



Appendix two – Managing antisocial behaviour in other jurisdictions

Jurisdiction	How it works
Australian Capital Territory (ACT) Housing & Community Services ACT – Disruptive Behaviour Policy	<ul style="list-style-type: none">• Behaviour is disruptive when it causes nuisance and annoyance to sectors of the community over a period of time, and has an adverse or disturbing effect on that community.• Examples of disruptive behaviour include criminal activity (theft, assault), loud and abusive domestic disputes, harassment, excessive noise.• People impacted by disruptive behaviour can seek mediation, referrals to support services or report behaviour to police.• Tenants subject to a complaint may be asked to report to referral services, or face legal action for eviction as a last step to stop disruptive behaviour.
Victoria Department of Health and Human Services – Neighbourly Behaviour and Support Policy Statement 2014; Tenancy Breaches policy statement 2014	<ul style="list-style-type: none">• Behaviour is antisocial when it is aggressive, threatening, abusive or hostile towards neighbours, and causes nuisance to neighbours and the Housing Agency.• Examples of antisocial behaviour include use of premises for illegal purposes, nuisance or interference to the reasonable peace, comfort or privacy of a neighbour, property damage, poor condition, danger and drug related conduct.• People impacted by antisocial behaviour have the following available options can seek mediation, referral to support services or police as appropriate, and/or work with Housing and Human Services staff to work to solve the matter locally.• Tenants subject to a complaint or allegation may be asked to follow determinations from the Victorian Civil and Administrative Tribunal (VCAT), receive a 'zero tolerance' strike under the zero-tolerance approach, receive a strike notice under three strikes approach, and/or face legal action where the behaviour constitutes a breach of the relevant legislation or tenancy agreement.• Housing agency staff must undertake a human rights impact assessment prior to issuing a notice to vacate, which will be approved from Management to commence action at VCAT.
Tasmania Housing Tasmania – Behaviour in Housing Tasmania Properties Policy, 2015	<ul style="list-style-type: none">• Housing Tasmania can issue strikes for behaviour that breaches tenancy agreements.• Strikes include nuisance, interfering with quiet enjoyment or normal activities of another person, harassment, hoarding, excessive noise, property intrusions and unlawful offences.<ul style="list-style-type: none">– A verbal warning can be issued before a strike. Verbal warnings and strike are active for two years.– A second strike can be issued, it is active for two years.– Third strike results in a notice to terminate/vacate.– Serious offences warrant an immediate third strike.• The Department will work with tenants to assist them in improving their behaviour and avoid evictions.• Tenancy managers have discretion to vary the direction of this policy and how to respond to unlawful or nuisance behaviour. For example, vulnerable tenants.

Jurisdiction	How it works
<p>South Australia Housing South Australia – Disruptive Behaviour Policy 2016</p>	<ul style="list-style-type: none"> Behaviour is disruptive when it: unreasonably or repeatedly interferes with the peace, comfort and privacy of other neighbours and residents; causes or is likely to cause serious property damage; threatens, intimidates, assaults or frightens anyone on or near the property, including Department staff and contractors. Examples of disruptive behaviour ranges from minor (e.g. loud music, car parking disputes) to moderate (domestic disputes, intimidating behaviour, abuse) to serious (damage to property, threats to life, frequent disruptive behaviour). Tenants subject to a complaint or allegation may be: referred to support services; afforded natural justice; issued a verbal warning for infrequent minor/moderate disruptive behaviour; issued a strike for serious and frequent minor/moderate disruptive behaviour; have their tenancy terminated. The Department also uses probationary and fixed term leases and Acceptable Behaviour Contracts.
<p>Western Australia Housing Authority – Disruptive Behaviour Management Policy 2011</p>	<ul style="list-style-type: none"> Behaviour is disruptive when it: disturbs the quiet enjoyment of neighbours; intentionally or recklessly causes disturbance to persons in the immediate vicinity, or which could reasonably be expected to cause concern for the safety or security of a person of their property. <ul style="list-style-type: none"> For example, loud parties, domestic and family disputes, unwanted entry into neighbouring properties, substantial disturbance from children associated with loud noise, excessive noise that impacts neighbours, vandalism, graffiti, physical fighting, abuse and threats towards neighbours. Behaviour is dangerous when it: demonstrates a demonstrable risk to the safety or security of residents or property; or has resulted in injury to a person in the immediate vicinity and subsequent police charges or conviction. <ul style="list-style-type: none"> For example, physical assault and violence towards a person not associated with the tenancy, aggravated threats to safety and intimidation, threats with a weapon, intentional or reckless damage to property resulting in police charges or conviction. Tenants who are subject to a complaint or allegation may be: interviewed for natural justice; be issued a strike; be issued subsequent strikes, up to three in 12 months; subject to a tenancy termination; where appropriate referred to Mental Health Commission.
<p>Northern Territory Department of Housing and Community Development – Red Card Policy, August 2016</p>	<ul style="list-style-type: none"> Behaviour is antisocial when it: is abusive or violent; creates alarm or fear in, or annoyance to neighbours or others in the vicinity; or involves graffiti littering or vandalism. Antisocial behaviour is divided into tiers: <ul style="list-style-type: none"> Minor – e.g. nuisances, annoyances, excessive noise, offensive language Moderate – e.g. abuse, threats, intimidation, damage to property Serious – e.g. violence, immediate threats to others, intentional damage, assault. Tenants who are found to be responsible for antisocial behaviour will be issued demerit points. Minor behaviour warrants one demerit point, moderate behaviour warrants two demerit points, serious behaviour warrants three demerit points. <ul style="list-style-type: none"> If a tenant receives six demerit points, the Department can terminate the tenancy. Demerit points expire after 12-months from last substantiated incident. Tenants at risk of receiving a demerit point may be offered support. Tenants subject to a complain/allegation may also be required to enter an acceptable behaviour agreement. People impacted by antisocial behaviour can contact Public Housing Safety Officers or call a Public Housing Safety Hotline.

Jurisdiction	How it works
<p>Queensland</p> <p>Department of Housing and Public Works – Fair expectations of behaviour policy, 2015</p>	<ul style="list-style-type: none"> • Behaviour is disruptive when it disturbs the reasonable peace, comfort or privacy of others; intentionally or recklessly disturbs neighbours; could cause concern for the safety and security of a tenant, others in the vicinity or neighbours; damages public housing property; or poses a risk to safety and security of residents or property. • Disruptive behaviour is divided into three categories: <ul style="list-style-type: none"> – Minor – e.g. excessive noise, loud parties – Moderate – e.g. harassment, aggressive or obscene language, damaging departmental property – Dangerous or severe behaviours – e.g. illegal or alleged illegal activity, drug production, supply or trafficking, domestic and family violence, assault. Malicious damage to property. • People impacted by disruptive and illegal behaviour can report to the tenancy manager by email, phone fax or in person. • Tenants subject to a complaint or allegation may be issued a warning, or notice to leave if their behaviour is dangerous or severe. If evicted, the department may assist a tenant to find alternative housing in the private market, emergency accommodation and assistance from other crisis support providers.