

# 14 MAKING A COMPLAINT

- **introduction** **238**
- **tips for making a complaint** **238**
- **discrimination and unfair treatment** **239**
- **emergency relief** **240**
- **employment** **240**
- **government departments** **242**
- **health** **245**
- **housing** **247**
- **lawyers** **248**
- **pensions and allowances** **250**
- **police** **252**
- **public transport** **253**

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## introduction

If you are not getting the help you want from your lawyer, doctor, landlord, Centrelink, or any other service, organisation or individual, you may have the right to complain. There are many services that are set up to help you pursue your rights. This section covers general tips on making a complaint and specific information on making a complaint in the areas listed.

Some of the information below has been adapted from the Victoria Legal Aid (VLA) publication *Right a Wrong — Where, when and how to complain in Victoria*. A more extensive listing of agencies and complaints areas is available in the book or on the internet at <[www.legalaid.vic.gov.au/upload/cl.right\\_a\\_wrong.pdf](http://www.legalaid.vic.gov.au/upload/cl.right_a_wrong.pdf)>. Due acknowledgment and thanks are offered to VLA for use of their information.

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## tips for making a complaint

- If you believe you have been wronged and you want to complain, identify clearly what the issue is.

- It is important to gather evidence (letters, receipts, notes with dates, times, witnesses etc.) to support your complaint.
- If possible or appropriate, speak to the organisation or person involved first to try and solve the issue.
- Sometimes there are time limits in which to complain, and you should ask if there are costs involved.
- Explain the problem calmly with as much detail as possible; make notes of conversations with the other party straight away — this may be useful later.
- If required, you may need to complain in writing and provide your address and other details.
- Some organisations, like the ones listed below, may have people to help you make your complaint and assist you with the process.
- Resolution can sometimes take a reasonable amount of time.
- If you need assistance your local community legal centre may be able to help you with your complaint.
- Most organisations can make interpreters available if asked.

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## discrimination and unfair treatment

### Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

Level 3, 380 Lonsdale Street  
Melbourne Vic 3000

**Advice Line:** Weekdays: 9am–5pm; (except Wed: 9am–2pm and 4–5pm)

Ph: 9281 7100 or 1800 134 142 (toll free); 9281 7110 (TTY)

Email: [complaints@eoc.vic.gov.au](mailto:complaints@eoc.vic.gov.au)

Web: [www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)

Investigates and conciliates complaints concerning three main problem areas: discrimination, sexual harassment and racial and religious vilification. The Commission deals with discrimination on the basis of actual or assumed age, breastfeeding, carer status, disability/impairment, gender identity, industrial activity, lawful sexual activity, marital status, parental status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation or personal association. Personal association is relevant where a person has suffered detriment due to their association with somebody who has one of the aforementioned protected attributes.

You or a friend, either in writing or by telephone, can make complaints. It is a free, impartial, simple and confidential service. The Commission is neither a tribunal nor a court. They assist people in resolving complaints through mutual agreement. If the Commission decides that the complaint does not have substance, or cannot be conciliated, you can take the complaint to the Anti-Discrimination List at the Victorian Civil Administration Tribunal (VCAT) where the complaint enters the public domain (see below).

**Victoria Civil and Administrative Tribunal (VCAT)**

Anti-Discrimination List

Level 7, 55 King Street

Melbourne Vic 3000

Ph: 9628 9900. Fax: 9628 9988

Email: [vcat@vcat.vic.gov.au](mailto:vcat@vcat.vic.gov.au)Web: [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

The Tribunal deals with disputes from people who believe they have been discriminated against in such areas as accommodation, employment and education or have been a victim of sexual harassment. Complaints must first be taken to VEOHRC (see entry above) and, if you are dissatisfied with the outcome, the complaint can then be referred to the Anti-Discrimination List. This must occur within 60 days after the decision by the VEOHRC. Application forms for the Anti-Discrimination List are available from VCAT or they can be downloaded from their website. The Anti-Discrimination section of the website also contains a wealth of information that explains the procedures involved in the Anti-Discrimination List

**Victoria Legal Aid (VLA)**

Civil Section

Ph: 9269 0120; 1800 677 402 (country callers)

Web: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

The VLA Human Rights and Civil Law Service provides free legal advice about discrimination. Legal representation may also be available for discrimination and equal opportunity matters. See a fuller description of services and contact under 'Lawyers', below.

