



2013–2014

ANNUAL REPORT

Australian Capital Territory
OMBUDSMAN 

Australian Capital Territory 2014

ISSN 1037–4302

Subject to acknowledgement, noting the ACT Ombudsman as the author, extracts may be copied without the publisher's permission.

Produced by the ACT Ombudsman, Canberra

Design: Papercut Graphic Design

Printing: Canprint

Stock: Monza Recycled Satin



ISO 9072 LONG LIFE



ELEMENTAL CHLORINE FREE



ENVIRONMENTAL MANAGEMENT SYSTEMS



FOREST MANAGEMENT CERTIFICATION



CERTIFICATION



RECYCLED CONTENT



RENEWABLE ENERGY



CERTIFIED CO₂ NEUTRAL



2013–2014

ANNUAL REPORT



Contacting the ACT Ombudsman

Enquiries about this report or requests for other information should be directed to:

Director, Corporate, Strategy and Communications
Commonwealth and ACT Ombudsman

If you would like further information about the Ombudsman:

| | |
|------------------|--|
| Visit | Level 5, Childers Square 14 Childers Street CANBERRA ACT 2601 |
| Post | GPO Box 442 CANBERRA ACT 2601 |
| Telephone | 1300 362 072 |
| Facsimile | (02) 6276 0123 |
| Email | ombudsman@ombudsman.gov.au |
| Website | www.ombudsman.act.gov.au |

The ACT Ombudsman Annual Report 2013–14 is available on our website.

A – Transmittal Certificate



12 September 2014

Mrs Vicki Dunne MLA
Speaker
Legislative Assembly for the ACT
London Circuit
CANBERRA ACT 2600

Dear Speaker

This report has been prepared in line with section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements of the ACT *Annual Reports (Government Agencies) Notice 2014 (No 1)*, NI2014-319.

It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report by the ACT Ombudsman.

I certify that the attached Annual Report is an honest and accurate account and that all material information on the operations of the ACT Ombudsman during the period 1 July 2013 to 30 June 2014 has been included.

Section 15 of the *Annual Reports (Government Agencies) Act 2004* requires that you cause a copy of the report to be laid before the Legislative Assembly within three months of the end of the financial year.

Yours sincerely

A handwritten signature in black ink, appearing to read "Colin Neave".

Colin Neave AM
ACT Ombudsman

Contents

| | |
|---|------------|
| Section A – Transmittal Certificate | iii |
| Section B – Performance Reporting | 2 |
| B.1 Organisational Overview | 2 |
| Our Role and Functions | 2 |
| Strategic Engagement | 2 |
| Summary of Performance | 3 |
| Outlook and Priorities | 3 |
| B.2 Performance Analysis | 3 |
| Your Ombudsman at Work | 4 |
| Summary of Complaint Statistics | 4 |
| B.3 Community Engagement and Support | 6 |
| Section C – Governance and Accountability Reporting | 8 |
| C.4 Legislative Assembly Committee Inquiries and Reports | 8 |
| Section D – Legislation Based Reporting | 9 |
| D.1 Public Interest Disclosure | 9 |
| D.2 Freedom of Information | 9 |
| D.4 Territory Records Act | 9 |
| Section F – Financial Management Reporting | 10 |
| F.6 Statement of Performance | 10 |
| Attachment 2 – Specific Reporting Requirements | 12 |
| ACT Policing – Inspections | 12 |
| Controlled Operations | 12 |
| Surveillance Devices | 13 |
| Assumed Identities | 14 |
| Child Sex Offenders Register | 14 |
| Attachment 3 – Compliance Index | 15 |
| Report on Omissions and Reasons for Non Compliance | 15 |
| Omissions | 15 |
| Appendix 1 – Approaches and Complaints Received and Finalised about Directorates and ACT Policing, 2013–14 | 17 |
| Glossary and Abbreviations | 20 |
| Index | 21 |

B

THE OMBUDSMAN AT WORK

Performance Reporting

B – Performance Reporting

B.1 Organisational Overview

Our Role and Functions

Our role is to resolve complaints and monitor the actions of government agencies and the police under the *Ombudsman Act 1989* and a range of other legislation.

