

# **ombudsman** VICTORIAN

**Investigation into the storage and  
management of ward records by the  
Department of Human Services**

**March 2012**

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## Letter to the Legislative Council and the Legislative Assembly

To

**The Honourable the President of the Legislative Council**

and

**The Honourable the Speaker of the Legislative Assembly**

Pursuant to sections 25 and 25AA of the *Ombudsman Act 1973*, I present to Parliament my report of an investigation into the storage and management of ward records by the Department of Human Services.



G E Brouwer

**OMBUDSMAN**

29 February 2012

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## Executive summary

1. This investigation concerns the records held by the Department of Human Services (the department) relating to former wards of the State of Victoria.
2. Numerous reports over the last 15 years have documented the harm caused to many children held in care. Those reports have highlighted the need for former wards and children in the care of the state to have access to the records concerning their time in care, for emotional, medical, psychological, financial or legal reasons. In some instances, the existence of such records are the only means by which a former ward can reconnect with a sibling or parent from whom they were separated at childhood.
3. In July 2011 I received information from an anonymous source that there were a significant number of boxes containing records relating to former wards being held by the department in storage. The complainant said that the records in the boxes had not been formally identified or catalogued and that the department was not taking steps to address this issue. As a result of this complaint, I launched an investigation into the state of records concerning wards.
4. The department currently holds in storage around 80 linear kilometres of historical records stored in boxes at numerous locations.
5. The department has not inspected or indexed a considerable portion of these records. Accordingly, it cannot provide an accurate estimate of what portion of this total holding relates to wards of the state.
6. Despite having had the majority of these records in its archives for over 15 years the department has only indexed and catalogued records relating to 26 of the 150 plus years worth of records relating to wards and institutions it holds. The majority of these records remain in large part uninspected, unindexed and unscanned.
7. The department is paying nearly \$1 million a year to rent a facility that has been identified as being inadequate to store records, and has been subject to flooding and rat infestation.
8. The department is aware that private institutions hold documents relating to many wards of the state housed by them in the past. The department has advised that while it has contractual arrangements with a large number of these institutions they do not cover the storage and management of ward records.
9. The department's efforts to come to grips with its vast archive of documents have been piecemeal and ultimately unsuccessful.

10. My investigation identified one example where a collection that had been in the department's archives since 1990 had only recently been identified as containing numerous references to former wards. This collection of 48 boxes, which was thought to have contained only administration files, had been marked for destruction.
11. In just the first six boxes of this collection that have been examined to date, 2,744 references to individual wards and seven documents relating to the alleged abuse of wards have already been identified.
12. Another collection of 100 boxes of records discovered by the department in 2008, thought to relate to former wards and institutions, is yet to be examined due to resourcing issues.
13. My investigation identified that there are likely to be other similar collections amongst the large percentage of historical records held by the department that are yet to be properly identified and indexed. All the while former wards searching for these records are likely to have been told that they cannot be found or do not exist.
14. The department receives around 1,200 requests a year from former wards of the state and adoptees wishing to access records relating to their time in care.
15. Requests to the department for access to records are often not met because records are unable to be found. Some of these requests are made in urgent circumstances. An internal departmental report noted that in the three years prior to May 2011 approximately 21 per cent of all searches for records relating to Freedom of Information requests for former ward and adoption records resulted in no documents being located. In addition, many requests return minimal documentation relating to wards who were in the care of the state for many years, indicating that not all the relevant documents originally created have been found.
16. Witnesses told my investigation that as a result of the lack of indexing of these records the department cannot ever be confident that it has located all records relating to an individual ward from within its archives.
17. I consider that the department should take immediate action to ensure that it has a thorough understanding of the records it holds in its collection so that former wards can be assured that they have been provided with all the available information regarding this often traumatic chapter of their lives.

## Background

18. My office has received a number of complaints over recent years from former wards of the state expressing frustration arising from their attempts to access their personal records relating to their time spent in institutional care in Victoria.
19. The issues faced by former wards have been the subject of a number of state and Commonwealth reviews and reports since 1997.<sup>1</sup> This has led to an increased public awareness of the neglect, abuse and lack of care experienced by many children in institutions, as well as the resulting challenges facing former wards and their families today.
20. Increasing numbers of former wards are seeking access to records relating to their time spent in care as a way to understand their past. Records are also important for gaining access to medical history, for reconnecting with lost family or for substantiating a criminal prosecution or claim for compensation when harm has been caused.
21. On 12 July 2011 my office received information from an anonymous source that there were a significant number of boxes containing ward records being held by the Department of Human Services (the department) in a storage basement. The complainant said that the records had not been formally identified or catalogued and that the department was not taking steps to address this issue.
22. I subsequently wrote to the Secretary of the department advising that I would be conducting an investigation on my own motion into the management and storage of records relating to former wards of the State of Victoria.

## Relevant legislation

23. The *Public Records Act 1973* is the primary legislation governing public documents and records management in the Victorian public sector. The Public Record Office of Victoria (PROV) and its head, the 'Keeper of Public Records', were also established under this Act.
24. PROV provides standards which contain mandatory principles for the management of public records within all Victorian government agencies. Relevant to this investigation is the *Storage Standard (PROS 11/01)* which states that public records must be stored using systems that enable the records to be retrievable. This standard states that the exact location of records and their contents must be known so that the records may be retrieved and accessed when required.<sup>2</sup>

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<sup>1</sup> Such as the Human Rights and Equal Opportunity Commission report, *Bringing Them Home: The Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (1997) Sydney; the Senate Community Affairs References Committee report, *Lost Innocents: Righting the Record, Report on Child Migration*, (2001) Canberra, Commonwealth of Australia; and the Senate Community Affairs References Committee report, *Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children*, (2004) Canberra, Commonwealth of Australia.

<sup>2</sup> Public Record Office Victoria, Issue Date: 25/01/2011, accessed via <http://prov.vic.gov.au/wp-content/uploads/2011/05/1101s1.pdf>.

25. Section 13 of the Public Records Act states that agencies have an obligation to carry out a program of records management which is in accordance with standards established by the Keeper of Public Records.
26. In her 2007 Advice Sheet, '*Crimes (Document Destruction) Act 2006 - Implications for government recordkeeping*', the Keeper of Public Records stated:

[L]egal discovery should not be impeded by poor document organisation making things hard to find. Documents should not become unavailable by virtue of being "lost in the system".

The *Evidence (Document Unavailability) Act 2006* reinforces the concept that it is every organisation's responsibility to have document management systems sufficient to the task of locating and providing evidence in litigation, and that inadequate document retention policies or document classification will not excuse the unavailability of documents in court.<sup>3</sup>
27. Freedom of Information legislation is also relevant to my investigation. The purpose of the *Freedom of Information Act 1982* is to increase the transparency and openness of government by providing an effective and prompt means by which documents held by public agencies may be accessed by citizens. Former wards seeking to access their records generally do so through the Freedom of Information process.