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## emergency relief

There is no single body or government department responsible for all agencies that provide emergency relief in Victoria. If you feel you have been unfairly treated or discriminated against by an emergency relief agency, it is best to contact the manager of the individual agency involved.

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## employment

**Job Watch Inc.**

Level 10, 21 Victoria Street

Melbourne Vic 3000

Ph: 9662 1933 or 1800 331 617 (country callers)

Hours: Mon–Fri 9am–5pm (except Tues 9am–12noon, 2–5pm and Wed evening 6–8pm)

Email: [jobwatch@job-watch.org.au](mailto:jobwatch@job-watch.org.au)Web: [www.job-watch.org.au](http://www.job-watch.org.au)

Job Watch Inc. is an employment rights legal centre that provides free and confidential information and assistance to Victorian workers through its easy-to-access telephone inquiry line. Telephone operators can speak directly with workers about issues such as unpaid wages, unfair and unlawful dismissal, workplace violence, misleading job advertisements, discrimination, workplace injuries, Australian Workplace Agreements (AWAs), and general issues of work exploitation.

Job Watch Inc. may assist you in making employment-related complaints to the appropriate authorities. Some complaints need to be lodged with the relevant authority within particular time limits. This includes a 21-day period for unfair and unlawful dismissals and 12 months for discrimination complaints. An interpreter can be organised if needed, free of charge.

### **Job Network Line**

Department of Employment and Workplace Relations (DEWR)

GPO Box 9879

Melbourne Vic 3001

Ph: 1800 805 260 (toll free customer service line)

DEWR manages the provision of employment services by Job Network Members. These services include: job matching, job search training, intensive employment assistance and new enterprise incentive schemes.

Complaints about the delivery of employment services should be made to the job network member in the first instance. If you are unhappy with a decision about any of these programs you can ask for that decision to be reviewed. If the issue cannot be resolved, then the complaint may also be referred to the DEWR Customer Service Line.

### **WorkChoices Infoline**

Department of Employment and Workplace Relations (DEWR)

8th Floor, 414 Latrobe Street

Melbourne Vic 3000

Ph: 1300 363 264

Web: [www.workchoices.gov.au](http://www.workchoices.gov.au)

Provides information about wage rates, wage retrieval and federal award coverage. DEWR investigates claims and helps employees resolve problems concerning their entitlements under workplace legislation. The department can help apprentices with enquiries and complaints about wages and general employment entitlements.

### **Australian Industrial Relations Commission (AIRC)**

Victoria Registry

Level 4, 11 Exhibition Street

Melbourne Vic 3000

Ph: 8661 7777. Hotline: 1300 799 675

Web: [www.airc.gov.au](http://www.airc.gov.au) (live help is also available via this website)

The AIRC deals with all unfair dismissal claims. It gives information about making a claim. Legal advice about unfair dismissal can be organised through Job Watch Inc. (ph: 9662 1933 or 1800 331 617), your local community legal centre or the Law Institute of Victoria's

Referral Service (ph: 9607 9550 or go to <[www.liv.asn.au/directory/firmsref/](http://www.liv.asn.au/directory/firmsref/)>). Union members should contact their union for advice as soon as possible after being dismissed.

Complaints should be lodged within 21 days of termination. There is a \$51.40 filing fee on lodgment of the application. An application to have the fee waived can be made by those who suffer from financial hardship. If the dismissal is found to have been unfair, compensation or reinstatement can be ordered. The AIRC can arrange an interpreter if necessary.

### **Office of Training and Tertiary Education**

Apprenticeships Administration  
Level 3, 2 Treasury Place  
East Melbourne Vic 3000  
Ph: 1300 722 603 (Apprenticeship Hotline)  
Web: [www.otte.vic.gov.au](http://www.otte.vic.gov.au)

Apprentices and parents can complain to the Apprenticeships Administration Branch about breaches of apprenticeship training agreements. The possible outcomes are varied depending on the nature of the complaint. There are no in-house interpreters available.

### **Workplace Rights Inquiry Line**

Ph: 1300 882 648  
Web: [www.workplacerrights.vic.gov.au](http://www.workplacerrights.vic.gov.au)

The inquiry line was originally set up by the Victorian Government following the Federal Government's changes to industrial relations legislation in 2006. The service aims to promote fair industrial relations practices and it specialises in problems concerning Work Choices legislation. However, they welcome calls from any one with employment complaints. The telephone service works in conjunction with the Workplace Rights Advocate (see their website at <[www.business.vic.gov.au/busvic/landing/1001/pc\\_61267.html](http://www.business.vic.gov.au/busvic/landing/1001/pc_61267.html)>).