Our services are free of charge. We can deal with most complaints involving the administrative actions of agencies and police, including requests made to them under the *Freedom of Information Act 1989* and ‘whistleblower’ disclosures under the *Public Interest Disclosure Act 2012*.

We monitor police use of covert powers through formal inspections of their records under the *Crimes (Controlled Operations) Act 2008*, the *Crimes (Assumed Identities) Act 2009* and the *Crimes (Surveillance Devices) Act 2010*. We also monitor police management of the child sex offenders register established under the *Crimes (Child Sex Offenders) Act 2005*.

We investigate as a last resort. Initially, we encourage people to work through their concerns with agencies or police. We enable this by working with agencies and police to ensure they provide accessible and effective complaint-handling processes to the public.

When we do investigate, it is done independently and impartially. Our aim in all cases is to resolve complaint disputes fairly and to help agencies improve services.

Our investigations are conducted in private and we cannot compel agencies or police to follow our recommendations. However, if agencies or police do not act on recommendations, the Ombudsman may provide a report to relevant ministers,

the Chief Minister or the Legislative Assembly, or release a public report on the matter.

Our work helps people access remedies. These range from better explanations on why agencies or police did what they did, through to decisions being changed or actions expedited. Other remedies include apologies and changes to law, policy or practices that help others in the future.

The ACT Ombudsman role is delivered by the Commonwealth Ombudsman under a Services Agreement between the ACT Government and the Commonwealth Ombudsman.

Strategic Engagement

As part of our three-year refresh program, which commenced in January 2013, we focused on our engagement with administrative decision makers and those who deliver services to the public, the ACT Public Service (ACTPS).

We met with executive teams, business managers and frontline staff to discuss our role and the need to effectively engage with complainants before complaint disputes escalated to us.

We expressed our interest in briefings from agencies on planned initiatives and policy changes that could foreseeably result in public approaches to us.

We offered our expertise to agencies at the planning and design stage of new initiatives and in public communication campaigns.

Through proactive engagement with the ACTPS, we aim to minimise the triggers for public complaints.

Summary of Performance

We discharged all statutory functions and responsibilities as detailed in B.2 and Attachment 2 to this report. Additional highlights included:

- designing and delivering 20-minute ‘bite-sized’ seminars on ‘Five Things to Know About Your ACT Ombudsman’ to 800 ACTPS staff
- convening and facilitating two ACTPS complaint management forums on best-practice approaches to complaint resolution
- providing targeted feedback to agencies on improvements to complaint-handling processes
- establishing key stakeholder briefings with agencies to understand planned initiatives and policy changes before complaints were received
- commencing an own-motion investigation and survey on ACT and Commonwealth agencies’ complaint-handling processes.

Outlook and Priorities

On 1 July 2014 the Ombudsman became an Officer of the Legislative Assembly, reporting to the Speaker.

By making the Ombudsman accountable to the Parliament, rather than the Executive, the Assembly recognised that the Ombudsman plays an important role in the oversight of the administration of executive authority exercised by government agencies. It also recognised this role as being on behalf of the Assembly, rather than part of the executive.

In 2014–15 our priorities will focus on the correct and proper discharge of all our statutory functions, and engagement with ACT community bodies to gauge their service-delivery experiences and expectations of government agencies and police.

B.2 Performance Analysis

The ACT Ombudsman role is delivered by the Commonwealth Ombudsman under a Services Agreement. Quarterly performance reports are provided to the Head of Service on complaints received and investigated.

Information on our complaints work is provided at Appendix 1. Information on our inspections work is provided at Attachment 2.

Public contact with our office is recorded as an approach. Not all approaches are complaints requiring our further or formal action. People may simply be seeking help on raising a concern with government agencies or police. Others are concerned about the actions of an entity outside our jurisdiction.

We do not take further action on approaches when:

- we resolve the concern during that contact
- we refer the person to a more appropriate agency
- we cannot access a better remedy by investigating
- the matter is or has been before a court or tribunal.

