

Case studies

The Office continues to promote awareness and accessibility for communities in regional and remote areas, Indigenous, culturally and linguistically diverse communities, the homeless and prisoners.

Following are a few examples from the Annual Report 2017-18 that resulted in positive outcomes for vulnerable people.

Fine waived for homeless man

A complaint about a homeless man living in his car being issued a parking infringement led to the fine being waived.

The complaint

The complainant, a homeless man who was sleeping in his car, was issued a parking infringement by a local council for parking in a nature reserve. The infringement was referred to a state collection agency as the complainant could not pay the infringement.

The investigation

After gaining consent from the complainant, this Office referred his complaint to council for consideration.

Making a difference

The local council advised this Office that the parking infringement would be withdrawn on compassionate grounds.

Prisoner safety

A concern about a prisoner's safety led to them being moved to the Safety Unit for protection.

The complaint

The complainant, a relative of a prisoner in a Queensland correctional centre, received reports from the prisoner that he had been threatened by other prisoners at the centre. She raised her concerns for the prisoner's safety with the centre, but was unhappy with the response she received.

The investigation

This Office raised concerns about the prisoner's safety with the general manager of the centre. The complaint about the centre's response was assessed as being premature for this Office to investigate and was directly referred to the centre to be handled under its complaints management system.

Making a difference

The centre contacted the complainant and advised that the prisoner had been moved to the Safety Unit for his protection. The centre also advised that it was considering a transfer for the prisoner due to association issues. The complainant advised this Office that she was satisfied with the actions taken by the centre to address her safety concerns for her relative.

Department failed to support tenants experiencing domestic violence

This complaint led to a review of the individuals' debts with the department, and further training for staff about how to respond to DV concerns raised by tenants.

The complaint

The Office received complaints from two tenants about how the Department of Housing and Public Works had managed their tenancies in situations involving domestic violence (DV). In one case, the department took eviction action against the tenant despite her requesting a tenancy transfer after fleeing her tenancy from domestic violence. Another tenant complained that the department had failed to find her suitable housing which enabled her to keep her location anonymous. When the tenant complained about the tenancy the department failed to address her concerns. When she complained that the DV perpetrator had found her and was abusing her, the department failed to assist her to find alternative accommodation and accepted her tenancy cancellation form, rendering her homeless.

The investigation

The investigations identified that the department had failed to take the tenants' domestic violence circumstances into account when making tenancy decisions. In one case, the department had consistently prioritised rental recovery and eventual eviction action over assisting the tenant to maintain her tenancy. It also failed to respond to requests from her authorised DV support workers. In the other case, the

department failed to provide suitable accommodation for the tenant despite being aware of her needs from her tenancy application. When she raised her concerns, it failed to advise her of her tenancy rights in cases involving DV. In both cases, the department was unable to demonstrate that it considered exercising discretions available to it under its procedures.

Making a difference

In both instances the department agreed to provide suitable housing assistance to the tenants. It also reviewed the debts that both tenants had incurred with the department and removed rental arrears and maintenance debts where appropriate. The department further agreed to collate its policy and practice information into a 'Domestic and Family Violence Practice Guide' and provide further training to staff about how to respond to DV concerns raised by tenants..

View the full annual report [Queensland Ombudsman Annual Report 2017-18](#)

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