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## **government departments**

First contact the particular government department or statutory authority (a body given powers under legislation to perform a public function) to discuss your complaint. Try to deal with the person responsible for making decisions about the issue that concerns you, or there may be a complaints officer or department that can help you to resolve the problem. If you are not satisfied with the response from the department or authority, or they do not respond within a reasonable time, one of the following offices may be able to help. The Victorian or Commonwealth Ombudsman can also help you work out where to lodge your complaint.

### **Ombudsman Victoria**

Level 9, North Tower  
459 Collins Street  
Melbourne Vic 3000  
Ph: 03 9613 6222; 1800 806 314 (regional toll free)  
Web: [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)

Ombudsman Victoria provides a free, impartial and independent service to all Victorians who have a complaint about the administrative action taken by a Victorian government department, public statutory authority or local council. Ombudsman Victoria promotes fair and reasonable public administration and enhances accountability in the Victorian public sector.

### **Commonwealth Ombudsman**

Level 10, 2 Lonsdale Street

Melbourne Vic 3000

Ph: 1300 362 072 (complaints line — local call charge)

Web: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

The Commonwealth Ombudsman has a role and power similar to the Victorian Ombudsman, but it deals only with federal government departments and statutory authorities (such as the Federal Police, Tax Office and the defence forces). It can investigate complaints about agencies responsible for services such as pension and child support payments, immigration matters, freedom of information and postal services. The Ombudsman can also investigate services delivered by most private contractors for the government, such as the Job Network and Welfare to Work.

Complaints can be made in person, online, by telephone or in writing. After investigation the Ombudsman must tell the complainant what its recommendations are, and give reasons. If the Ombudsman finds the complaint is justified, recommendations can include a change to the decision, an apology and sometimes compensation for loss. The Ombudsman cannot force an agency to do what they recommend; however, they can make a special report to the relevant minister, the Prime Minister and Parliament, or they may release a public report.

### **Privacy Commissioner (Vic)**

Level 11, 10–16 Queen Street

Melbourne Vic 3000

Ph: 8619 8719 or 1300 666 444

Web: [www.privacy.vic.gov.au](http://www.privacy.vic.gov.au)

If your personal information is held by a Victorian state or local government agency, you can complain to the Victorian Privacy Commissioner about an act or practice of that agency that may interfere with your privacy. The Privacy Commissioner will try to conciliate complaints where possible, or may refer them to the Victorian Ombudsman (see above) or the Health Services Commissioner (see Health, below) as appropriate. For a serious breach of privacy, the Privacy Commissioner may issue a compliance notice to the agency. If conciliation is not possible, complaints may be heard by the Victorian Civil and Administrative Tribunal (VCAT), which may order that information be corrected, and/or that compensation be paid.

### **Privacy Commissioner (Commonwealth)**

Level 8, 133 Castlereagh Street

Sydney NSW 2000

Ph: 1300 363 992 (local call charge)

Web: [www.privacy.gov.au](http://www.privacy.gov.au)

The Federal Privacy Commissioner handles complaints about privacy involving Commonwealth or ACT government agencies, and those relating to consumer credit reporting, tax file numbers and old convictions. It also deals with complaints about improper handling of private information by private businesses, but you need to complain to the business first, and give it 30 days to respond. No application form is needed but complaints should be made in writing and sent to the Privacy Commissioner at GPO Box 5218, Sydney NSW 2001. If you want someone else to make the complaint for you, you must give them signed authority to do this.

### **Victorian Civil and Administrative Tribunal (VCAT)**

General List

7th Floor, 55 King Street

Melbourne Vic 3000

Ph: 9628 9755

Web: [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

The General List of VCAT hears appeals against many decisions by Victorian government departments and associated bodies, for example dealing with compensation for victims of crime, decisions by the Transport Accident Commission and charges by the Metropolitan Fire Brigade when called to a false alarm,. Contact the government body you are in dispute with to see whether VCAT can review that body's decisions. VCAT also deals with requests under freedom of information laws for access to information held by government departments. Application forms for review of decisions are available from VCAT.