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<sup>3</sup> Public Record Office Victoria, Advice Sheet *Crimes (Document Destruction) Act 2006 - Implications for government recordkeeping*, 2007, page 8.

## Investigation

28. In the course of my investigation seven people were interviewed voluntarily, under oath or affirmation. This included staff of the department, the Public Record Office of Victoria, and representatives of advocacy and support groups working with former wards. None requested legal representation.
29. My investigators conducted inspections of the department's record storage areas, including its main repository in the CBD and at the Public Record Office of Victoria in North Melbourne.
30. Material relating to record-keeping practices of the department; state and federal reports; and research led by the University of Melbourne 'Who Am I?' project team<sup>4</sup> were also reviewed.

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<sup>4</sup> The research of the Who Am I? team investigates archiving and record keeping practices, and focuses on the organisation of the historical records of Victorian children's institutions, with the aim of supporting care-leavers in the construction of their identity.

## Who are wards of the state?

31. From the earliest period of Australian settlement, out-of-home care was required for children who were either orphaned or whose parents were unable to care for them.<sup>5</sup>
32. Children have been placed in the care of the state since 1864. The term 'ward' began to be used in 1887, as the *Juvenile Offenders Act 1887* and the *Neglected Children's Act 1890* established that all neglected and offending children before the courts would automatically enter into the care of the state.<sup>6</sup> Child migrants and Aboriginal children removed from the care of their parents would also have often become 'wards of the state'.
33. From the 1800s, institutions were most often relied upon to house children in need. There have been over 100 institutions in operation across the state that have housed wards in the last 150 years. Around 45 of these institutions were state government-run, whilst the remainder were private.
34. For the purposes of this investigation 'wards of the state' means children either in the direct care of the state or placed or funded by the state in private institutions.

## Number of children placed in care by the State of Victoria

35. The exact number of children whose care was managed by the State of Victoria is unknown.
36. The 2004 *Forgotten Australians* report<sup>7</sup> estimated that upwards of 500,000 children, Australia-wide, experienced care in an orphanage, home or other form of out-of-home care during the last century.<sup>8</sup>
37. In 2008 the department commenced a project in which reference cards for former wards were electronically audited, identified and scanned. The reference cards were introduced in Victoria in 1960 and continued until 1986, when this system was replaced. The department identified that it held records for at least 50,000 wards for the period 1960-86.
38. However, there are records for almost 100 years prior to 1960 that the department is yet to audit and catalogue fully.
39. The incomplete nature of the department's identification and cataloguing of its records was summarised in an August 2010 draft internal Business Case which noted that 'ward numbers before 1960 can only be guessed at ...'.<sup>9</sup>

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5 Senate Community Affairs References Committee (2004), *Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children*, Canberra: Commonwealth of Australia, page 18.

6 'Pathways: Historical resources for people who experienced out of home 'care' in Victoria', website accessed prior to November 2011 at: <http://www.pathwaysvictoria.info/biogs/E000175b.htm>. From November 2011 the Pathways website converted into the Find & Connect Victoria website, accessible at <http://www.findandconnect.gov.au/vic/>.

7 *Forgotten Australians*, *op cit*.

8 *Forgotten Australians*, *op cit*, page xv.

9 Department of Human Services, *Business Case Records Preservation & Digitisation Unit* (draft), 20 August 2010, page 12.

40. A representative from the Public Record Office of Victoria (PROV) said that, based on the sequential numbering system used in the records it holds, as at January 1935, there had been around 62,500 wards of the state.
41. A records management specialist stated at interview that she estimated that there could have been up to 120,000 people that were deemed to be wards of the State of Victoria between 1864 and 1986.
42. To compound the uncertainty, my investigation also identified that there are still a number of active community service organisations, or 'past providers', that hold records relating to the care of children placed in private and church institutions. For example, one of these institutions, MacKillop Family Services, holds 115,000 records relating to children who have been in its care in Victoria. As many children in private care had their care paid for by the state, records held by private providers are likely to include records relating to former wards.
43. Since these records have not been inspected or indexed by the state, it is not possible to say how many wards are the subject of records contained in these private holdings.
44. My investigation also established that the State Library of Victoria also holds a small collection of records.
45. Based on the various estimates and my enquiries it is reasonable to conclude that there are likely to have been least 130,000 children who met the definition of 'ward of the state' of Victoria over the last 150 years.

## Importance of records to the Forgotten Australians

46. The 2004 Forgotten Australians report concluded that 'the cost to many individuals, families and society of the impact of time spent in institutional care is profound ... the harm done to children while in care has resulted in harmed adults'.<sup>10</sup>
47. In 2009, then Prime Minister, the Honourable Kevin Rudd, issued an apology to Forgotten Australians and former child migrants, acknowledging the neglect and abuse suffered by many of the children placed in institutional care during the last century.
48. Almost all states and territories have issued apologies to children neglected or abused in state care.
49. The challenge faced by former wards wishing to access records in order to piece together their past is perhaps best summed up by the Forgotten Australians report:

The task faced by many care leavers to access records and recover their lost past is immense. Records may be scattered across a number of agencies, they may be in a poor state, lack indexes and directories and agencies do not have the resources to adequately assist care leavers.<sup>11</sup>

<sup>10</sup> *Forgotten Australians, op cit*, page 166.

<sup>11</sup> *Forgotten Australians, op cit*, page 282.

50. Following the release of the Forgotten Australians report, \$26.6 million was provided by the Federal Government to the states and territories to establish a Find & Connect service to assist former wards to locate and access personal, family and historical records. The Find & Connect service will also provide access to counselling support services as they engage in this process. This funding does not however include an allocation to address the state and management of these historical records.

## Search for identity

51. The search for identity is crucial to care-leavers and former wards, many of whom have little or no information about their family and origin. Gaining access to personal records may reveal information about their parents and siblings. In many instances former wards lost contact with siblings at the time of being placed in care and it is only through access to their records that they are able to reconnect, often after decades.<sup>12</sup> Access may also be sought to information about the health of their parents as worries about possibly inherited health problems arise.<sup>13</sup>
52. At interview a former ward and member of the Care Leavers Australia Network (CLAN), an Australia wide advocacy and support group for care-leavers, spoke of the importance of accessing records. He said that for most care-leavers, the need to find their personal records is a matter of identity, of reconnecting with lost family, and for some, who had experienced abuse whilst in care, a matter of finding records in order to pursue litigation or compensation.
53. Representatives from support agencies interviewed during my investigation said that the former wards whom they assisted varied in age, from their twenties through to those in their nineties. They advised however that the most common age group of former wards searching for details of their past were persons in their sixties. Records for many of these people, born between the early 1940s and the early 1950s, would have been created before the introduction of reference cards in 1960. They are therefore likely to be held amongst the large collection of documents that have not been inspected, identified or indexed and therefore cannot be easily located by the department.