For approaches that are within our jurisdiction and require further action, we usually contact the agency for further information and provide them with an opportunity to respond to the complaint. Often this contact is sufficient for us to resolve the complaint.

Remedies obtained by complainants may be at the initiative of agencies or suggested by us. These may include us providing the complainant with a better explanation of what the agency or police did and why.

Our community reputation for independence and impartiality often means complainants are more receptive to our messages than those from agencies or police about whom they have lodged a complaint. Through our contact we aim to rebuild trust in agencies and police in cases where their actions appear to us to have been fair and reasonable.

Your Ombudsman at Work

We supplement our 20-minute seminars to the ACTPS with a quarterly newsletter to agencies on approach trends and coming events.

Our complaint management forums for ACTPS staff are strongly supported by all agencies. Our first forum addressed consistency in complaint-management experiences across the ACTPS.

Our second was a workshop based on agencies sharing lessons learned on complaints and encouraging collaboration among complaint handlers.

We meet regularly with high-volume complaint agencies such as Community Services Directorate (Housing ACT) and Justice and Community Safety Directorate to ensure everyone is doing what they can to address complaints as they arise. Similarly, we participate in the Alexander Maconochie Centre oversight forum convened by ACT Corrective Services.

Examples of proactive briefing of our staff include meeting with ACTION Buses about its plans to revise its service timetable and reintroduce fare inspectors, and Environment and Sustainable

Development Directorate's Construction Occupations Registrar on its approach to complaints about building compliance.

Summary of Complaint Statistics

In 2013–14 we received 467 approaches: 374 about agencies and 93 about police. (In 2012–13 we received 563 approaches: 438 about agencies and 125 about police.)

In 2013–14 agencies accounted for 15% fewer approaches than in 2012–13. Police accounted for 26% fewer approaches than in 2012–13.

Decreasing approaches received by the Ombudsman is a positive outcome for the community. It reflects our work with agencies and police to ensure they provide accessible and effective complaint-handling processes to the public.

Our office also implemented a redesigned telephone queue and auto-attendant messaging system which supported this.

In 2013–14 we finalised 476 approaches: 382 about agencies and 94 about police. (In 2012–13 we finalised 587 approaches: 464 about agencies and 123 about police.)

We investigated 76 approaches: 65 about agencies and 11 about police. (In 2012–13 we investigated 128 approaches: 118 about agencies and 10 about police.)

Decreasing approaches investigated by the Ombudsman is also a positive outcome for the community. It reflects our efforts to transfer complaints to agencies and police, where appropriate, to see if the matter can be resolved under their complaint-handling processes before we consider investigating.

Figure 1: Approaches and complaints received about Directorates (excluding ACT Policing), 2003–04 to 2013–14