### **Administrative Appeals Tribunal (Commonwealth) (AAT)**

Level 16, HWT Tower, Southgate

40 City Road

Southbank Vic 3006

Ph: 9282 8444; 1300 366 700 (country callers only)

Web: [www.aat.gov.au](http://www.aat.gov.au)

The AAT can review some decisions made by federal government bodies; you will need to find out from the department concerned whether you can appeal to the AAT about a decision. Application forms are available from the AAT office or website. Depending on your financial situation and the type of appeal a fee may be charged, but may be refunded if you win the case. Current Health Care Card holders do not have to pay a fee to lodge their applications. Those without a Health Care Card can also apply to have the fee waived by filling in a fee waiver application form (available online). Applications are assessed on a case-by-case basis.

Generally you will need to lodge your application for review within 28 days of being notified of the decision. Longer time limits may apply in some cases. It may be helpful to get legal advice when preparing your application.

### **Australian Taxation Office (ATO)**

Tax Office Complaints

Locked Bag 40

Dandenong Vic 3175

Ph: 13 28 70; TTY 1800 806 215. Fax: 1800 060 063

Web: [www.ato.gov.au](http://www.ato.gov.au)

If you believe that your legal rights or the service standards you should expect when dealing with the Tax Office (as set out in the Taxpayers' Charter — copies available via the website or by telephoning 1300 720 092) have not been met, you should first tell the tax officer you have been dealing with. If they cannot resolve your complaint, talk to their manager. If that still does not sort out the problem, you should ring the Tax Office Complaints Team (ph: 13 28 70), visit the office or send a written complaint by post or fax giving details of your complaint.

Complaints that remain unresolved can be taken to the Commonwealth Ombudsman (see details above).

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## health

### **Pharmacotherapy Advocacy Mediation and Support Service (PAMS)**

(part of VIVAIDS — see 'Further Information' in Chapter 2, *Taking Care of Yourself*)

Tel: 1800 443 844 (toll free for Victorian callers)

Service hours: 10am–6pm Mon–Fri

PAMS is a confidential telephone-based service for people on a pharmacotherapy program (such as methadone, buprenorphine or naltrexone) who have a problem with the program that they can't sort out for themselves. PAMS can provide information, support and mediation to assist you in making a complaint.

### **Health Services Commissioner (HSC)**

30th Floor, 570 Bourke Street

Melbourne Vic 3000

Ph: 8601 5200; 1800 136 066 (toll free); 1300 550 275 (TTY)

Web: [www.health.vic.gov.au/hsc](http://www.health.vic.gov.au/hsc)

The HSC deals with complaints about doctors, hospitals (public, private and psychiatric), alternative therapists, dentists, nurses, ambulance services, pharmacists, optometrists, psychologists, psychiatric services, and many other health professionals. Services covered include community health centres, Department of Human Services, infant welfare centres, local government health services, welfare services in health settings and a broad range of other health services. For nursing homes and special accommodation services, HSC can only take complaints about the health services, not the actual quality of care provided.

Complaints can be made first by telephone but must be followed in writing (staff can assist). Complaint forms are available for downloading online and all complaints will be acknowledged in writing.

Complaints are resolved either informally, or by conciliation (confidential negotiation). Possible outcomes include an apology, an explanation, a procedural or policy change or compensation. Some complaints are investigated or referred to registration boards or other relevant agencies for investigation in cases of professional misconduct or when other methods of resolution are not appropriate. HSC staff will assist you with an appropriate referral.

**Medical Practitioners Board of Victoria (MPB)**

The Registrar  
 GPO Box 773H  
 Melbourne Vic 3001  
 Ph: 9655 0500  
 Web: [www.medicalboardvic.org.au](http://www.medicalboardvic.org.au)

The role of the MPB is to ensure that professional standards are maintained. It does this by registering doctors and investigating complaints. The Board takes every complaint seriously and it must conduct a preliminary investigation into every complaint, unless it is frivolous or vexatious.

Complaints may involve all aspects of medical practice, e.g. conduct, communication breakdowns and sexual misconduct. Complaints are made in writing to the Registrar, and you can choose to be assisted by an adviser or friend. If the complaint is substantiated in the preliminary investigation it may be referred for an informal hearing that is closed to the public, where more information is sought from the person making the complaint. The parties to the complaint are interviewed separately and there is no legal representation for any party.