## Redress and claims for compensation

54. The Forgotten Australians report concludes from the evidence and submissions received that 'unsafe, improper and unlawful treatment of children was widespread'.<sup>14</sup> The report states that procedures to protect children from abuse and neglect were insufficient or non-existent, and that evidence was received of children being systematically abused, 'either through omission of duty to protect children from abuse, or through direct emotional, physical and sexual abuse'.<sup>15</sup>

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<sup>12</sup> This point is made in all three reports concerning children in care; *Lost Innocents, Bringing Them Home, and Forgotten Australians*, see footnote 1 for full citations.

<sup>13</sup> *Forgotten Australians, op cit*, page 255.

<sup>14</sup> *Forgotten Australians, op cit*, page 126.

<sup>15</sup> *ibid*.

55. As such, many wards seek records in the hope of finding documentation which supports their experiences of abuse in care, be it physical, sexual and/or emotional. In some instances this is seen as a means of validating what happened to them, whilst others seek such records in support of a claim for compensation against the state and/or the institution charged with their care.
56. Limited redress schemes have operated in Western Australia (2007 – 2011) and Queensland (2007 – 2008). Tasmania (2003 – present) is the only state whose scheme is still open.
57. Despite issuing an apology in 2006 the Victorian state government has not established a formal redress scheme for persons previously placed in their care.<sup>16</sup>
58. Requests for compensation from former wards of the State of Victoria are considered on a case-by-case basis and are directed to the criminal prosecution process. Former wards may also apply for compensation in a civil claim.
59. Given the burden of proof required to demonstrate such allegations in a criminal proceeding, the importance of historical records regarding a child's time in care cannot be understated. Additionally, the need for evidence to corroborate claims made in civil proceedings also highlights the significant role that records may play, and the difficulties that can arise when records are unavailable.

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<sup>16</sup> Similarly, the NSW government issued an apology in 2005, but has not instituted a formal redress scheme.

## The state of ward records

### Records held by the department

60. The department currently holds in storage around 80 linear kilometres of historical records stored in boxes. This includes a large collection of records relating to former wards of the state and administrative files regarding the various institutions that were responsible for their care. The department also holds records relating to child migrants and aboriginal children who were removed from the care of their families and placed in state care.
61. These records are held in a number of storage facilities within inner Melbourne. Around 30 linear kilometres of records are held at a repository in Bourke Street, Melbourne. The following photograph provides an example of one of the 20 corridors of records stored at this repository.

**Figure 1 - Boxes of records held by the department**



62. The majority of records pertaining to former wards held by the department relate to homes or institutions that closed a number of decades ago. Department staff told my investigators that in most instances the records from these institutions and homes were transferred to the department upon closure.

63. Some 3,881 boxes of ward records are stored for the department by PROV. These records have been transferred to PROV for a variety of reasons since the early 1980s. The largest transfer occurred in 1996 as a result of the merging of the Department of Health and Community Services with the Office of Housing and Office of Youth Affairs into one entity, the Department of Human Services.
64. The vast majority of these records remain in the physical state in which they were originally transferred. They are generally hard copy files containing loose leaf papers of varying shapes, sizes and quality. Depending on their age, the documents are either handwritten, or typed.
65. Ward records are classified as 'Permanent Records' by PROV, and as such are to be retained as State Archives.<sup>17</sup> Former wards may access their records via Freedom of Information processes but they are not open to inspection by the general public because of the personal and private information they contain. Under current PROV schedules these records only become available for general public viewing after 99 years.
66. Despite being held in PROV storage, the records, and their management and cataloguing, remains the responsibility of the department. My investigation identified that requests for access to the records stored at PROV are made by the department on a regular basis in order to respond to Freedom of Information applications and other requests. Requested records are transferred from PROV to the department, and subsequently returned.
67. This regular transferring of records was identified as a risk in a September 2010 internal departmental Business Case:
- The continual retrievals and couriering of records between DHS and PROV poses another level of risk of possible loss or damage. These records could be easily indexed and digitized removing this risk and current overheads for both DHS and PROV.<sup>18</sup>

## Lack of knowledge about the content of documents held

68. My investigation identified an instance where an experienced member of the department's archives area had been assigned the task of scanning a collection of records contained in 48 boxes. This collection of records was originally thought to have only contained administration files relating to former institutions, which whilst of historical value, were not thought to relate to individual wards. The collection had been marked for destruction. It was only after an examination by the 'Who Am I?' project team that these records were identified as containing numerous references to former wards.

<sup>17</sup> Public Record Office Victoria Standard - PROS 06/12.

<sup>18</sup> Business Case DHS Digitisation and Preservations Unit 14 September 2011, page 11.

69. This collection had been in the department's archives since 1990.
70. My investigators viewed a sample of these records during a site visit to the Bourke Street repository in December 2011. Amongst these records were documents relating to the investigation of sexual assault allegations made against a staff member of a former home. The documents contained details of the allegations, police statements of the wards involved, and the response of the relevant home and authorities.
71. Given the state of the records and the references to numerous individuals, it had taken the archivist nearly four months to scan and catalogue the contents of just six of the 48 boxes in the collection. My investigation was told that 2,744 references to individual wards and seven documents relating to the alleged abuse of wards had been identified in just those six boxes.
72. My investigators also identified critical incident reports (sexual abuse) from other homes amongst another recently discovered collection of former ward records.
73. In the course of my investigation my officers also established that a collection of former ward records had recently been discovered amongst a number of records marked for destruction by the department. The collection relates to the Tally Ho Boys Training Farm, an institution that closed in 1986. The 'Who Am I?' project team have noted that Wesley Mission Victoria (who ran Tally Ho) have 'next to no information' about this institution.<sup>19</sup>
74. Upon learning of this discovery my investigators enquired with the department as to how many requests for documents it had received relating to the Tally-Ho Boys Home, and how many of these had resulted in a 'no documents located' response. The department advised that its database was not capable of capturing and reporting on this information.
75. My investigation was also told by a senior staff member from the department's Information & Records Services that, despite the department's having become aware of this collection in November 2011, the boxes are yet to be appraised in any great detail owing to a lack of staffing resources in the Archival Services area.
76. At interview the senior staff member also cited the example of another collection of records relating to the Baltara Reception Centre, a state government-run institution for adolescent boys that operated between 1968 and 1992. The senior staff member stated that a collection of records regarding this home was discovered in the department's archives in around 2007-08. The senior staff member stated that due to resource issues, archives staff were still in the process of examining these records.