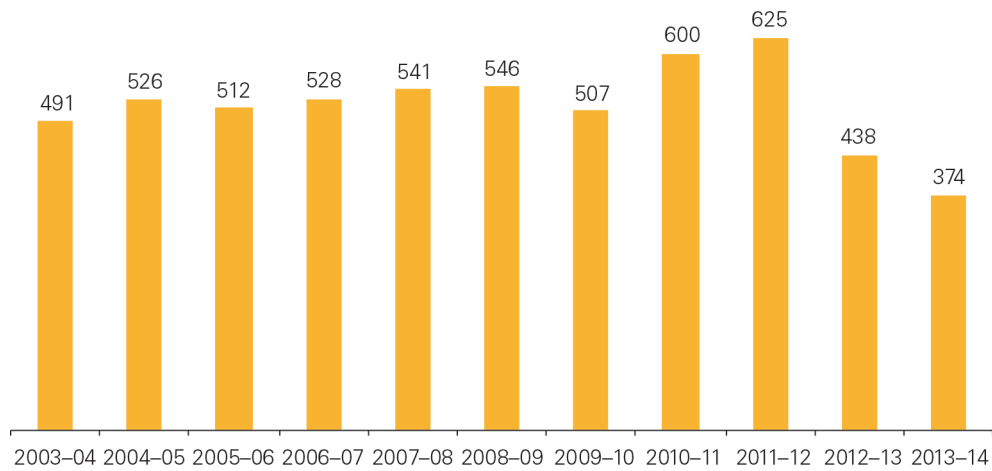
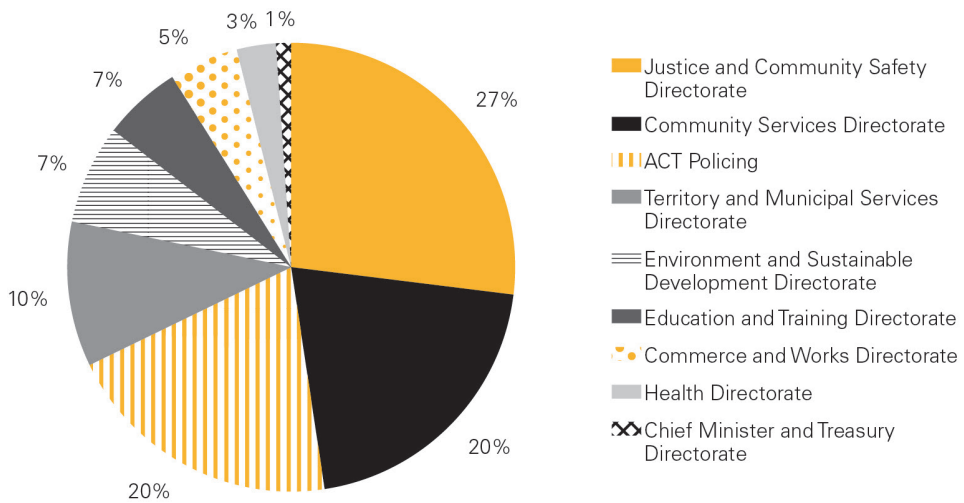


Figure 2: Spread of approaches and complaints received about Directorates* and ACT Policing, 2013–14



*Not shown – Economic Development Directorate received less than 1%

Figure 3: Remedies provided in finalised investigated complaints* about Directorates and ACT Policing, 2013–14

| Type of Remedy | Directorates | ACT Policing |
|----------------------------------|--------------|--------------|
| Better explanation provided | 58 | 13 |
| Decision changed or reconsidered | 14 | |
| Action expedited | 11 | |
| Apology | 7 | |
| Law, policy or practice changed | 1 | |
| Financial remedy | 1 | |
| Other non-financial remedy | 1 | |

*Multiple remedies may result from the same investigation

B.3 Community Engagement and Support

Although we focused on our engagement with the ACTPS this year, we continued to engage with community members on an individual basis as part of our complaint-handling role.

We attended the launch of Canberra’s community service directory, the *CONTACT Book* by CONTACT Canberra, and hosted a number of community organisations as part of our own-motion investigation and survey on ACT and Commonwealth agencies’ complaint-handling processes.

C - D - F

THE OMBUDSMAN AT WORK

**Governance and Accountability,
Legislation Based +
Financial Management Reporting**

C – Governance and Accountability Reporting

C.4 Legislative Assembly Committee Inquiries and Reports

Officers of the Ombudsman's office appeared before the Standing Committee on Public Accounts in December 2013 and the Select Committee on Estimates 2014–15 in June 2014.

D – Legislation Based Reporting

D.1 Public Interest Disclosure

The Ombudsman is a ‘disclosure officer’ under the *Public Interest Disclosure Act 2012* and may investigate disclosable conduct of the Head of Service.

No disclosures were made during the reporting period. One complaint about the handling of a disclosure was received and investigated under the Ombudsman Act.

D.2 Freedom of Information

In 2013–14 we finalised 12 approaches, four of which we investigated, about freedom of information requests made to agencies.

We received two requests for documents under section 14 of the *Freedom of Information Act 1989*.

These resulted in a full release with minor exemptions in relation to one request, and no release as there was no material held in relation to the other request.

D.4 Territory Records Act

Our office has a records-management program that was approved by the Director of Territory Records.

In accordance with the *Territory Records Act 2002*, we ensure that:

- all ACT Ombudsman records are stored appropriately and securely
- relevant position profiles and duty statements reflect the records management skills required by the office
- training is available for records management and general staff in record-keeping skills and responsibilities
- a controlled language system for records management for the office has been developed and is used by staff.