More serious complaints are dealt by a formal hearing involving a panel of three to five Board members. Legal representation will be involved for both the doctor and the Board on behalf of the person who has complained. These hearings are open to the public, but the name of the complainant will always be suppressed. A special independent support team that is also funded by the Board can assist witnesses and complainants.

The MPB can take action against unprofessional, unqualified, incompetent or sick doctors by reprimanding, fining or suspending them from practice. In severe cases the MPB can de-register practitioners to prevent them from practising.

**The Royal Australian and New Zealand College of Psychiatrists (Victorian Branch) (RANZCP)**

309 La Trobe Street  
 Melbourne Vic 3000  
 Ph: 9640 0646; 1800 337 448 (toll free)  
 Web: [www.ranzcp.org](http://www.ranzcp.org)

Most consultant psychiatrists in Victoria are Fellows of the Royal Australian and New Zealand College of Psychiatrists (RANZCP). The College cannot investigate complaints about its members because it has no legal or statutory powers to do so. The College relies on bodies with appropriate authority to investigate complaints made against psychiatrists. In view of this the College will listen to, assess and refer complainants according to the matters raised.

Complaints against psychiatrists who are not fellows of the RANZCP should be forwarded to the Health Services Commissioner or the Medical Practitioners Board of Victoria.

**Psychologists Registration Board (PRB)**

The Investigations Officer  
 PO Box 358

Collins Street West  
 Melbourne Vic 8007  
 Ph: 9629 8722. Fax: 9629 8744  
 Email: [complaints@psychreg.vic.gov.au](mailto:complaints@psychreg.vic.gov.au)  
 Web: [www.psychreg.vic.gov.au](http://www.psychreg.vic.gov.au)

The PRB regulates the profession of psychology in Victoria and takes complaints about the conduct of psychologists. Complaints should be made to the Board in writing as soon as possible. A complaint form can be downloaded from the website. Someone else can make a complaint on your behalf but this will make investigation more difficult.

Acknowledgment of the complaint should be received within seven days but the final determination of the matter could take months, depending on the type of investigation that needs to take place. If the Board finds a psychologist guilty of misconduct it may impose various penalties including a fine, suspension of registration for up to five years or cancellation of the registration.

### **Victoria Legal Aid (VLA)**

350 Queen Street  
 Melbourne Vic 3000  
 Ph: 9269 0120; 1800 677 402 (country callers)  
 Web: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

The VLA Human Rights and Civil Law Service provides free legal advice about health service issues. See a fuller description of services and contact details under 'Lawyers', below.

### **Residential Care Rights Inc. (RCR)**

Suite 4B, 343 Little Collins Street  
 Melbourne Vic 3000  
 Ph: 9602 3066; 1800 700 600 (toll free)  
 Web: [www.vic.agedrights.asn.au](http://www.vic.agedrights.asn.au)

RCR is a free and confidential service for any person in Victoria who lives in a nursing home or hostel. The service can provide you with information, support and assistance with relevant complaints.

### **Community Health Centres/Community Legal Centres**

Community health centres and/or community legal centres may be able to help you make your complaint (see listings in Chapter 15, *Quick Guide*).

## **housing**

### **Consumer Affairs Victoria (CAV)**

Residential Tenancies Section  
 113 Exhibition Street  
 Melbourne Vic 3001  
 Ph: 1300 558 181 (toll free)  
 Web: [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

The Residential Tenancies Section of CAV administers laws regarding all residential tenancies throughout Victoria. They provide information by telephone, at the counter or in writing and provide advice for housing problems relating to rental repairs, evictions, bonds, rent increases and late rent payments. They can also provide inspection services for repairs.

### **Victorian Civil and Administrative Tribunal (VCAT)**

Residential Tenancies List  
Ground Floor, 55 King Street  
Melbourne Vic 3000  
Ph: 9628 9960; 1800 133 055 (toll free)  
Web: [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

The VCAT website has a wealth of information regarding your rights and responsibilities in relation to housing. The VCAT hears disputes that involve tenants, rooming house owners, caravan park owners and residents under the Residential Tenancies Act. Applications can be made on the form available from VCAT (also available online). There may be an application fee depending on the type of dispute. Time limits apply and vary depending on the type of matter.

