth and Families Act 2005.

In regard to nuisance behaviour and the Department is again guided by the Act and the Tenancy Management Manual – Tenancy Breaches. As discussed due to the progression through the notice of breaches under the Act, the Department requires specific detail of alleged nuisance behaviour to enable an investigation to determine if there is a breach. In the respect we ask that clients provide a log sheet that details dates, times and the specific nature of the incident. I have attached an information sheet and log sheet for your information.

In regard to the recent media announcement regarding the Housing Framework in respect to nuisance behaviour I enclose an information sheet sent out to all clients for your information.

It is hoped that a response can be provided by 22 May 2014.

If you have any queries in this regard clients can contact the Frankston Office on 9784 3200 or send an email to [frankston.housing@dhs.vic.gov.au](mailto:frankston.housing@dhs.vic.gov.au)

Yours sincerely



Manager Tenancy & Property  
Frankston Housing Office




 human.  
services

## Complaints about neighbours: Incident Log Sheets

### What is an incident log sheet?

An incident log sheet can help us in responding to your complaint about a neighbour's behaviour, or the actions of their visitor. It provides us with evidence of what has been going on and its impact on you, which then enables us to work out if we can take action under the *Residential Tenancies Act 1997*.

### Do I really need to use a log sheet?

While we can resolve most disputes without taking serious action, if the situation is bad enough we may take action through the Victorian Civil and Administrative Tribunal to force the other person to stop their disruptive behaviour. To take legal action, it is helpful if we have a carefully written description of every incident.

### How do I complete a log sheet?

Please make sure you follow these simple steps when completing an incident log sheet:

- Only the person named on the front of the incident log should complete it, as it is your account of what has happened. You must have witnessed everything written in it. If someone else wants to give evidence we can provide them with a separate incident log sheet.
- It is essential that the details you enter are correct and accurate. Only write down what you see and hear. Don't be tempted to include anything that hasn't happened.
- Note down the dates and times the incidents occur. You should sign and date the log sheet.
- Write down names and addresses of anyone involved with the incident.
- Identify other witnesses. If you know of anyone else who saw or heard the incident, let us know. Other witnesses will make the case stronger and improve the chances of a swift resolution. You do not need their permission; we will approach and ask them if they would like to help. You will not be mentioned.
- When necessary you can call the police. If police reports confirm incidents you log, the evidence is stronger.

Please remember you are not committing yourself to any formal proceedings at this stage, you are helping us to gather information that may be used in the future. You can use more than one log sheet if you need to.

### Where do I send a completed log sheet?

Send your completed log sheet/s to your local Housing Office as soon as possible. Your Housing Services Officer will contact you to discuss your concerns, and to outline how the matter will be investigated.



## 9.4.1 Neighbourhood dispute incident log sheet

Use this log sheet to keep a record of incidents and the times they happen, and return to your local Housing Office as soon as possible. Use additional sheets if required.

Your Name:	
Your Address:	
Your home telephone number:	Your mobile telephone number:
Your email address:	
Name of tenant or visitor involved in the incident (if known):	
Their address:	
Date of incident:	Time of incident:
Names of other people involved in the incident:	
Description of incident (what happened, where did it happen, what was said, who witnessed it, etc):	
How has this incident impacted on you?	
Have you reported the incident to anyone else? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Police <input type="checkbox"/>	Housing Officer <input type="checkbox"/> Local Council <input type="checkbox"/>
Other <input type="checkbox"/> .....	
Date of incident:	Time of incident:
Names of other people involved in the incident:	
Description of incident (what happened, where did it happen, what was said, who witnessed it, etc):	
How has this incident impacted on you?	
Have you reported the incident to anyone else? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Police <input type="checkbox"/>	Housing Officer <input type="checkbox"/> Local Council <input type="checkbox"/>
Other <input type="checkbox"/> .....	
Your signature: .....	
Date: .....	

Level 9 North Tower  
459 Collins Street Melbourne VIC 3000

**Tel** 03 9613 6222 **Fax** 03 9614 0246  
**Toll free** 1800 806 314  
**DX** 210174 Melbourne

**ombudsman** VICTORIAN

2 May 2014

File No: C/14/6972

Dear Mr [REDACTED]

### **Your complaint to the Victorian Ombudsman**

I refer to your telephone call to this office on 30 April 2014 in which you made a complaint about the inadequate response of the Department of Human Services - Office of Housing to your reports of anti-social and criminal behaviour by Office of Housing tenants.

During the course of the conversation, you mentioned that Victoria Police had attended the property on multiple occasions. You also stated that you had been provided with conflicting advice by the Office of Housing regarding its ability to seek information about the Office of Housing tenants from Victoria Police.

As we discussed, the Victorian Ombudsman has an obligation to refer all complaints involving police personnel conduct to the Independent Broad-based Anti-corruption Commission (IBAC) under section 16E of the *Ombudsman Act 1973*. As per your request, I have made it clear in my notification letter to IBAC that you did not wish to make a complaint about Victoria Police.

If you wish to discuss any complaints about Victoria Police in the future, you can contact IBAC at:

Independent Broad-based Anti-corruption Commission  
GPO Box 24234  
Melbourne VIC 3000  
Telephone: 1300 735 135  
Email: [info@ibac.vic.gov.au](mailto:info@ibac.vic.gov.au)

If you have any queries, please contact me on [REDACTED] Please quote reference number [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

**Enquiries Officer**



## Department of Human Services

Incorporating: Community Services, Disability Services and Reform, Housing,  
Women's Affairs and Youth Affairs

Frankston Office  
Chatsworth House  
Level 1, 431 Nepean Hwy  
FRANKSTON 3199  
DX211793  
www.dhs.vic.gov.au  
Telephone: 9784 3200  
Facsimile: 9784 3222

Our Ref:  
Your Ref:

23 May 2014

Dear Mr [REDACTED]

I refer to my letter of 23 April 2014 in regard protocols between the Department of Human Services and Victoria Police.

I wish to confirm that I have received advice from our Legal Services Branch that the Department does not have a protocol where we can formally ask for a report of Victoria Police involvement at a specific address outside of the illegal activity protocol.

The *Protocol for Notification of Unlawful Activity in Office of Housing Tenancies* enables Victoria Police to provide notification to the Director of Housing regarding illegal activity which has occurred at rented premises owned or managed by the Director. These notifications involve illegal drug activity, however there is scope to extend this to other types of offences if further offences are prescribed in the future for which the Director may issue a notice to vacate pursuant to section 250B of the Residential Tenancies Act.

The Director may also request information linking illegal activity to a Director owned or managed rental property. The request may be made in relation to a *specific* property; where there is information indicating that illegal drug activity could be occurring at the rented premises. Such information may include complaints from neighbours to the Department, media reports etc.

The information requested from Victoria Police is used to determine whether the premises is being used for an illegal purpose, and if necessary, to commence legal proceedings in respect of a breach of tenancy agreement and relevant provisions of the Residential Tenancies Act.

Thank you raising the matter with me.