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<sup>19</sup> Who Am I? Report, *Preliminary Survey of the Department of Human Services' child welfare records and archival systems*, July 2011, page 6.

77. In response to my draft report, the department clarified its records destruction processes as follows:

Prior to any destruction activity, records are fully reviewed in accordance with departmental procedures and Retention and Disposal Authorities approved by PROV. In this process such records would therefore be correctly identified as permanent and subsequently transferred to PROV.

## **Inadequate auditing and identification of records**

78. As discussed earlier in this report, the department has identified and electronically catalogued around 50,000 reference cards relating to former wards of the state between 1960 and 1986 within its archives at its Bourke Street repository, and at PROV. The reference cards were used to record a unique identifying number that was assigned to a ward of the state upon their entry into the system.
79. Whilst witnesses said that this project has been an important step in assisting with the more systematic and targeted search for ward records, my investigation identified that the cards themselves are only a starting point.
80. The cards refer archivists to a number of historical handwritten registers, which in turn point to boxes and files that have often remained untouched since the closure of an institution.
81. In a draft internal Business Case, dated 14 September 2010, a departmental archivist estimated that there were 250-300 of these manual registers going back to 1919 alone.
82. The following photographs provide an example of some of the registers held that are still being used by the department today in the search for records held in its repositories. The registers detail admissions of state wards (there are also registers for other agencies such as hospitals). All of these registers are handwritten. The registers in these illustrations relate to records from the early 1900s to the 1940s, however the department has others dating back to the 1800s.

Figure 2 - Historical registers held by the department



Figure 3 - Historical registers held by the department



83. Staff at the department and at PROV said that the reference cards in themselves can be misleading as different institutions and government program areas often used their own reference numbers for individuals. As a result, a ward's reference number could have changed after they entered the system, and a search against one number would not necessarily reveal all relevant records.
84. Witnesses also said that it was not uncommon for the reference numbers assigned to wards of the state to have changed a number of times during their time in care. These changes in numbering would occur for various reasons, including:
- changes in the department's information systems,
  - a ward being assigned a new number upon reaching age 14 (this reflected changes in legislation which defined those aged under 14 as a child and those between 14 and 21 years of age as a young person), and
  - a ward moving into different divisions of the department (as it then was) such as from the Youth Welfare Division to Probation and Parole.<sup>20</sup>
85. A departmental Business Case in May 2011<sup>21</sup> highlighted a number of examples of the effect of its inadequate record-keeping practices on attempts to fulfil requests from former wards for access to their records. Below are two case studies outlined by the department in that document.

#### Case study 1

Four siblings entered the system at the same time, each sibling was given consecutive identifiers at the time of entry, yet one of the sibling's files was unable to be located using the original number. When this file was recovered some years later, it had been renumbered and the other sibling files were not. The new number was not cross referenced with the original entries making it impossible to locate the record using the only known details provided by the client.

The DHS tendency to renumber client (and administrative records) to accommodate systems will continue to cause this type of complaint while supporting both hardcopy and softcopy records for the one client.

Another Ward record was recently found registered and located as a Mental Health file. In this instance the record is now split across two departments and it is unclear which department has ownership. There is concern that this could be only [one] of many.

<sup>20</sup> Department of Human Services document, titled Detailed - Records, dated 26 October 2004.

<sup>21</sup> Department of Human Services, *Electronic Document and Records Management System Business Case*, 6 May 2011.

## Case study 2

One client had been trying to access her file for over 25 years and complained to the Ombudsman after her last attempt was successful. The indexing of former ward records as part of the RMIS [Records Management Improvement Strategy] indexed this client's record from a box where her record had been wrongly filed some 30 years prior. The RMIS project simply captured box contents to the box irrespective of whether it was [the] right or wrong box; as a result captured all miss filed [sic] records making them easily retrievable.

In this instance DHS were a bit late, the client in question once having her file was able to track her family and found that her father had passed away after years of trying to reconnect with her.

86. My investigation also identified that the department's failure to adequately inspect, audit and index the historical records in its collection is also having an effect on its destruction schedules. A senior staff member of the department's Information & Records Services estimated that approximately 40 per cent of the records currently held in the department's archives are now at an age where they could legally be destroyed. The staff member said however that, as the department did not know what was actually contained within these boxes, these records remained in storage.
87. Additionally, my investigation identified that the department is paying in excess of \$460,000 per year for additional commercial storage of records<sup>22</sup>, including one provider's holdings of some 76,960 boxes or 14 kilometres worth of records. While these records are not thought to relate to wards there are similar issues with regards to the department's knowledge of their exact contents.
88. The department has confirmed that only 35,707 of these boxes, less than half the total amount, have been registered onto the department's computer system, TRIM. Of these 35,707 boxes, only 15,043 have been reviewed to determine their retention status (which establishes when they may be destroyed). However the department has stated that, as the 'accuracy and reliability of the sentencing of these records is questionable', they are yet to be destroyed and as such remain in storage.
89. The remaining 41,253 boxes have no contents listings and have not been entered on TRIM. As a result their contents are unknown and the department is currently unable to determine whether they need to be retained or can be disposed of.
90. At interview a senior staff member of the department's Information & Records Services said that potentially up to 90 per cent of these records could be destroyed, but this was not occurring as the records had not been reviewed and processed according to appropriate retention and disposal schedules.

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<sup>22</sup> *ibid*, page 15.

91. The lack of auditing and indexing of this large collection of records means that valuable storage space is being occupied by records that may be legally destroyed.

## Inadequate storage

92. Staff at the department and at PROV said that they had concerns regarding the adequacy of the department's records repository in Bourke Street, Melbourne. They described a number of risks to this collection of records, including inadequate fire protection systems and ventilation and a rat infestation. They also said that the lack of a cooling system in the repository means that staff could not search for records for more than one hour at a time on hot days.
93. The department has since advised that it is only one level of the building which does not have a cooling system, and this is only accessed 'from time-to-time'.
94. The May 2011 Business Case noted that the risk posed by not having electronic copies of hardcopy records was a real one:
- Some records were damaged by water and not found for a couple of weeks, where a [*sic*] 1000 legal files were in a compactus that had water dripping through it. The records concerned were sent off site for restoration by a private company. Without document level registration content could not be easily identified.
- Since 2006 this has become a regular occurrence at both 50 Lonsdale Street and the repository at Bourke Street. The cost to restore the records is per sheet and this has occurred on at least 3 other occasions.<sup>23</sup>
95. The risk of damage to documents is heightened in the case of the historical records examined by my investigation, some of which date back over 150 years and are extremely fragile.
96. Despite these inadequacies the department is paying nearly \$1 million a year to lease the Bourke Street site. This facility is also near full capacity. The lease is due to expire in 2016, and no suitable replacement site has yet been identified.
97. Whilst the storage environment at PROV is superior to that of the Bourke Street repository, the fact that these records remain in the condition in which they were transferred in the 1980s and 1990s means that they too are in need of conservation. Staff at PROV said that many of these files are over-packed in boxes which are not the required 'acid-free' material and this could increase the speed of their deterioration.
98. While PROV is storing these records, their management remains the responsibility of the department.