### **Tenants Union of Victoria (TUV)**

55 Johnston Street  
Fitzroy Vic 3065  
Ph: 9416 2577 (advice)  
Web: [www.tuv.org.au](http://www.tuv.org.au)

The TUV can help with legal advice and assistance, negotiations with landlords, estate agents and government departments. The TUV now handles all rooming house enquiries and can assist with applications and preparations for hearings before the Residential Tenancy List of VCAT. It can also assist with official complaints about landlords, estate agents, rooming house owners or caravan park owners.

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## **lawyers**

### **Law Institute of Victoria Limited (LIV)**

Complaints Officer  
GPO Box 263C  
Melbourne Vic 3001  
Ph: 9607 9324  
Web: [www.liv.asn.au](http://www.liv.asn.au)

LIV deals with aspects of a solicitor's professional conduct and disputes over costs and allegations of loss. You can contact the LIV Complaints Officer, who can supply information on the complaint process. There is no charge for making a complaint against a lawyer.

Complaints are to be directed to the Legal Services Commissioner by calling 9679 8001 or 1300 796 344 (country callers), or by submitting a complaint form obtainable from the Legal Services Commissioner's website (see further details below).

**Victorian Bar Inc.**

Ethics Committee  
 Level 12, 205 William Street  
 Melbourne Vic 3000  
 Ph: 9679 8001; 1300 796 344 (country callers)  
 Web: [www.vicbar.com.au](http://www.vicbar.com.au)

The Victorian Bar is the professional association and part of a system of self-regulation for barristers. If you believe that your barrister has not acted in an ethical or professional manner then you can have your barrister investigated by lodging a complaint with the Legal Services Commissioner (see details below).

**Legal Services Commissioner**

9/330 Collins Street  
 Melbourne Vic 3000  
 Ph: 9679 8001; 1300 796 344 (country callers). Fax: 9679 8101  
 Web: [www.lsc.vic.gov.au](http://www.lsc.vic.gov.au)

The Legal Services Commissioner deals with complaints about lawyers. Common issues include delays caused by your lawyer, poor communication, incompetence, inadequate service and ethical issues (such as conflict of interest). The Commissioner also handles complaints regarding the costs that you have been charged by your lawyer, or, if you believe that your lawyer's actions have caused you financial loss.

Complaints must be in writing on the form available from either their website or that of Victorian Bar Inc. (see above). All relevant documents should be enclosed with the complaint form and it should be sent either by fax or mail. A complaint about costs that you have been charged is subject to strict time limits and in some circumstances the time period can be as little as 28 days.

**Victorian Civil and Administrative Tribunal (VCAT)**

Legal Practice List  
 Ground Floor, 55 King Street  
 Melbourne Vic 3000  
 Ph: 9628 9081  
 Web: [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

Amongst other issues, the VCAT Legal Practice List deals with disputes between clients and legal practitioners, claims against legal practitioners under the Fair Trading Act and applications to set aside costs agreements. Application forms are available on the Legal Practice section of the VCAT website.

**Victoria Legal Aid (VLA)**

350 Queen Street  
 Melbourne Vic 3000  
 Ph: 9269 0120; 1800 677 402 (country callers)  
 Web: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

If a grant of legal assistance has been refused you can have the decision reviewed. You have 14 days from the date of the letter to write to the Grants Officer who made the decision. The

name of the Grants Officer will be in the letter. It is best to make your request in writing with you legal aid reference number at the top of the page. You should include an outline of the reasons why you are requesting the reconsideration.

If the decision to refuse a grant of legal assistance is confirmed then you have a right to have the matter reviewed by an Independent Reviewer. You must seek review of the decision within 21 days from the date of the letter. This letter should be sent to the Grants Officer who made the decision who will refer the matter to the Independent Reviewer for review.

If you are not happy with any aspect of the service provided by Victoria Legal Aid, for example, by the Grants Officer or solicitor, then you should write to the Client Relations Officer at Victoria Legal Aid at the address above.

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## pensions and allowances

### Centrelink

Ph: 13 10 21 (for a Centrelink office appointment)

Ph: 13 12 02 (for an interpreter)

Ph: 1800 000 567 (TTY) (for the hearing impaired — toll free)

Ph: 1800 050 004 (Customer Relations Line — toll free)

Web: [www.centrelink.gov.au](http://www.centrelink.gov.au)

Anyone affected by a decision made about their Centrelink entitlements should first talk to the person who made the original decision. Staff can also provide you with a 'Tell us what you think' customer comment card, or direct you to the Customer Relations telephone line. You can choose someone to act as your agent by providing a written authority specifying what matters they can act for and for how long they have that authority.