The office operates in line with the *Territory Records (Records Disposal Schedule — Ombudsman Complaint Management Records) Approval 2011 (No 1) (NI2011-93)*.

Section E – Nil to report, please refer to Attachment 3 on page 15.

F – Financial Management Reporting

F.6 Statement of Performance

In 2013–14 the ACT Government paid an unaudited total of \$1,113,205 (including GST) to the Commonwealth Ombudsman in accordance with our Services Agreement. It consisted of \$524,037 for ACT Ombudsman services and \$589,168 for complaint handling and inspections in relation to ACT Policing.

Attachments

THE OMBUDSMAN AT WORK

Specific Reporting Requirements
+ Compliance Index

Attachment 2 – Specific Reporting Requirements

ACT Policing – Inspections

ACT Policing has been responsive to our inspection findings and has implemented measures to better demonstrate compliance with relevant legislation. The findings of each inspection and progress against previous findings are reported to ACT Policing. We appreciate ACT Policing's cooperation in providing all documents relevant to our inspections during 2013–14.

Controlled Operations

The *Crimes (Controlled Operations) Act 2008* allows ACT Policing to conduct controlled (covert) operations in the ACT. The ACT Ombudsman is required to inspect the records of ACT Policing at least once every 12 months to determine the extent of its compliance with the *Crimes (Controlled Operations) Act 2008*.

During 2013–14 we finalised the results of one inspection of ACT Policing that was conducted during 2012–13.

We also conducted and finalised two inspections during 2013–14, which examined ACT Policing's records associated with all authorities to conduct controlled operations that had either expired or were cancelled during the period 1 January to 31 December 2013.

The following criteria were applied to assess compliance:

1. Were applications for authorities properly made and authorities properly granted?
2. Were applications for amendments of authorities properly made and decided?
3. Were cancellations of authorities properly made?
4. Were the reported activities covered by the authorities?
5. Were the notification requirements satisfied in the event of loss of or serious damage to property?
6. Were reports properly made and records properly kept by the agency?

At the inspection conducted in 2012–13, ACT Policing was assessed as compliant with the requirements of the *Crimes (Controlled Operations) Act 2008*, with one exception where the applicant, rather than the Principal Law Enforcement Officer (PLEO), made the PLEO's report under s 27.

In response to this issue, ACT Policing advised that as the PLEO was on leave, the applicant for the authority submitted the report on the PLEO's behalf in order to ensure that the legislated submission date under s 27 was met. Two minor administrative errors were also noted in the general register, which ACT Policing addressed after the inspection.

At the first inspection conducted in 2013–14, ACT Policing was assessed as compliant with the requirements of the *Crimes (Controlled Operations) Act 2008*, with one self-disclosed exception where the legislated timeframe for submitting the PLEO report under s 27 was not met. ACT Policing advised that the investigator overlooked the reporting timeframe.

In July 2013 we met with ACT Policing regarding how it may better demonstrate that reported activities were covered under each authority. In response to this meeting ACT Policing implemented measures that will enhance the level of assurance that our office is able to provide in relation to inspection criterion 4 above. We appreciate ACT Policing's cooperation and efforts in this matter.

At the second inspection conducted in 2013–14, ACT Policing was assessed as compliant with the requirements of the *Crimes (Controlled Operations) Act 2008* with the exception of one administrative issue, which ACT Policing rectified following our inspection.

Surveillance Devices

The *Crimes (Surveillance Devices) Act 2010* establishes a framework for the use of surveillance devices by law-enforcement officers in the ACT. The ACT Ombudsman inspects the records of ACT Policing to determine the extent of compliance with the *Crimes (Surveillance Devices) Act 2010*.

During 2013–14 we finalised the results of one inspection of ACT Policing that was conducted during 2012–13. We also conducted and finalised two inspections during 2013–14, which examined its records associated with all warrants that had either expired or were revoked during the period 1 January to 31 December 2013.