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<sup>23</sup> *ibid*, page 34.

99. At interview a Senior Collections Advisor at PROV confirmed that these records were indexed by the department prior to their transfer to PROV. He said that the indexes identify file numbers but not names and that there were some missing records within these collections.
100. The Senior Collections Advisor also confirmed that PROV would be unwilling to take on the ward records still held by the department, unless they were adequately indexed and prepared for long term storage.
101. My investigation identified that the transferring of these historical records between PROV, the department's archives area and other regions and program areas can also often be problematic. This issue was highlighted in the May 2011 Business Case, an extract of which is provided below:

As of the 1 March 2011 there are 299 permanent records that have not been returned to the Public Records Office. They are overdue from between 2001 and 2011. Many of these records have been outstanding for a number of years despite numerous attempts to recall them. Business Units have changed, staff have left and records have been either passed on or held in containers unknown to the unit.<sup>24</sup>

## Accessing records held by private/community organisations

102. Over half of the more than 100 homes and institutions that housed children in Victoria over the last 150 years have been privately owned and operated. The vast majority of these homes were managed by religious organisations.
103. It is common for a former ward of the state to have been placed at a number of homes, both state and private, during their childhood. My investigation was also told of instances where a child may have been placed in a private home by their family, only for their care to have later been taken over by the state. In most instances the child remained in the private institution, but became a ward of the state from that point.
104. Most of these institutions have long since closed down. My investigation identified that there were a number of different approaches to the management and storage of records held by these institutions upon their closure, such as transferring them to the department or to another institution usually with the same denomination.
105. In other instances the preservation of the records was not given the same priority. My investigation received anecdotal reports of entire collections of records having been destroyed, lost, and even turning up in someone's garage.

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<sup>24</sup> *ibid*, page 18.

106. An example of a community organisation still holding records today is MacKillop Family Services. MacKillop Family Services was established in 1997 to continue the services (foster care, residential care and specialised home-based care services) to children, young people and families previously undertaken by the Sisters of Mercy, the Christian Brothers, and the Sisters of St Joseph. My investigation identified that MacKillop Family Services holds around 115,000 records, and that these would include files relating to people who were considered wards of the state.
107. At present there appears to be no formal requirement for the department to assume any responsibility for the records held by these past providers that relate to children who were wards of the state. While many of these organisations are under a contract with the department in terms of the current services they provide, their contractual obligations with regards to record-keeping do not relate to historical collections.
108. At interview a senior staff member within the department's Family Information Networks and Discovery (FIND) area stated that, upon receipt of a request for personal records, a search of the department's databases and/or the Pathways website (now Find & Connect) will often show that the applicant was in fact a 'care-leaver' housed by a private provider.
109. The senior staff member stated that in these instances the department directs the applicant to the private agency that they believe holds the records, but that there is a large variation in the standard of record-keeping and accessibility across these past providers. The senior staff member gave the following example at interview:
- ... we know that there should have been a sizeable file with [a community service organisation] in the eastern suburbs, but when he [an applicant] approached them, they said, "Well, we don't have the resources to actually look for the file."
- ...
- And in this case, you know, it had come up to me and I was contacting basically the manager of that agency saying, "You need to locate this file" and they're going, "it's in the basement, nothing's catalogued, I just don't have the resources to do it."
110. When asked if there were ward records still held by past providers the senior staff member stated:
- My sense of it is that a lot of those Community Service Organisations, if they've closed down, some of those records may have come into the department, or you know, there's been times where we've been told that you know, records might be held in someone's garage, you know, some really ridiculous stuff that makes you worry. But it's kind of, a lot of it is based on hearsay as well ...

111. In response to my draft report the department stated:

While the department has previously accepted records from closed institutions, records created by external agencies or contractors only become public records when they are received and owned by the department. As such, the department does not have a legal responsibility to manage or retrieve these records, especially where the agencies continue to exist.

Further, to retrieve records held by private institutions and funded organisations will significantly add to the already burgeoning storage pressures and costs and compromise the current program of work to identify, index and better manage the department's existing records holdings.

Wards and former wards of state can exercise their rights pursuant to the *Information Privacy Act 2000* to access their records held by other institutions. The department assists wards and former wards to identify and contact the institution where their records may be held.

## Impact on the Family Information Networks and Discovery service (FIND)

### Family Information Networks and Discovery (FIND)

112. Requests for records relating to former wards are managed by the department's Family Information Networks and Discovery (FIND) area. FIND was initially known as the Adoption Information Service and began in 1985. The Corporate Integrity, Information & Resolutions Unit (CIIRU) began three years earlier and was previously known as the Freedom of Information (FOI) Unit.
113. The FIND service is comprised of a small group of around 11 staff working with requests for records from former wards and adoptees.
114. In mid 2005 the department decided responsibility for processing the FOI applications of former wards would be transferred to FIND, in order that access to records may be combined with support services.
115. The department funds these support services either directly by its FIND service, or through external support agencies such as Open Place. Open Place, a support and advocacy service for Forgotten Australians, recommends that care-leavers receive counselling through the search process. At interview, the Records and Reunions Coordinator with Open Place estimated that around 90 per cent of the 2,000 or so applicants it assists annually in seeking records of their time in care take up the option of counselling.
116. Requests for assistance to FIND increased following the Victorian apology to Forgotten Australians in 2006 and the national apology in 2009 with department statistics showing a 43 per cent increase in applications since 2005.
117. Processes within the FIND area are much the same as for applications received via the FOI process. However FIND waives the standard FOI application fee of \$23.40 in relation to applications from former wards, while reserving the right to charge this fee if the request is made by a relative or other third party.
118. At interview a senior staff member from FIND confirmed that the department prioritised applications based on the situation of the applicant. The senior staff member said:

What we do, is we prioritise elderly clients. I think our cut off is - I can't remember whether it's 65 or 70 - because it's different between adoption and former wards. So we'll prioritise those you know, anyone where there's a disability, you know, we'll basically push those ones through. Or if it's say, a family search and someone's you know, terminally ill because of it, then that will be - they'll be the cases that we'll prioritise over and above the general ones.