You should be informed of the complaint's progress and be notified by phone or writing of the resolution, decision or options for further action. If you are still unhappy about the decision, you can ask for a review by an Authorised Review Officer who can vary or affirm a decision. This request should be made within 13 weeks of receiving advice of the original decision. If the decision is in your favour, back-payment can only be paid if the request is lodged within this 13-week period. (Note: this does not apply to debt cases.)

If you are still unhappy with the decision you can appeal to the Social Security Appeals Tribunal (see details below).

### Social Security Appeals Tribunal (SSAT)

14th Floor, 628 Bourke Street

Melbourne Vic 3000

Ph: 9954 0700; 1800 011 140 (toll free)

Web: [www.ssat.gov.au](http://www.ssat.gov.au)

The SSAT hears appeals about decisions made by Centrelink as well as appeals about Austudy, Austudy debts and Abstudy. Appeals to the Tribunal can be made in writing or by telephone. Appeal forms are available from Centrelink or the Tribunal. To receive full back-payment, appeals should be made within 13 weeks of the Centrelink decision. Successful

appeals made after the 13-week period may only be back-paid from the date the appeal was lodged. If either the applicant or Centrelink considers the SSAT's decision to be incorrect, they may appeal to the Administrative Appeals Tribunal (see below).

### **Administrative Appeals Tribunal (Commonwealth) (AAT)**

(for Centrelink and Disability Assessment decisions)

Level 16, HWT Tower, Southgate

40 City Road

Southbank Vic 3006

Ph: 9282 8444; 1300 366 700 (country callers only)

Web: [www.aat.gov.au](http://www.aat.gov.au)

Appeals to the AAT must be lodged in writing within 28 days of notification of the decision of the SSAT (see above). However, first check with the AAT regarding possible application fees.

Appeal forms are available from the AAT registry or website. Decisions made by the AAT are binding on the parties. Either party can appeal an AAT decision to the Federal Court, but only on a question of law. The AAT is more formal than the SSAT; legal representation is not necessary but may be of assistance.

### **Victoria Legal Aid (VLA)**

350 Queen Street

Melbourne Vic 3000

Ph: 9269 0120; 1800 677 402 (country callers)

Web: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

VLA's Human Rights and Civil Law Service provides free legal advice about social security issues. It can also provide representation at Administrative Appeals Tribunal hearings. See a fuller description of services and contact details under 'Lawyers', above.

### **Welfare Rights Unit (WRU)**

*Melbourne Office*

155 Easey Street

Collingwood Vic 3066

Ph: 9416 1111; 1800 0945 164 (toll free) (9:30am–12:30pm Mon–Fri)

Email: [wru@welfarerights.org.au](mailto:wru@welfarerights.org.au)

Web: [www.welfarerights.org.au/centre/melbourne/](http://www.welfarerights.org.au/centre/melbourne/)

*Geelong Office*

73 Pakington Street

Geelong West Vic 3218

Ph: 5223 1232 (2–4pm Tues and Thurs only)

Web: [www.welfarerights.org.au/centre/geelong/](http://www.welfarerights.org.au/centre/geelong/)

The WRU provides independent information and advice on social security matters. It can also provide some assistance and referral to a community legal centre for help.

## police

When dealing with the police it is important to know that you have rights. If you want to make a complaint about the police then you should do so as soon as possible after the incident. However, it is important to discuss the situation with your legal adviser or local community legal centre first.

When making a complaint try to write down everything that happened to you. This includes the names of the police officers involved, the time and date of the incident and what actually happened. If you have been injured:

- see a doctor as quickly as possible;
- get someone to photograph the injuries;
- write down as much information as you can about the person or people who injured you including name, rank, police station etc.;
- write down the name of the last person to see you before you were injured and the first person to see you afterwards; and
- contact a lawyer who will help you make a formal complaint.