Yours sincerely

[REDACTED]  
Manager Tenancy & Property  
Frankston Housing Office

Ms Deborah Glass OBE  
 Victorian Ombudsman  
 Level 1 North Tower  
 459 Collins Street  
 Melbourne VIC 3000

*Confined 09 July 2014*  
*Received 02 July 2014*  
*Discussed with Ombudsman MB*  
*1630h 15 July 2014*  
*Copy 4*

Dear Ms Glass,

I am writing to you because I have serious concerns about government decision making and inaction over incidents which occurred at a Housing Commission site in my neighbourhood over the past 18 months.

I became increasingly appalled at Victorian Government agency and system fragmentation which worked against resolution of domestic violence and female assault at that site.

These incidents affected me and I complained to the relevant authorities at the time.

I understand that as the Ombudsman you can look into my complaint and that you can make recommendations to the government body involved about its conduct.

I ask you to consider my letter and investigate my complaint.

Re: Department of Human Services (DHS)

DHS obstruction of complaints involving:-

- Director of Housing rented premises owned or rented by the Director;
- Housing Commission tenanted site at [REDACTED] (the site);
- Serious domestic violence - including female and child assaults;
- Public order incidents;
- Adverse effect on the site neighbours;
- Protocol between Department of Human Services and Victoria Police;
- Section 250B of the Residential Tenancies Act.

The purpose of this letter is to:

1. Bring to your attention;-
  - DHS obstruction of oral complaints made, by my neighbours and myself, to DHS about:-
    - Serious domestic violence assaults on females occurring at the site;
    - Disruptive public order incidents at / emanating from the site;
  - DHS refusal to obtain reports from Victoria Police about untoward activities at the site, and;
2. Request your:-
  - Investigation, and;

- Assistance in the satisfactory resolution of the two critical issues, i.e. DHS:-
  - obstruction of investigations arising from oral complaints, and;
  - refusal to obtain reports from Victoria Police.

Increasingly, at this site over the past 18 months,-

- Domestic violence occurred, including serious assaults on females and children;
- Public order issues occurred;
- These incidents became especially disruptive during the months of March and April of 2014;
- My neighbours and I:-
  - Were adversely affected by assaults and public order outcomes, and ;
  - Reported these incidents, orally by telephone, to Victoria Police and Victoria Police responded expeditiously and with effect.

I personally witnessed:-

- Two assaults which were the subject of Victoria Police responses;
  - On one occasion police members with three police vehicles attended;
  - On the other occasion police members with five police vehicles attended;
  - On both occasions, the perpetrator decamped, coincidental with police arrival, resulting in lengthy police searches of the proximate area including:-
    - the use of police dogs in the front and back yards of my neighbours and myself;
    - severe disruption to the area;
    - deep concern of all affected residents;
- An extremely upset female sitting on the track of the adjacent [REDACTED] to [REDACTED] railway line clearly with the intent of serious self-harm;
  - As the train was due, I immediately notified Metro Rail and Victoria Police and;
    - Metro Rail slowed passing trains to a walking pace and;
    - Victoria Police attended, removed the female from the rail track and facilitated her ambulant removal from the area.

My neighbours and I constantly reported these incidents, orally by telephone, to DHS Frankston, the site landlord.

- DHS, instead of recording and investigating each oral complaint, routinely responded by being obstructive and demanded:-
  - complaints about the site be lodged in writing;
  - written complaints be in a DHS designed log format;
- Each oral complaint I made about the site to DHS, including complaints about assaults on an adult female resident, was met with such obstruction.

- I was advised that there had been no other complaints made to DHS about incidents at the site.

I then complained to the DHS management level at the Frankston office, the DHS Complaints Management Unit and the Housing Minister's office, about DHS:-

- Failure to record oral complaints;
- Routine obstruction of investigation of oral complaints and;
- Refusal to obtain Victoria Police reports about police attendance at the site.

To each such complaint;

- I was told that no complaints were recorded about incidents at the site;
- It was not DHS policy to obtain Victoria Police reports about DHS sites.

DHS refusal to investigate oral complaints and /or obtain police reports about the site meant:-

- DHS reduced the number of oral complaints and investigations arising therefrom;
- Continuance at the site of:-
  - the matters complained about, including;
    - domestic violence;
    - female assaults;
    - public order issues;
  - Agency and system fragmentation working against resolution of domestic violence and female assault.

I submit that,

- As the major Victoria State designated landlord of government funded housing, the current adverse practices of DHS, i.e:-
  - Refusing to record and investigate oral complaints;
  - Refusing to request reports from and cooperate with Victoria Police;
 are contrary to good order and the control of criminal activities at DHS sites.
- In respect of Housing Commission sites, the relevant Ministers should ensure that DHS:-
  - Record and investigate all oral complaints;
  - Request reports from and cooperate with Victoria Police;
  - Assist agencies working for resolution of domestic violence and female assault.
  - Amend and extend:-
    - Protocols between Department of Human Services and Victoria Police.
    - Section 250B of the Residential Tenancies Act

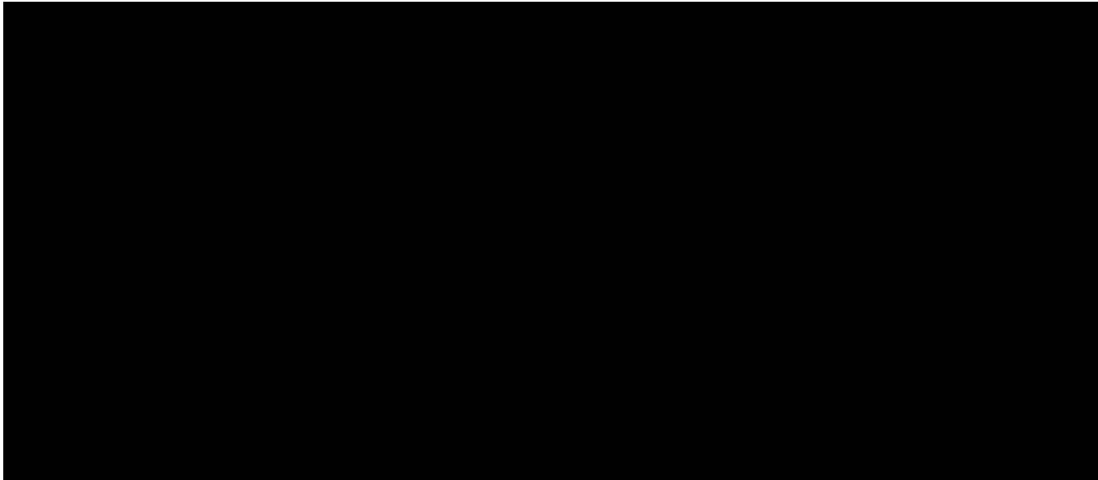
Attached is correspondence which I received from DHS:-

- DHS letter dated 23 April 2014, including an attachment to that letter.
- DHS letter dated 23May 2014.

Please consider my letter, investigate my complaint, and reflect on my submission.

I should be pleased if you would advise me of the outcome of your deliberations.

Yours sincerely,



30 June 2014





## Department of Human Services

Incorporating: Community Services, Disability Services and Reform, Housing,  
Women's Affairs and Youth Affairs

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Level 1, 431 Nepean Hwy  
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Facsimile: 9784 3222

Our Ref:  
Your Ref:

23 April 2014



Dear Mr [REDACTED]

I write to confirm our conversation of 16 April 2014 in regard to tenancy management issues associated with the public housing property at [REDACTED]

In regard to the Department of Human Services procedures in formally asking Victoria Police to provide a report of their involvement at a specified address, I confirm that I will seek legal advice in this regard and advise you the outcome.