119. The current process of retrieving records as a result of a request to FIND involves staff of the department's archives branch searching for the relevant records in their repository, and/or PROV. Witnesses told my investigation that this search can often take archives staff around two weeks to conduct.
120. Archives staff will then scan the relevant records and forward these to FIND for review to determine what can be released to the applicant and whether any records need to be de-identified where reference is made to other individuals.
121. Senior staff members from the department's Information & Records Services area confirmed that due to capacity issues with the network drives used to store and send documents to FIND, scanned copies of documents found during the FOI process had to be deleted once provided to FIND. As a result, the search, retrieval and scanning process would have to be repeated should a later request come in for the same information.

## **The challenges in locating ward records**

122. For a former ward of the state, the search for records can often be a long and arduous one. Both departmental and support agency staff said that it was quite common for former wards to make numerous and repeated requests, over a number of years, to a number of different agencies, not just the department.
123. A senior staff member from FIND also confirmed that former wards would often make numerous requests for information over the years, often with varying results. The following example was given:

This woman came back to the department - has come back to the department over her lifetime ... I think she's applied for her files, say, in the last 20 years maybe three times. And the first few times nothing, nothing, and then the third time, bang, we found everything ... So, it was due to her persistence over maybe a 25-year period that led to her getting these records eventually.
124. The department has responded that:

It is most likely in this case that records were found years later as a result of discovery actions taken by the department to identify the content of unknown collections.
125. The May 2011 Business Case noted that there was a high percentage of requests for documents from wards and adoptees for which records could not be located:

Searches for ward and adoption records have only been recorded in TRIM in the last 3 years by IR&S [Information & Records Services]. In that time IR&S has conducted 1,787 searches for former ward and adoptions records of which 389 were not located, approximately 21 per cent of requests. This is partially due to the large volume of records, which remain un-indexed and consequently irretrievable to the department.

Locating adoption or former ward records requires use of very old manual registers and cross checking of indexes to verify and locate a file. An initial search may reveal a single or multiple records however in some instances consultation with the client or evidence within the file may reveal additional records in existence that were unable to be discovered in the first search. This may result in an additional request and more search time to try and locate other possible records. This is a high cost to the department as additional resources are involved.<sup>25</sup>

126. Several interviewees related instances where a request for records only returned a one page document, despite the person having been a ward for a number of years. This type of outcome would not be included in the 21 per cent of instances where 'no records' were located.

127. At interview a records management specialist said that:

Because these records are unindexed, we had a fairly large collection which really could not be discovered, it was almost like looking for a needle in a haystack. It was almost impossible to satisfy both the identity requirements and the legal requirements.

128. The senior staff member from FIND also stated that a lot of the knowledge as to where ward records might be kept rested with individual staff members:

... as recently as May this year, you know, we were told that apart from the ward file which was always held centrally, if there were records say, after the regionalisation of the department, then there might also be regional files, depending on when the file was created, there might be child protection society files, so you know, every now and then we work out that there might be another avenue to locate records.

...

You're kind of gathering information from here, there, everywhere, and sometimes it can just be you know, even on gut instinct, in terms of workers that have worked there for a long time, and kind of realised where some of these records come, and might just remember, "Oh I actually remember getting one of those records out of using this method." So a lot of it sort of depends on how good the operator is with their system, which is a real pity ...

<sup>25</sup> *op cit*, pages 24 - 25.

129. In response to my draft report, the department stated that:
- FIND's policy and procedures manual provides a sound base for standardised practice. FIND's capacity to identify client records is based on the records cataloguing system and as new opportunities are identified that assist in locating files, this information is incorporated into the policy and procedures manual and shared with all staff.
130. The senior staff member from FIND also stated that out of the 600 or so requests received by FIND regarding the records of former wards in the last financial year there had been 81 (13.5 per cent) where a search had not returned any records at all. She confirmed that this is despite the department being able to confirm in each of these instances that the persons in question were former wards of the state.
131. The Public Record Office was not created until 1973. As a result, the department is also presented with the challenge of dealing with the legacy of 150 years of records, across 100 different institutions, during a time which for the most part, there was virtually no guidance or standards in terms of how records should be maintained.
132. This is particularly relevant in terms of the written content of records and the variation in the amount and type of information recorded across the various institutions. Most people interviewed by my investigators who have viewed examples of these records told of wording (for example, in relation to a child's perceived mental capacity) that would be considered insensitive by today's standards.
133. As a result staff from agencies such as Open Place and CLAN said that they try to prepare former wards who are applying for records that they may be disappointed with both the content and the paucity of information located.

## The department's action to address the state of ward records

### Previous audits and reviews

134. In the last 15 years, there have been many reviews and audits, both internal and external, of the department's record-keeping systems. For example, an internal survey conducted by the department in 2004 found that:
- difficulties were encountered in readily finding complete, accurate and authoritative records
  - vital records are not well protected and have been lost due to naturally occurring events such as fires
  - at least 76 per cent of records are not captured in the department's recordkeeping systems or managed appropriately.<sup>26</sup>
135. Similar concerns were highlighted in 2008, in a departmental project brief:
- There is no one system available to DHS that holds a full comprehensive description of all active and inactive record collections (accessions/consignments), or the location and identity of key registers, indexes and finding aids. Many of the collections have been transferred into the department's custody from former hospitals, institutions, children's homes and other sources.<sup>27</sup>
136. Later reports detail similar findings. These include the 2008 Victorian Auditor General's Office (VAGO) report on management of records in the Victorian public sector, which found that many government agencies, including the department, had not established effective records management frameworks. A review of the department's records management service model by external auditors KPMG in 2010 also highlighted that the management of records must meet the needs of the past, including legacy documents, archives and Freedom of Information, as well as the needs of the present and future.<sup>28</sup>
137. While various projects have been undertaken to address the concerns highlighted throughout this report, not one of these attempts was successful. Most were largely piecemeal and generally only resulted in small collections of records having been addressed before the project was abandoned, usually because of a lack of funds. My investigation was told that the introduction of these numerous different referencing systems had only added to the difficulty in finding records from within the department's collection.

26 Cited in the Victorian Auditor-General's report: *Records Management in the Victorian Public Sector*, March 2008, page 76.

27 Project Brief Vital Records Registration - February 2008, page 1.

28 KPMG *Review of the records management service model, Final Report*, 2010, page 42.

138. The department has advised that it:

continues to give serious consideration to how it can address these long-standing legacy issues. A number of initiatives have been implemented in recent years ... [including]

- the digitisation of over 42,000 ward index cards
- the capture of more than 50,000 ward and adoption files into the corporate records management system, Total Records Information Management (TRIM) system
- the statewide audit of over 200,000 child protection records pertaining to current clients
- the identification of collections of former children's homes stored at the Bourke Street repository and the Public Record Office Victoria (PROV).

## Current proposal to address record-keeping concerns

139. The department's May 2011 Business Case sought the investment of \$8.6 million to implement Electronic Document and Records Management across the department.