### where to complain

#### Police Conduct Unit

Victoria Police Centre

637 Flinders Street

Melbourne Vic 3005

Ph: 1300 363 101 Mon–Fri 8am–5pm (and after hours phone message service)

Email: [ethical.standards@police.vic.gov.au](mailto:ethical.standards@police.vic.gov.au)

Web: [www.police.vic.gov.au](http://www.police.vic.gov.au)

The Police Conduct Unit is responsible for investigating complaints about the behaviour of members of Victoria Police. Formal complaints should be lodged as soon as possible after an incident. Victoria Police complaints are handled by the Police Conduct Unit. Initially these complaints will be referred to an Officer or District Supervisor for action. If an investigation is required the person reporting will be asked to assist in the preparation of a written statement to fully describe the incident. Legal advice may help.

If there are any injuries see a doctor as soon as possible and have good, clear photographs taken of any visible injuries. This service is best provided at the independent Victorian Institute of Forensic Medicine (ph: 9684 4444). Anyone can initiate a complaint on the complainant's behalf but the victim would still be required to make a statement. If the complaint is substantiated the officer(s) are subject to a range of disciplinary action depending on the circumstances of the case. The complainant will be notified of the outcome in writing.

#### Office of Police Integrity

Level 3, South Tower

459 Collins Street

Melbourne Vic 3000

Ph: 8635 6188; 1800 818 387 (toll free); 8624 6311 (TTY)

Email: [opi@opi.vic.gov.au](mailto:opi@opi.vic.gov.au)

Web: [www.opi.vic.gov.au](http://www.opi.vic.gov.au)

At OPI your phone call will be answered by public service investigators rather than by police officers. An Enquiries Officer is available to discuss concerns regarding the complaint process and assist you to fill out a complaint form, which can be sent to you or downloaded from the website. Complaints should be submitted in writing (send to GPO Box 4676, Melbourne 3001).

OPI can investigate complaints about members of the Victoria Police force that are considered in the public interest and matters involving police policies, procedures and practices that need review. OPI can resolve complaints through conciliation, investigation or referral. See the OPI website for full details of the complaints procedure.

### **Ombudsman (Commonwealth)**

10th Floor, 2 Lonsdale Street

Melbourne Vic 3000

Ph: 1300 362 072 (complaints line — local call charge)

Web: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

The Commonwealth Ombudsman handles complaints about the Australian Federal Police. Complaints about treatment by the Federal Police or Victoria Police can also be made to the Officer in Charge of the police station. This should be done as soon as possible. A doctor should see any injuries as soon as possible.

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## **public transport**

Complaints about public transport in Victoria can be lodged in writing, by email or over the phone with the following operators:

### **Metlink**

Metlink Customer Feedback

GPO Box 4693TT

Melbourne Vic 3001

Phone: 13 16 38

Email: [feedback@metlinkmelbourne.com.au](mailto:feedback@metlinkmelbourne.com.au)

Web: [www.metlinkmelbourne.com.au](http://www.metlinkmelbourne.com.au) — via an online feedback form

### **Connex Melbourne**

Customer Feedback

GPO Box 5092BB

Melbourne Vic 3001

Phone: 1800 800 705

Email: available online at [www.connexmelbourne.com.au](http://www.connexmelbourne.com.au)

**Yarra Trams**

Customer Feedback  
GPO Box 5231BB  
Melbourne Vic 3001  
Phone: 1800 800 166  
Email: available online at [www.yarratrams.com.au](http://www.yarratrams.com.au)

**V/Line**

Customer Relations  
Reply Paid 5343  
Melbourne Vic 3001  
Phone: 1800 800 120  
Email: available online at [www.vline.com.au](http://www.vline.com.au)

**Bus Operators**

Metlink Customer Feedback  
GPO Box 4693TT  
Melbourne Vic 3001  
Phone: 13 16 38  
Email: [feedback@metlinkmelbourne.com.au](mailto:feedback@metlinkmelbourne.com.au) and available online at [www.metlinkmelbourne.com.au](http://www.metlinkmelbourne.com.au)

With train, bus or tram travel, the first port of call for complaints should be the Operator. Your complaint will be recorded and the appropriate operator will be advised. A customer feedback form is also available for online submission at <http://feedback.metlinkmelbourne.com.au>.

If you are still unhappy with the response, only then should you contact the Office of the Director of Public Transport (see below).

**Office of the Director of Public Transport (ODPT)**

GPO Box 2797Y  
Melbourne Vic 3001  
Ph: 1800 264 644

Only contact ODPT if you have already been in touch with the transport operator and are unhappy with their response.