The Department has protocols in place where Victoria Police will provide advice where there have been charges laid for drug dealing from the premises and where there is Domestic Violence and children involved. In each of these instances there is a response in line with the Residential Tenancies Act 1997 (the Act) or the Children, Youth and Families Act 2005.

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In regard to the recent media announcement regarding the Housing Framework in respect to nuisance behaviour I enclose an information sheet sent out to all clients for your information.

It is hoped that a response can be provided by 22 May 2014.

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Yours sincerely



Manager Tenancy & Property  
Frankston Housing Office





human.  
services

## Complaints about neighbours: Incident Log Sheets

### What is an incident log sheet?

An incident log sheet can help us in responding to your complaint about a neighbour's behaviour, or the actions of their visitor. It provides us with evidence of what has been going on and its impact on you, which then enables us to work out if we can take action under the *Residential Tenancies Act 1997*.

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Your Address:	
Your home telephone number:	Your mobile telephone number:
Your email address:	
Name of tenant or visitor involved in the incident (if known):	
Their address:	
Date of incident:	Time of incident:
Names of other people involved in the incident:	
Description of incident (what happened, where did it happen, what was said, who witnessed it, etc):	
How has this incident impacted on you?	
Have you reported the incident to anyone else? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Police <input type="checkbox"/>	Housing Officer <input type="checkbox"/> Local Council <input type="checkbox"/>
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Date: .....	



## Department of Human Services

Incorporating: Community Services, Disability Services and Reform, Housing,  
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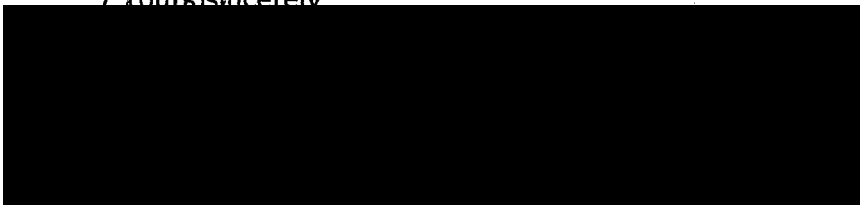
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The information requested from Victoria Police is used to determine whether the premises is being used for an illegal purpose, and if necessary, to commence legal proceedings in respect of a breach of tenancy agreement and relevant provisions of the Residential Tenancies Act.

Thank you raising the matter with me.

Yours sincerely



Manager Tenancy & Property  
Frankston Housing Office



Copy 5

The Hon Dr Denis Napthine MP

Premier of Victoria

Office of the Premier  
1 Treasury Place  
GPO Box 4912VV  
Melbourne Victoria 3002

Dear Dr Napthine,

I am aware of the positive work your Government has initiated in Victoria toward reducing domestic violence generally and anti-social destructive behaviour at Housing Commission sites.

However, I am writing to you regarding the appalling Victorian Government agency and system fragmentation which consistently worked against resolution of serious incidents, including domestic violence and female assault, occurring at a Housing Commission site in my neighbourhood over the past 18 months.

I ask you to consider my letter, investigate my complaint and reflect on my submission.

Re: Department of Human Services (DHS)

DHS obstruction of complaint investigation involving:-

- Director of Housing rented premises owned or rented by the Director;
- Housing Commission tenanted site at [REDACTED] (the site);
- Serious domestic violence - including female and child assaults;
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2. Request your:-
  - Investigation, and;

- Assistance in the satisfactory resolution of the two critical issues, i.e. DHS obstruction of oral complaints and refusal to obtain reports from Victoria Police.

Increasingly, at the site over the past 18 months:-

- Domestic violence occurred, including serious assaults on females and children;
- Public order issues occurred;
- These incidents became especially disruptive during the months of March and April of 2014;
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- I was advised that there had been no other complaints made to DHS about incidents at the site.

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- Routine obstruction of investigation of oral complaints and;
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To each such complaint;

- I was told that no complaints were recorded about incidents at the site;
- It was not DHS policy to obtain Victoria Police reports about DHS sites.

DHS refusal to investigate oral complaints and /or obtain police reports about the site meant:-

- DHS reduced the number of oral complaints and investigations arising therefrom;
- Continuance at the site of:-
  - the matters complained about, including;
    - domestic violence;
    - female assaults;
    - public order issues;
  - Agency and system fragmentation working against resolution of domestic violence and female assault.
  - Three neighbours selling up and leaving the site area.

I submit that,

- As the major Victoria State designated landlord of government funded housing, the current adverse practices of DHS, i.e.-
  - Refusing to record and investigate oral complaints;
  - Refusing to request reports from and cooperate with Victoria Police;
 Are contrary to good order and the control of criminal activities at DHS sites.
- In respect of Housing Commission sites, the relevant Ministers should ensure that DHS:-
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  - Amend and extend:-
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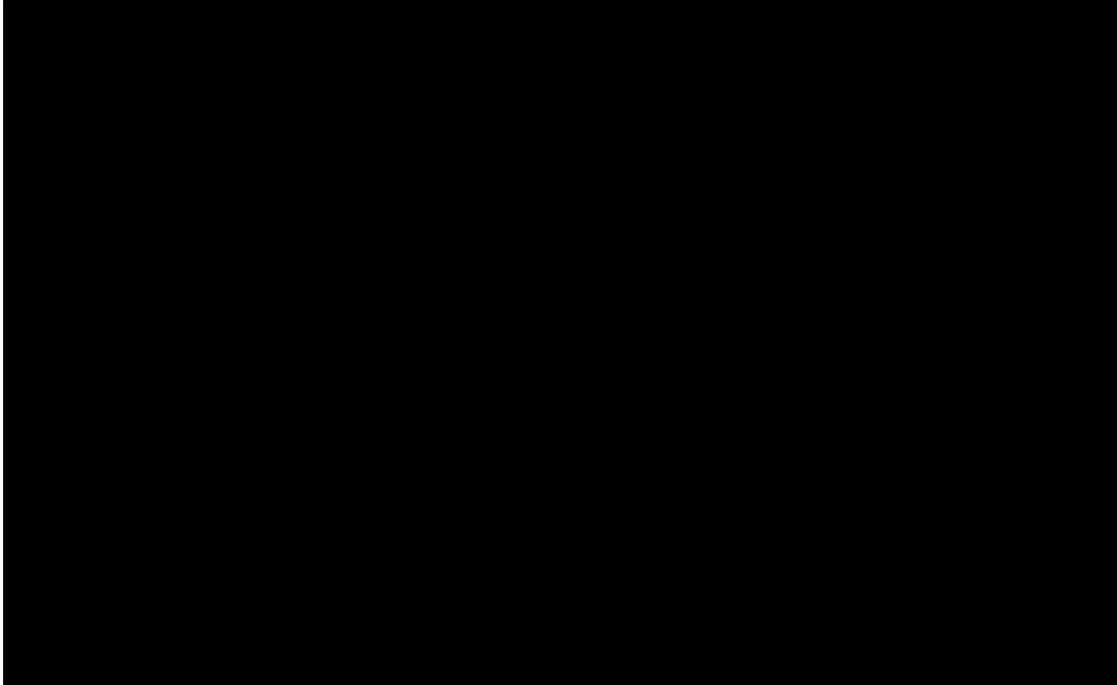
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- DHS letter dated 23May 2014.