140. The Business Case acknowledged that 'DHS holds multiple collections of closed institution records with limited or no cross reference' and further noted that:

- Not all records can be located as a sizeable, though indeterminate number, are not captured in any system. Locating records using existing manual processes is inefficient and time consuming especially where records cannot be tracked.
- The inability to confirm the existence of client records can cause public concern and reduce the ability of DHS to respond adequately to requests received through FOI, Subpoenas and directly from former clients or their representatives.
- Often, the records represent the only link to the past for former clients. Capturing the records electronically will enable 'lost' records to be found. Clients will be able to access their records and enrich their lives as well as the history of the state.<sup>29</sup>

141. The Business Case raised concerns about different record-keeping practices across the department:

DHS does not have a strong information management culture and existing groups and units tend to manage their information in an ad hoc and inconsistent manner based on self-generated processes and rules.<sup>30</sup>

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<sup>29</sup> *op cit*, page 17.

<sup>30</sup> *ibid*, page 22.

142. The Business Case noted that ‘pockets of client information can be buried in administrative records where the client details have not been indexed’ and that ‘It is beyond the current DHS capacity to review all these records for possible content without extensive work’.<sup>31</sup>
143. Despite this, the issue of the preservation and capturing of the ward records is not directly addressed by the Business Case. No funding is sought in relation to these historical records and while it is flagged as a project to be conducted in the future there is no specific timeline proposed.
144. At the time of my finalising this report a final decision was yet to be received in relation to the Business Case. However, the department has advised that:

The cost for digitisation of all ward records, including those that are not yet identified is well in excess of \$1 million and the department has not been in a position to prioritise this over service delivery priorities.

145. My investigation learnt that despite the apparent resourcing issues having an impact on the proper indexing and cataloguing of ward records, staffing numbers in the Archival Services area have recently been reduced.
146. The department responded that it is:

commencing a program of work to identify and index all records held at the central repository at 672 Bourke Street Melbourne. Departmental records held at other storage facilities and departmental offices will also be identified. Priority will be given to ward records. This process is expected to result in records being better managed in accordance with PROV requirements.

The Information and Records Services Unit is currently being restructured to improve operational efficiencies and service delivery and position the record management service to meet the current and emerging business needs and to further address long-standing legacy issues. The new structure will also better respond to the challenges to ensure legacy records meet current recordkeeping standards given the 315 new compliance requirements issued by PROV since July 2010. The new Records Management Unit will be fully operational by April this year.

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<sup>31</sup> *ibid*, page 24.

## Conclusions

147. There are records relating to at least 80,000 additional former wards of the state in addition to the 50,000 that have been identified to date by the department. These records are likely to be held at a number of locations, including the department's repositories and private/community organisations. Others may have been destroyed some time ago.
148. The reasons behind why the search for records is important to former wards and/or their relatives are varied. The consequences of records being scarce or unavailable may often be severe, resulting in the inability to access important information (such as genetic health conditions and family background), and greatly reduced opportunity to seek redress for the harm and abuses of the past.
149. Despite having the majority of the ward records since at least the mid 1990s the department has not yet fully appraised and audited all records held in its collection. Boxes of significant records are still being discovered within the department's collections that were received over 15 years ago. At the same time former wards searching for these records have been told that they do not exist or can not be found.
150. The department has responded that it 'recognises the significant responsibility that comes with managing the large volume of important and often very sensitive records in its care, and takes its recordkeeping obligations seriously'. However, despite this, the department does not have a thorough appreciation of the number of persons whose personal history is contained in its archives, nor where to find all the records relevant to these people. This presents significant barriers to FIND and FOI applicants, as well as the department's own staff, in trying to locate all relevant records relating to a person's time in care.
151. The department's own statistics of 21 per cent of searches relating to FIND requests over the least three years having returned 'nil documents' in itself is illustrative of the problem. In addition, numerous searches return very little information compared to the amount of time a person has spent in care. This indicates that the figure of 21 per cent may be an underrepresentation of the extent of the inadequate indexing of the department's ward records.
152. While my investigation was told of an increased awareness by the department of the importance of these records, resources and attention to date have largely been devoted to assisting applicants in dealing with the emotional impact once they get the results of the search. The department has failed to address one of the main issues affecting these searches, namely the storage and management of the records it is responsible for. At present the department can never be confident that it has located all records held in its archives relating to a former ward's time in the care of the State of Victoria. I therefore consider that the department is failing to meet its obligations to former wards and their families in this regard.

153. The implementation of the new Find & Connect service does not address the substantive issue of the state of the records held by the department relating to former wards. In my view this service is only likely to highlight the department's inadequate management of these records.
154. The issues described in this report are long-standing. They affect the rights and well-being of many thousands of former wards of the State of Victoria. Efforts to remedy this situation have been spasmodic and relatively ineffectual. Successive governments and departmental administrations appear not to have regarded remediation and the establishment of a sustainable conservation and management plan for these records of sufficient priority to warrant the necessary attention and resourcing to fix the problem.
155. I consider that the department should take immediate action to ensure that it has a thorough understanding of the records it holds in its collection so that care-leavers can be assured that they have been provided with all the available information regarding this often traumatic chapter of their lives.

## Recommendations

I recommend that the department:

### Recommendation 1

In consultation with the Keeper of the Public Records and relevant stakeholders, develop a three year plan with specific actions, timelines, measures of progress and funding strategies for the identification, indexing, conservation, storage, management and provision of ready digital access for all records relating to former wards of the State of Victoria.

#### *The department's response*

##### Accepted in principle

The department accepts the need for the identification, indexing, conservation, storage, and management of records relating to former wards, which must be done in a systematic way in tandem with other records in the departmental holdings that could potentially contain information on former wards.

The department's collections include administrative records pertaining to a range of clients including Mental Health and Disability clients as well as former wards. The department is able to identify the ward files and ward index cards in its custody; however it is not possible to identify 'all records relating to former wards' until all collections are fully examined.

Given the scope and complexity of records in the department's collections and the unknown quantum of former ward records held by funded agencies, a three year timeframe for completion is not realistic. The implementation of the plan would be subject to appropriate resourcing being available.

The requirement to provide 'ready digital access' will be considered in the plan but the department cannot fully commit to this as many ward records, such as those contained within bound handwritten registers, are unsuitable for digitisation. In addition, there is significant cost associated with full digitisation of all records.

### Recommendation 2

Include within the plan priorities for action where the documents may be at risk and/or may need to be readily accessible for any known, pending civil proceedings and/or are being sought by former wards with foreshortened life expectancy.

### ***The department's response***

#### **Accepted in principle**

The department takes its recordkeeping responsibilities seriously and seeks to minimise risk to the collections ... the quantum of ward records cannot be known until the department's records have been assessed, identified and separated. Further, the age and health of a former ward must have been noted and identified or potential criminal or civil proceedings known about so that the records can be appropriately prioritised.