The following criteria were applied to assess compliance:

1. Were applications for warrants and emergency authorisations properly made?
2. Were applications for extensions and amendments to surveillance device warrants properly made?
3. Were revocations of warrants properly made?
4. Were surveillance devices used lawfully?
5. Were records properly kept and used by the agency?
6. Were reports properly made by the agency?

At the inspection conducted in 2012–13, ACT Policing was assessed as compliant with the requirements of the *Crimes (Surveillance Devices) Act 2010*, except in three instances.

In these instances, applications for the revocation of warrants were made to a judge or magistrate without the chief officer being satisfied that the use of a surveillance device under warrant was no longer necessary for the purposes of enabling evidence to be obtained of the commission of the relevant offence or the identity or location of the offender, as required by s 18(2).

In response to this issue, ACT Policing has implemented procedures to ensure that the Chief Police Officer or Deputy Chief Police Officer is satisfied under s 18(2) before an application to revoke a warrant is made to a judge or magistrate.

At the inspection we also commended ACT Policing for having issued internal guidance in relation to revoking warrants under s 18(4). It is mandatory to revoke a warrant if surveillance is no longer necessary.

In the absence of good record keeping and internal processes, it is difficult to assess a law-enforcement officer's compliance with this requirement. Acknowledging ACT Policing's existing internal guidance in relation to this provision, we made some additional suggestions in relation to how it may better demonstrate that it has proactively taken steps to mitigate non-compliance with s 18(4).

At the first inspection conducted in 2013–14, ACT Policing was assessed as compliant with the requirements of the *Crimes (Surveillance Devices) Act 2010*; with one exception, where it disclosed that a tracking device was installed in a vehicle without authorisation under warrant. ACT Policing advised that this was done under the mistaken assumption that a tracking device was authorised under the relevant warrant. It also advised that the tracking device was not used.

To avoid this issue occurring in future, we suggested that ACT Policing ensure that its officers refer to the relevant warrant prior to performing any actions under it. ACT Policing has agreed to our suggestion and advised that it has taken steps to avoid a recurrence of this issue.

At the second inspection conducted in 2013–14, ACT Policing was assessed as compliant with the requirements of the *Crimes (Surveillance Devices) Act 2010*, with the exception of one minor reporting error. ACT Policing advised that in future, all reports made under s 40 will record details in full.

Assumed Identities

The *Crimes (Assumed Identities) Act 2009* facilitates investigations and intelligence gathering in relation to criminal activity by providing for the lawful acquisition and use

of assumed identities in the ACT. The ACT Ombudsman may inspect records of law enforcement agencies to determine the extent of compliance with the *Crimes (Assumed Identities) Act 2009*.

To date, no inspections have been conducted under the *Crimes (Assumed Identities) Act 2009* as law enforcement agencies have advised that they have not applied the provisions of this Act.

Child Sex Offenders Register

The ACT Child Sex Offenders Register is established by the *Crimes (Child Sex Offenders) Act 2005*. The register must contain current information relating to the identity and whereabouts of people living in the ACT who have been convicted of sexual offences against children.

The ACT Ombudsman is required to monitor ACT Policing's compliance with Chapter 4 of the *Crimes (Child Sex Offenders) Act 2005*.

In 2013–14 we finalised one inspection of ACT Policing's maintenance of the register. ACT Policing was assessed as compliant with Chapter 4 of the *Crimes (Child Sex Offenders) Act 2005*, with the exception of minor administrative errors.

After the inspection, ACT Policing advised it had corrected each of these administrative errors. ACT Policing also advised that it had implemented quality-control procedures to reduce errors and to assist in greater compliance at future inspections. We commend the actions taken by ACT Policing.

The detailed report on the results of the inspection was provided to ACT Policing and the Minister for Police and Emergency Services in October and November 2013 respectively.

Attachment 3 – Compliance Index

Report on Omissions and Reasons for Non Compliance

The Commonwealth Ombudsman discharges the role of ACT Ombudsman. The following items are separately reported in the Commonwealth Ombudsman Annual Report 2013–14, which is available at www.ombudsman.gov.au.