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Yours sincerely,







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Our Ref:  
Your Ref:

23 April 2014

Dear Mr [REDACTED]

I write to confirm our conversation of 16 April 2014 in regard to tenancy management issues associated with the public housing property at 78 Robert Street, Frankston.

In regard to the Department of Human Services procedures in formally asking Victoria Police to provide a report of their involvement at a specified address, I confirm that I will seek legal advice in this regard and advise you the outcome.

The Department has protocols in place where Victoria Police will provide advice where there have been charges laid for drug dealing from the premises and where there is Domestic Violence and children involved. In each of these instances there is a response in line with the Residential Tenancies Act 1997 (the Act) or the Children, Youth and Families Act 2005.

In regard to nuisance behaviour and the Department is again guided by the Act and the Tenancy Management Manual – Tenancy Breaches. As discussed due to the progression through the notice of breaches under the Act, the Department requires specific detail of alleged nuisance behaviour to enable an investigation to determine if there is a breach. In the respect we ask that clients provide a log sheet that details dates, times and the specific nature of the incident. I have attached an information sheet and log sheet for your information.

In regard to the recent media announcement regarding the Housing Framework in respect to nuisance behaviour I enclose an information sheet sent out to all clients for your information.

It is hoped that a response can be provided by 22 May 2014.

If you have any queries in this regard clients can contact the Frankston Office on 9784 3200 or send an email to [frankston.housing@dhs.vic.gov.au](mailto:frankston.housing@dhs.vic.gov.au)

Yours sincerely,

[REDACTED]  
Manager Tenancy & Property  
Frankston Housing Office

## 9.4.1 Neighbourhood dispute incident log sheet

Use this log sheet to keep a record of incidents and the times they happen, and return to your local Housing Office as soon as possible. Use additional sheets if required.

Your Name:	
Your Address:	
Your home telephone number:	Your mobile telephone number:
Your email address:	
Name of tenant or visitor involved in the incident (if known):	
Their address:	
Date of incident:	Time of incident:
Names of other people involved in the incident:	
Description of incident (what happened, where did it happen, what was said, who witnessed it, etc):	
How has this incident impacted on you?	
Have you reported the incident to anyone else? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Police <input type="checkbox"/> Housing Officer <input type="checkbox"/> Local Council <input type="checkbox"/>	
Other <input type="checkbox"/> .....	
Date of incident:	Time of incident:
Names of other people involved in the incident:	
Description of incident (what happened, where did it happen, what was said, who witnessed it, etc):	
How has this incident impacted on you?	
Have you reported the incident to anyone else? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Police <input type="checkbox"/> Housing Officer <input type="checkbox"/> Local Council <input type="checkbox"/>	
Other <input type="checkbox"/> .....	
Your signature: .....	
Date: .....	



human.  
services

## Complaints about neighbours: Incident Log Sheets

### What is an incident log sheet?

An incident log sheet can help us in responding to your complaint about a neighbour's behaviour, or the actions of their visitor. It provides us with evidence of what has been going on and its impact on you, which then enables us to work out if we can take action under the *Residential Tenancies Act 1997*.

### Do I really need to use a log sheet?

While we can resolve most disputes without taking serious action, if the situation is bad enough we may take action through the Victorian Civil and Administrative Tribunal to force the other person to stop their disruptive behaviour. To take legal action, it is helpful if we have a carefully written description of every incident.

### How do I complete a log sheet?

Please make sure you follow these simple steps when completing an incident log sheet:

- Only the person named on the front of the incident log should complete it, as it is your account of what has happened. You must have witnessed everything written in it. If someone else wants to give evidence we can provide them with a separate incident log sheet.
- It is essential that the details you enter are correct and accurate. Only write down what you see and hear. Don't be tempted to include anything that hasn't happened.
- Note down the dates and times the incidents occur. You should sign and date the log sheet.
- Write down names and addresses of anyone involved with the incident.
- Identify other witnesses. If you know of anyone else who saw or heard the incident, let us know. Other witnesses will make the case stronger and improve the chances of a swift resolution. You do not need their permission; we will approach and ask them if they would like to help. You will not be mentioned.
- When necessary you can call the police. If police reports confirm incidents you log, the evidence is stronger.

Please remember you are not committing yourself to any formal proceedings at this stage, you are helping us to gather information that may be used in the future. You can use more than one log sheet if you need to.

### Where do I send a completed log sheet?

Send your completed log sheet/s to your local Housing Office as soon as possible. Your Housing Services Officer will contact you to discuss your concerns, and to outline how the matter will be investigated.



## Department of Human Services

Incorporating: Community Services, Disability Services and Reform, Housing,  
Women's Affairs and Youth Affairs

Frankston Office  
Chatsworth House  
Level 1, 431 Nepean Hwy  
FRANKSTON 3199  
DX211793  
www.dhs.vic.gov.au  
Telephone: 9784 3200  
Facsimile: 9784 3222

Our Ref:

Your Ref:

23 May 2014



Dear Mr [REDACTED]

I refer to my letter of 23 April 2014 in regard protocols between the Department of Human Services and Victoria Police.

I wish to confirm that I have received advice from our Legal Services Branch that the Department does not have a protocol where we can formally ask for a report of Victoria Police involvement at a specific address outside of the illegal activity protocol.

The *Protocol for Notification of Unlawful Activity in Office of Housing Tenancies* enables Victoria Police to provide notification to the Director of Housing regarding illegal activity which has occurred at rented premises owned or managed by the Director. These notifications involve illegal drug activity, however there is scope to extend this to other types of offences if further offences are prescribed in the future for which the Director may issue a notice to vacate pursuant to section 250B of the Residential Tenancies Act.

The Director may also request information linking illegal activity to a Director owned or managed rental property. The request may be made in relation to a *specific* property; where there is information indicating that illegal drug activity could be occurring at the rented premises. Such information may include complaints from neighbours to the Department, media reports etc.

The information requested from Victoria Police is used to determine whether the premises is being used for an illegal purpose, and if necessary, to commence legal proceedings in respect of a breach of tenancy agreement and relevant provisions of the Residential Tenancies Act.

Thank you raising the matter with me.

Yours sincerely



Manager Tenancy & Property  
Frankston Housing Office



6

[Redacted]

**From:** [Redacted]  
**Date:** [Redacted]  
**To:** [Redacted]  
**Subject:** Your complaint to the Victorian Ombudsman

-----+-----  
| 9 July 2014 | [Redacted] |  
-----+-----

[Redacted]

Dear Mr [Redacted]

Your complaint to the Victorian Ombudsman

Thank you for your complaint received by this office on 2 July 2014 about the actions of the Department of Human Services- Office of Housing.

I am currently undertaking an assessment of your complaint and would appreciate if you could telephone me to further discuss your concerns. I can be contacted on (03) [Redacted] \*

\* If I do not hear from you within seven days of the date of this email, I will proceed to assess your complaint based on the information you have provided.