During the identification process ward records relating to former wards with limited life expectancy could be separated and given priority, however this exercise could affect the main objective in identifying and indexing all ward records. It is possible that once all records are in the electronic database reports can be obtained providing this information.

#### **Recommendation 3**

Communicate the discovery of any further collections of records relating to former wards and institutions, to relevant stakeholders and support groups and via the department's website and the Find & Connect (formally Pathways) website.

### ***The department's response***

#### **Accepted**

#### **Recommendation 4**

Provide for the relocation of records of wards to specific purpose document archival storage facilities.

### ***The department's response***

#### **Accepted**

#### **Recommendation 5**

Negotiate agreements with each non-government agency holding records of former wards of the state in order to either:

- identify and index all such records and hand them to the department for further conservation and management; or
- maintain them and provide assumed access under protocols formally agreed with the department.

### ***The department's response***

#### **Accepted in principle**

However the department has proposed:

... While the department has previously accepted records from closed institutions, records created by external agencies or contractors only become public records when they are received by, and in the custody of, the department. The department does not have a legal responsibility to retrieve these records.

The department proposes to negotiate agreements with non-government agencies currently funded by the department to identify and index all records of former wards of the state and provide access under protocols formally agreed with the department subject to funding.

#### **Recommendation 6**

Publish the three year plan on its website.

### ***The department's response***

#### **Accepted in principle**

Following development, the plan would be placed on the department's website noting the comments in the response to recommendation 1 regarding resourcing and timeframes.

# Ombudsman's Reports 2004-11

## 2011

Investigation into the Foodbowl Modernisation Project and related matters  
November 2011

Investigation into ICT-enabled projects  
November 2011

Investigation into how universities deal with international students  
October 2011

Investigation regarding the Department of Human Services Child Protection program (Loddon Mallee Region)  
October 2011

Investigation into the Office of Police Integrity's handling of a complaint  
October 2011

SafeStreets Documents - Investigations into Victoria Police's Handling of Freedom of Information request  
September 2011

Investigation into prisoner access to health care  
August 2011

Investigation into an allegation about Victoria Police crime statistics  
June 2011

Corrupt conduct by public officers in procurement  
June 2011

Investigation into record keeping failures by WorkSafe agents  
May 2011

*Whistleblowers Protection Act 2001* Investigation into the improper release of autopsy information by a Victorian Institute of Forensic Medicine employee  
May 2011

Ombudsman investigation - Assault of a Disability Services client by Department of Human Services staff  
March 2011

The Brotherhood - Risks associated with secretive organisations  
March 2011

Ombudsman investigation into the probity of The Hotel Windsor redevelopment  
February 2011

*Whistleblowers Protection Act 2001* Investigation into the failure of agencies to manage registered sex offenders  
February 2011

*Whistleblowers Protection Act 2001* Investigation into allegations of improper conduct by a councillor at the Hume City Council  
February 2011

## 2010

Investigation into the issuing of infringement notices to public transport users and related matters  
December 2010

Ombudsman's recommendations second report on their implementation  
October 2010

*Whistleblowers Protection Act 2001* Investigation into conditions at the Melbourne Youth Justice Precinct  
October 2010

*Whistleblowers Protection Act 2001* Investigation into an allegation of improper conduct within RMIT's School of Engineering (TAFE) - Aerospace  
July 2010

Ombudsman investigation into the probity of the Kew Residential Services and St Kilda Triangle developments  
June 2010

Own motion investigation into Child Protection - out of home care  
May 2010

Report of an investigation into Local Government Victoria's response to the Inspectors of Municipal Administration's report on the City of Ballarat  
April 2010

*Whistleblowers Protection Act 2001* Investigation into the disclosure of information by a councillor of the City of Casey  
March 2010

Ombudsman's recommendations - Report on their implementation  
February 2010

## 2009

Investigation into the handling of drug exhibits at the Victoria Police Forensic Services Centre  
December 2009

Own motion investigation into the Department of Human Services - Child Protection Program  
November 2009

Own motion investigation into the tendering and contracting of information and technology services within Victoria Police  
November 2009

Brookland Greens Estate - Investigation into methane gas leaks  
October 2009

A report of investigations into the City of Port Phillip  
August 2009

An investigation into the Transport Accident Commission's and the Victorian WorkCover Authority's administrative processes for medical practitioner billing  
July 2009

*Whistleblowers Protection Act 2001* Conflict of interest and abuse of power by a building inspector at Brimbank City Council  
June 2009

*Whistleblowers Protection Act 2001* Investigation into the alleged improper conduct of councillors at Brimbank City Council  
May 2009

Investigation into corporate governance at Moorabool Shire Council  
April 2009

Crime statistics and police numbers  
March 2009

## **2008**

*Whistleblowers Protection Act 2001* Report of an investigation into issues at Bayside Health  
October 2008

Probity controls in public hospitals for the procurement of non-clinical goods and services  
August 2008

Investigation into contraband entering a prison and related issues  
June 2008

Conflict of interest in local government  
March 2008

Conflict of interest in the public sector  
March 2008

## **2007**

Investigation into VicRoads' driver licensing arrangements  
December 2007

Investigation into the disclosure of electronic communications addressed to the Member for Evelyn and related matters  
November 2007

Investigation into the use of excessive force at the Melbourne Custody Centre  
November 2007

Investigation into the Office of Housing's tender process for the cleaning and gardening maintenance contract - CNG 2007  
October 2007

Investigation into a disclosure about WorkSafe's and Victoria Police's handling of a bullying and harassment complaint  
April 2007

Own motion investigation into the policies and procedures of the planning department at the City of Greater Geelong  
February 2007

## **2006**

Conditions for persons in custody  
July 2006

Review of the Freedom of Information Act 1982  
June 2006

Investigation into parking infringement notices issued by Melbourne City Council  
April 2006

Improving responses to allegations involving sexual assault  
March 2006

## **2005**

Investigation into the handling, storage and transfer of prisoner property in Victorian prisons  
December 2005

*Whistleblowers Protection Act 2001* Ombudsman's guidelines  
October 2005

Own motion investigation into VicRoads registration practices  
June 2005

Complaint handling guide for the Victorian Public Sector 2005  
May 2005

Review of the Freedom of Information Act 1982  
Discussion paper  
May 2005

Review of complaint handling in Victorian universities  
May 2005

Investigation into the conduct of council officers in the administration of the Shire of Melton  
March 2005

Discussion paper on improving responses to sexual abuse allegations  
February 2005

## **2004**

Essendon Rental Housing Co-operative (ERHC)  
December 2004

Complaint about the Medical Practitioners Board of Victoria  
December 2004

Ceja task force drug related corruption - second interim report of Ombudsman Victoria  
June 2004