In your contact with this office, please quote reference number [Redacted]

Yours sincerely

[Redacted]  
Investigation Officer

*Phone call 29 July 2014  
X1 10 July 2014  
This case will not be assessed by the Ombudsman MB  
10 20h 15 July 2014*




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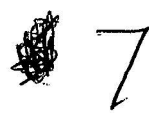
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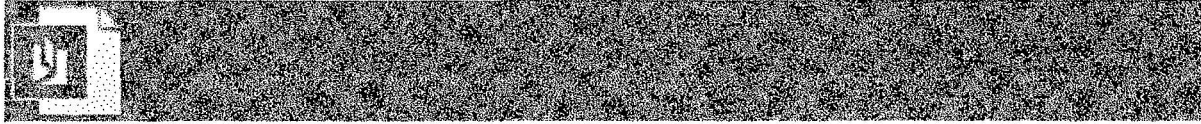
To: Ombudsman-Victoria

From: [REDACTED]

Sent: Monday, 21 July 2014 10:52:38 AM

To: Ombudsman-Victoria (ombudvic@ombudsman.vic.gov.au)

1 attachment (7.6 MB)



DHS Victorian Social Housing Framework.pdf

Ms Deborah Glass OBE

Victorian Ombudsman  
Level 1 North Tower  
459 Collins Street  
Melbourne VIC 3000

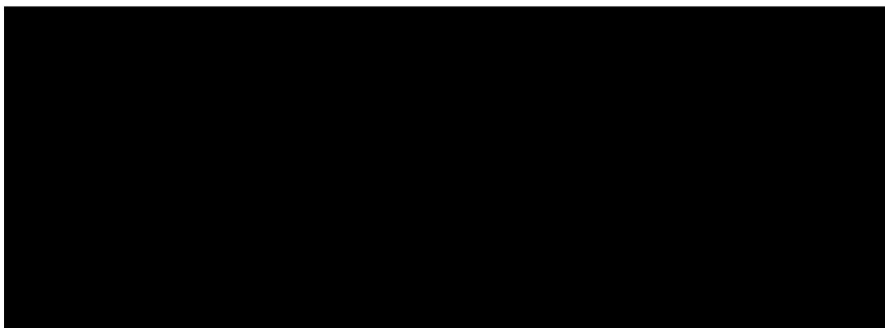
by email to <ombudmanvic@ombudsman.vic.gov.au>

Dear Ms Glass,

Further to my conversation, on 15 July 2014, with your officer [REDACTED] I forward a copy of the DHS document -*Victorian Social Housing Framework*- and refer you in particular to the section under the heading - *New neighbourly statement* - and also to the relevant DHS webpage [www.dhs.vic.gov.au/housingframework](http://www.dhs.vic.gov.au/housingframework) and the attachment to that webpage.

I ask you to consider these documents when you are investigating my complaint.

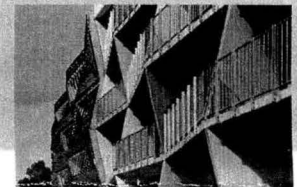
Thank you,



21 July 2014



## Victorian Social Housing Framework



# New Directions for Social Housing: A Framework for a Strong and Sustainable Future

Fact sheet – March 2014

***New Directions for Social Housing: A Framework for a Strong and Sustainable Future*** was released in March 2014, outlining the Victorian Government's strategic directions for the state's social housing system.

The framework responds to long-standing issues such as the deterioration of public housing stock and the lack of an overarching strategy for the future of public and community housing. The long-term decline of the portfolio was reported in 2012 by the Victorian Auditor-General, who found that public housing properties had deteriorated to the point where some 10,000 properties were at risk of becoming obsolete.

The framework includes a series of actions that government will pursue to deliver better communities, better opportunities and better assets.

This fact sheet provides an overview of the *New Directions for Social Housing: A Framework for a Strong and Sustainable Future* document.

### **Social housing**

More than 160,000 people live in social housing in Victoria, making it one of the state's largest and most important human services.

The Victorian Government is committed to providing quality social housing for those in greatest need, supporting our state's most vulnerable people, providing opportunities for people to live more independent and fulfilling lives, and investing in our existing housing asset base.



To develop this framework we have consulted with tenants and our housing sector partners, who have reported a need for more support for tenants, greater tenant participation and responsibility, and better alignment of properties with people's needs.

### The framework has three strategic directions to guide this stage of the reform process

**Direction 1 – Better communities:** We will make public housing a better place to live by addressing antisocial behaviour and increasing safety on public housing estates; improving the management of public housing properties and estates; giving tenants a greater say in the services they receive; and encouraging tenants to participate more in their local communities.

**Direction 2 – Better opportunities:** We will do more to assist existing and prospective social housing tenants to achieve greater levels of independence by connecting tenants with work and study opportunities; helping tenants to access services they need; providing more support for tenants to enter the private housing market; and improving access to public housing for those in greatest need.

**Direction 3 – Better assets:** We will boost investment to renew and upgrade existing public housing and to halt the deterioration of stock that has occurred over the last decade; we will renew public housing that is ageing or no longer meets needs; we will enhance the role of community housing including through the Director of Housing considering a strategy for stock transfers to the community housing sector; and we will look to attract new sources of investment for social housing through partnerships with the private and not-for-profit sectors.

The framework has 12 objectives as set out below, with a range of actions that we will pursue to achieve these objectives over the next few years.



Direction 1: Better communities	Direction 2: Better opportunities	Direction 3: Better assets
Promote and enforce neighbourly behaviour in public housing	Provide more support for people who are able to move into the private rental market	Boost investment to improve the quality of existing public housing
Encourage tenants to participate in their communities	Increase opportunities for tenants to work and study	Renew public housing that is ageing or no longer meets needs
Strengthen public housing management	Encourage more tenants into home ownership	Enhance the role of community housing
Trial new service delivery models for management and maintenance	Improve access to public housing for those in greatest need	Attract more private investment in social housing

Other fact sheets that are available about the Victorian Social Housing Framework include:

- Better communities: *making public housing a better place to live*
- Better opportunities: *helping people to live independently*
- Better assets: *securing a strong and sustainable future*

### Contact us

Phone: 1800 148 617

Email: [housing.framework@dhs.vic.gov.au](mailto:housing.framework@dhs.vic.gov.au)

[www.dhs.vic.gov.au/housingframework](http://www.dhs.vic.gov.au/housingframework)

## Better communities

The Victorian Government wants public housing to be a safe and secure place for tenants, a place where tenants can access the services they need, go to work, and feel part of a community.

Most public housing tenants are good neighbours. However, there are some tenants whose behaviour can make life in public housing less enjoyable and unsafe for others. Therefore, the Department of Human Services will be introducing several neighbourly behaviour initiatives.

### Changes to the three strikes policy

If a tenant breaches a duty provision as defined in the *Residential Tenancies Act 1997* and set out in their tenancy agreement (for example, by damaging their property or disturbing others), the Residential Tenancies Act allows the landlord to issue a breach notice. On the third breach or 'strike' you could be given a notice to vacate the property.

This rule has applied for many years; however the policy is now clearer. If tenants get three strikes within 12 months, they may be evicted.

### Probationary leases for new tenants

New public housing tenants will be on a one-year probationary or trial tenancy agreement.

This means that if a tenant breaches the same tenancy duty provision (for example, damaging their property or disturbing others) two times within the first year of moving into their public housing property, they may not be allowed to remain in public housing after that first year.

### New neighbourly behaviour statement

We will introduce a new neighbourly behaviour statement. The statement will be for all tenants living in public housing so that they will know what is expected of them.

When new tenants move into public housing they will be asked to sign this statement.

Tenants already living in public housing will be sent a copy of the statement.

The new neighbourly behaviour statement makes it clear what is expected of tenants under the *Residential Tenancies Act 1997* and their public housing tenancy agreement. These expectations include that tenants must:

- pay their rent on time
- not use their public housing property for any illegal purposes
- make sure that family, other people in the house and visitors do not annoy or disturb neighbours, and
- let the Department of Human Services know about any damage or repairs that need to be done on the property.

Tenants who don't meet their responsibilities may be given a notice to vacate the property – through the 'three strikes' policy or through the conditions set out in the probationary tenancy policy.

In line with current practice, tenants with additional support needs will be linked with appropriate support services and where exceptional circumstances exist, special consideration will be taken into account.

### Management trials

We are also looking at new ways to manage housing estates and to test how place management can provide better local services to tenants. Tenants in Valley Park (Westmeadows), Kensington and Carlton estates will receive more information about the place management trials as they develop.





[REDACTED]

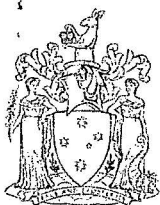
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**From:** <ombudvic@ombudsman.vic.gov.au>  
**Date:** Monday, 21 July 2014 10:57 AM  
**To:** [REDACTED]  
**Subject:** [REDACTED]

This is an automatic reply to your email to confirm its receipt on  
21/07/2014.

You will receive a further acknowledgment by phone, email or letter unless  
you have previously been informed otherwise or if your email is addressed  
to another party and only copied to us.

If you have not done so already, could you please supply telephone number  
(s) which an officer may contact you on.




Parliamentary Secretary  
to the Premier of Victoria

9

Level 1  
1 Treasury Place  
Melbourne Victoria 3002 Australia  
GPO Box 4912  
Melbourne Victoria 3001 Australia  
Telephone: 03 9651 5000  
Facsimile: 03 9651 5054  
[www.parliament.vic.gov.au](http://www.parliament.vic.gov.au)  
DX210753

MWP14/5702

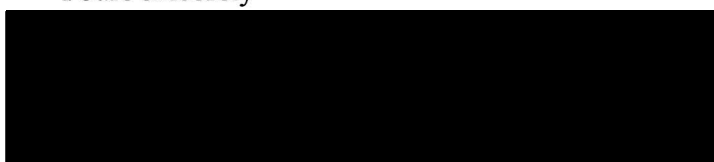
31 JUL 2014

Dear Mr 

Thank you for taking the time to write to the Premier of Victoria.

Your correspondence has been referred to the Minister for Housing, the Hon Wendy Lovell MLC, for a direct response.

Yours sincerely



Craig Ondarchie MP  
Parliamentary Secretary to the Premier



**Office of the Minister for Housing**  
**Office of the Minister for Children & Early Childhood**  
**Development**

50 Lonsdale Street  
GPO Box 4057  
Melbourne Victoria 3001  
DX210081  
[www.education.vic.gov.au](http://www.education.vic.gov.au)  
Telephone: (03) 9096 0301  
Facsimile: (03) 9096 8779

Dear Mr [REDACTED]

Thank you for your email to the Premier received 31 July 2014, regarding your various concerns.

As the issues raised fall within the portfolio responsibility of the Hon Wendy Lovell MP, Minister for Housing, the Minister has asked me to inform you that your concerns are being considered and a response will be forwarded to you shortly.

Yours sincerely

[REDACTED]  
**Chief of Staff**  
**Office of the Hon Wendy Lovell MLC**  
**Minister for Housing**  
**Minister for Children & Early Childhood Development**

3/8/2014



**Minister for Housing**  
**Minister for Children & Early Childhood Development**

Hon Wendy Lovell MLC

GPO Box 4057  
Melbourne Victoria 3000  
Telephone: 03 9096 0301  
www.dhs.vic.gov.au  
DX210081

e3533982

Dear Mr [REDACTED]

Thank you for your letter to the Premier received on 31 July 2014, regarding domestic violence in public housing properties in [REDACTED]. I am replying as this issue relates to my responsibilities as Minister for Housing.

The Department of Human Services has advised me that in addition to the information you have been provided with in the letters dated 23 April 2014 and 23 May 2014, all reports in regard to notifications of domestic violence and the safety of children have been acted upon. Under the provisions of the *Information Privacy Act 2000* the Department is unable to comment or disclose personal information about the outcome of any notifications regarding the safety of children.

I am also advised that you have raised these matters with the Victorian Ombudsman who will respond to your concerns separately.

Thank you for raising this matter.

Yours sincerely

[REDACTED]  
Hon Wendy Lovell MLC  
Minister for Housing

21/8 /2014

12

Placed x2 on 10 Sep 2014

Dis covered 11 Sep 2014

From: <ombudvic@ombudsman.vic.gov.au>  
 Date: Wednesday, 10 September 2014 10:22 AM  
 To: [REDACTED]  
 Subject: Your complaint to the Victorian Ombudsman

10 September 2014	[REDACTED]
-------------------	------------

[REDACTED]

Dear Mr [REDACTED]

Your complaint to the Victorian Ombudsman

I am writing to advise you that this office is continuing enquiries with the Department of Human Services – Office of Housing regarding your complaint.

We will contact you again when more information is available. If you have any queries, you are welcome to contact this office on 9613 6222 or via email at [ombudvic@ombudsman.vic.gov.au](mailto:ombudvic@ombudsman.vic.gov.au). Please quote reference number [REDACTED]

Yours sincerely

[REDACTED]  
 Team Leader, Investigations

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Copy 10 Sep 2014 B

**Mr. Ken D. Lay APM**  
**Chief Commissioner**

**Victoria Police**

637 Flinders Street  
 Docklands VIC 3008

Dear Mr. Lay

Family violence – Assaults on women and children.

I am aware of and appreciate your initiatives toward reducing violence and anti-social destructive behaviour directed toward females and children.

I applaud your media involvement in these issues especially on ABC Four Corners, the 774 Jon Faine program on 21 July 2014 and the forthcoming Mornington Family Violence forum on 16 September 2014.

I am writing to you regarding the Victorian Government agency and system fragmentation which consistently worked against resolution of serious incidents, including domestic violence and female assault, occurring at a Housing Commission site in my neighbourhood over the past 18 months.

These incidents affected me and I complained to the relevant authorities at the time.

I became increasingly appalled at Department of Human Services Victoria obstruction and DHS refusal to obtain reports from Victoria Police and cooperate with Police about untoward activities at the site.

I ask you to consider my letter, investigate my complaint and reflect on my submission.

Re: Department of Human Services (DHS)

DHS obstruction of complaints involving:-

- Director of Housing rented premises owned or rented by the Director;
- Housing Commission tenanted site at [REDACTED] (the site);
- Serious domestic violence - including female and child assaults;
- Public order incidents;
- Adverse effect on the site neighbours;
- Protocol between Department of Human Services and Victoria Police;
- Section 250B of the Residential Tenancies Act.

The purpose of this letter is to:

1. Bring to your attention;-



- DHS obstruction of oral complaints made, by my neighbours and myself, to DHS about:-
    - Serious domestic violence assaults on females occurring at the site;
    - Disruptive public order incidents at / emanating from the site;
  - DHS refusal to obtain reports from Victoria Police about untoward activities at the site, and;
2. Request your:-
- Investigation, and;
  - Assistance in the satisfactory resolution of the two critical issues, in this regard, i.e. DHS:-
    - obstruction of investigations arising from oral complaints, and;
    - refusal to assist police enquiries and obtain reports from Victoria Police.

Increasingly, at this site over the past 18 months,-

- Domestic violence occurred, including serious assaults on females and children;
- Public order issues occurred;
- These incidents became especially disruptive during the months of March and April of 2014;
- My neighbours and I:-
  - Were adversely affected by assaults and public order outcomes, and ;
  - Reported these incidents, orally by telephone, to Victoria Police and Victoria Police responded expeditiously and with effect.

I personally witnessed:-

- Two assaults which were the subject of Victoria Police responses;
  - On one occasion police members with three police vehicles attended;
  - On the other occasion police members with five police vehicles attended;
  - On both occasions, the perpetrator decamped, coincidental with police arrival, resulting in lengthy police searches of the proximate area including:-
    - the use of police dogs in the front and back yards of my neighbours and myself;
    - severe disruption to the area;
    - deep concern of all affected residents;
- An extremely upset female sitting on the track of the adjacent [REDACTED] to [REDACTED] railway line clearly with the intent of serious self-harm;
  - As the train was due, I immediately notified Metro Rail and Victoria Police and;
    - Metro Rail slowed passing trains to a walking pace and;
    - Victoria Police attended, removed the female from the rail track and facilitated her ambulant removal from the area.

My neighbours and I constantly reported these incidents, orally by telephone, to DHS Frankston, the site landlord.

- DHS, instead of recording and investigating each oral complaint, routinely responded by being obstructive and demanded:-
  - complaints about the site be lodged in writing;
  - written complaints be in a DHS designed log format;
- Each oral complaint I made about the site to DHS, including complaints about assaults on an adult female resident, was met with such obstruction.
- I was advised that there had been no other complaints made to DHS about incidents at the site.

I then complained to the DHS management level at the Frankston office, the DHS Complaints Management Unit and the Housing Minister's office, about DHS:-

- Failure to record oral complaints;
- Routine obstruction of investigation of oral complaints and;
- Refusal to obtain Victoria Police reports about police attendance at the site.

To each such complaint;

- I was told that no complaints were recorded about incidents at the site;
- It was not DHS policy to obtain Victoria Police reports about DHS sites.

DHS refusal to investigate oral complaints and /or obtain police reports about the site meant:-

- DHS reduced the number of oral complaints and investigations arising therefrom;
- Continuance at the site of:-
  - the matters complained about, including;
    - domestic violence;
    - female assaults;
    - public order issues;
  - Agency and system fragmentation working against resolution of domestic violence and female assault.

I submit that,

- As the major Victoria State designated landlord of government funded housing, the current adverse practices of DHS, i.e.:-
  - Refusing to record and investigate oral complaints;
  - Refusing to request reports from and cooperate with Victoria Police;
 are contrary to good order and control of criminal activities at DHS sites.
- In respect of Housing Commission sites, the relevant Departments should ensure that DHS:-

- Record and investigate all oral complaints;
- Request reports from and cooperate with Victoria Police;
- Assist agencies working for resolution of domestic violence and female assault.
- Amend and extend:-
  - Protocols between Department of Human Services and Victoria Police.
  - Section 250B of the Residential Tenancies Act

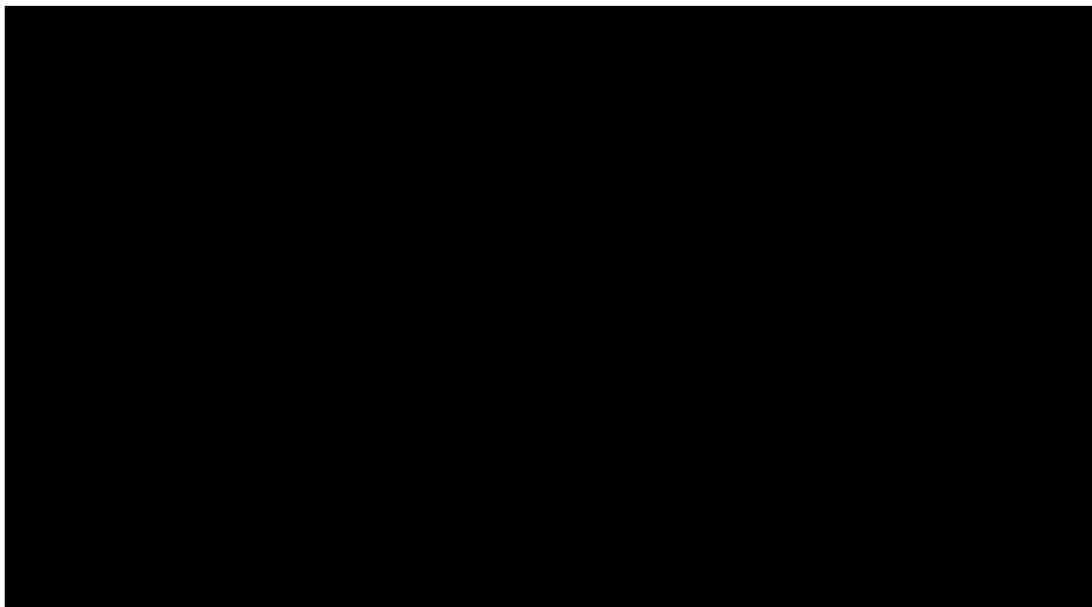
Attached is correspondence which I received from DHS:-

- DHS letter dated 23 April 2014, including an attachment to that letter.
- DHS letter dated 23May 2014.

Please consider my letter, investigate my complaint, and reflect on my submission.

I should be pleased if you would advise me of the outcome of your deliberations.

Yours sincerely,





VICTORIA POLICE

14

**Chief Commissioner's Office**

Victoria Police Centre  
637 Flinders Street  
Docklands 3008  
Victoria Australia  
Telephone (61 3) 9247 6890  
Facsimile (61 3) 9247 6869

Our Ref: [REDACTED]

PO Box 913  
Melbourne 3001  
Victoria Australia

Dear Mr [REDACTED]

I write on behalf of the Chief Commissioner to acknowledge receipt of your letter dated 10 September 2014 outlining your dissatisfaction with the response of the Department of Human Services (DHS) to serious incidents in DHS premises over the last 18 months.

Having read your letter, it is my understanding that you are satisfied with action taken by Victoria Police in relation to these incidents, and that your reason for writing to this office is to facilitate an investigation into the actions of and practices of DHS employees.

Jurisdiction for the investigation of these issues rests with the Victorian Ombudsman. The Ombudsman has the power to investigate decisions, actions and conduct of Victorian government departments and their employees. This includes reviewing the lawfulness, reasonableness and fairness of an agency's actions or decisions.

You may contact the Victorian Ombudsman on 9613 6222 for further guidance in this matter.

Yours sincerely,

[REDACTED]

Tom Nairn  
Acting Inspector  
Deputy Chief of Staff to the  
**Chief Commissioner**

1219114

15

*Discovered*  
*28 Oct 2014*

**From:** <ombudvic@ombudsman.vic.gov.au>  
**Date:** Monday, 20 October 2014 2:05 PM  
**To:** [REDACTED]  
**Subject:** Your complaint to the Victorian Ombudsman

20 October 2014

File No: [REDACTED]

[REDACTED]

Dear Mr [REDACTED]

Your complaint to the Victorian Ombudsman

I am writing to advise you that this office is continuing our enquiries with the Department of Human Services – Housing and Accommodation program.

I will be back in contact with you once again when more information is available.

If you have any queries please contact me on [REDACTED] or by email at [ombudvic@ombudsman.vic.gov.au](mailto:ombudvic@ombudsman.vic.gov.au). Please quote reference number [REDACTED].

Yours sincerely

[REDACTED]  
 Investigation Officer

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[REDACTED]

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**From:** <ombudvic@ombudsman.vic.gov.au>  
**Date:** Wednesday, 11 February 2015 4:13 PM  
**To:** [REDACTED]  
**Subject:** Your complaint to the Victorian Ombudsman

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| 11 February 2015 | [REDACTED] |  
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[REDACTED]

Dear Mr [REDACTED]

Your complaint to the Victorian Ombudsman

Thank you for your complaint about the Department of Human Service – Office of Housing’s actions in relation to the tenants of a public housing property at [REDACTED] (the property). I am writing to advise you of the outcome of our enquiries.

You raised a number of issues in your complaint. Specifically, that the department:

- failed to record oral complaints from you and your neighbours about incidents at the property which occurred over an 18-month period, particularly during March and April 2014, which included complaints about noise and domestic violence
- failed to investigate your complaints about the tenants at the property
- failed to appropriately deal with incidents of serious domestic violence involving a woman and child at the property
- refused to obtain reports from Victoria Police about domestic violence incidents.

#### Role of the Ombudsman

This office’s role in this matter is to consider whether the department has acted reasonably and in line with its policies and any relevant legislation. The Ombudsman is impartial and does not act on behalf of a complainant in the manner of a legal representative. It is not the role of the Ombudsman to advocate for a complainant or for a government body.

Assessment



In considering your complaint, I reviewed the documents you provided. This office also made enquiries with the department about its handling of your complaints and to ascertain the department's processes for recording complaints about public housing tenants and the sharing of information between the Office of Housing, Child Protection and Victoria Police in domestic violence situations.

#### Recording of oral complaints

The department has a number of complaints from you on record, and advises that it became aware of your concerns about the property on 7 April 2014 when you contacted the Department Liaison Officer, Minister for Housing. It informs me that an inspection at the property was conducted by staff from the Tenancy and Property Team on the same day, and that you were advised of the outcome.

The department has a record of your telephone complaint on 8 April 2014 in which you raised concerns relating to your neighbour. The department advises that although your concerns were noted, this was not logged as a formal complaint because you advised over the telephone that it was an 'informal complaint.'

I understand that on 16 April 2014, you again contacted the Department Liaison Officer, Minister for Housing, advising of a party at the property and an incident of domestic violence against the female tenant. The department advises me that you were contacted the next day by [REDACTED], the Manager, Tenancy and Property Team to discuss your concerns. I understand you were advised of the action that would be taken in this matter.

Following this conversation, Mr [REDACTED] wrote to you on 23 April 2014 advising that:

- the department has protocols in place for Victoria Police to provide advice where there have been charges laid for drug dealing in a public housing property, and where domestic violence involving children occurs
- he would seek legal advice regarding department procedures in formally requesting reports from Victoria Police regarding their involvement at a public housing address
- future complaints about nuisance behaviour should be recorded in a log including details of dates, times and the specific nature of the incident; an information sheet and log sheet were enclosed.

Mr [REDACTED] wrote to you again on 23 May 2014 to confirm that the department's Legal Services Branch advised that there is no protocol in place for requesting reports from Victoria Police outside of the illegal activity protocol, which concerns illegal drug activity.

As the department contacted you shortly after receiving your complaints, provided you with information and log sheets to assist with reporting future incidents, and corresponded with you regarding your questions about reporting protocols, I am satisfied that the department has acted reasonably in relation to recording your complaints.

#### Investigation of noise complaints

The department confirmed that it has records of noise complaints made by

another neighbour lodged in late 2009 and early 2014. On 16 December 2009 and 23 April 2014, the department investigated and issued breach of duty notices to the tenants in response to these complaints.

#### Investigation of domestic violence complaints

With regards to the specific instances of domestic violence you described, for privacy reasons, I am not able to provide you with details of the department's dealings with individual tenants. However, the department has provided me with evidence that after receiving complaints about incidents of domestic violence from you and your neighbours, appropriate support and assistance were provided to the victims.

#### Reporting obligations in relation to domestic violence allegations

SB1 | An assault of any kind is a criminal offence, which should be reported to the police. However, incidents of domestic violence do not constitute a breach of the Residential Tenancies Act 1997 and therefore there is no obligation for the housing division of the department to request reports from Victoria Police.

SB2 | Information-sharing between DHS - Child Protection and Victoria Police is governed by the Protecting Children (2012) protocol. Police can contact Child Protection when incidents involving children occur. The department is currently developing state-wide guidelines to clarify the respective responsibilities of Child Protection and housing staff and the information sharing requirements where children in public housing are identified as being at risk of harm, including family violence.

#### Decision

It appears that the department was aware of complaints submitted by you and your neighbours in relation to noise and domestic violence incidents. The department investigated these complaints and took action (including issuing breach of duty notices for noise and assisting the victims of domestic violence incidents).

SB3 | The department's role is to investigate breaches of the Residential Tenancies Act. Victoria Police is the leading agency to investigate allegations of domestic violence as it is a criminal offence, rather than a breach of tenancy condition, and reports of this nature should be raised with Victoria Police directly. As the role of the housing department is confined to investigating breaches of the Residential Tenancies Act, there is no obligation for it to pass on information to Victoria police about incidents of domestic violence.

The department also discussed your concerns with you in April 2014, provided you with logs to assist with recording your complaints, and provided you with information about its reporting protocols with Victoria Police.

Therefore, I am satisfied that the department has acted reasonably in relation to recording and investigating your complaints.

SB4 | As outlined above, I am also satisfied that the department is taking steps to clarify its reporting and information-sharing obligations in relation to domestic violence in public housing, and has appropriate protocols in place to ensure that information is shared between police and Child Protection in

situations where children are at risk.

Thank you for raising this matter with the Ombudsman's office. If you have any questions, you are welcome to contact me on [REDACTED]. Please quote [REDACTED]

Yours sincerely

[REDACTED]  
Investigation Officer