Omissions

| Section | Part | Reason |
|---------|---------------------------------------|--|
| B.4 | Ecologically Sustainable Development | ACT Ombudsman functions are intrinsically linked with broader Commonwealth Ombudsman organisational operations |
| C.1 | Internal Accountability | |
| C.2 | Risk Management and Internal Audit | |
| C.3 | Fraud Prevention | |
| D.3 | Human Rights Act | |
| D.5 | Legal Services Directions | |
| D.6 | Notices of Non Compliance | |
| D.7 | Bushfire Risk Management | |
| D.8 | Commissioner for the Environment | |
| E.1 | Human Resources Management | |
| E.2 | Learning and Development | |
| E.3 | Work Health and Safety | |
| E.4 | Workplace Relations | |
| E.5 | Staffing Profile | |
| F.1 | Financial Management Analysis | |
| F.2 | Financial Statements | |
| F.3 | Capital Works | |
| F.4 | Asset Management | |
| F.5 | Government Contracting | |
| C.5 | Auditor-General and Ombudsman reports | Nil to report |

Appendix

THE OMBUDSMAN AT WORK

Approaches and Complaints Received
and Finalised about Directorates and
ACT Policing, 2013–14

Appendix 1 – Approaches and Complaints Received and Finalised about Directorates and ACT Policing, 2013–14

Explanation of terms used in the following table

| | |
|-------------------------------|---|
| CATEGORY 1 – not investigated | Approaches resolved without investigation, outcomes include referrals to appropriate agency or authority |
| CATEGORY 2 – not investigated | Complaints that require further internal enquiries/ research or more information from the complainant, resolved without contacting the agency |
| CATEGORY 3 – investigated | Complaints where an investigation was conducted and the agency contacted |
| CATEGORY 4 – investigated | Complaints where additional investigation conducted with the agency |

| Directorate/Agency | Total Received | Category 1 – not investigated | Category 2 – not investigated | Category 3 – investigated | Category 4 – investigated | Total Finalised | Remedies | | | | | | Total Remedies | |
|---|----------------|-------------------------------|-------------------------------|---------------------------|---------------------------|-----------------|------------------|---------|----------------------------------|-------------|------------------|---------------------------------|----------------|----------------------------|
| | | | | | | | Action expedited | Apology | Decision changed or reconsidered | Explanation | Financial remedy | Law, policy or practice changed | | Other non-financial remedy |
| Chief Minister and Treasury Directorate | 5 | | 5 | 1 | 1 | 7 | | | 1 | 1 | | | | 2 |
| Commerce and Works Directorate | 23 | 7 | 14 | | | 21 | | | | | | | | |
| Commerce and Works Directorate | 3 | 2 | 1 | | | 3 | | | | | | | | |
| ACT Revenue Office | 20 | 5 | 13 | | | 18 | | | | | | | | |

| Directorate/Agency | Total Received | Category 1 – not investigated | Category 2 – not investigated | Category 3 – investigated | Category 4 – investigated | Total Finalised | Remedies | | | | | | Total Remedies |
|--|----------------|-------------------------------|-------------------------------|---------------------------|---------------------------|-----------------|------------------|----------|----------------------------------|-------------|------------------|---------------------------------|----------------|
| | | | | | | | Action expedited | Apology | Decision changed or reconsidered | Explanation | Financial remedy | Law, policy or practice changed | |
| Community Services Directorate | 95 | 33 | 54 | 8 | 4 | 99 | 3 | 2 | 4 | 14 | | | 23 |
| Community Services Directorate | 14 | 7 | 6 | 1 | | 14 | 1 | 1 | | 2 | | | 4 |
| Housing ACT | 81 | 26 | 48 | 7 | 4 | 85 | 2 | 1 | 4 | 12 | | | 19 |
| Economic Development Directorate | 2 | 1 | 1 | | | 2 | | | | | | | |
| Education and Training Directorate | 31 | 6 | 18 | 5 | 2 | 31 | | | 1 | 4 | 1 | | 6 |
| Canberra Institute of Technology | 11 | 2 | 5 | 3 | | 10 | | | | 2 | 1 | | 3 |
| Education and Training Directorate | 3 | 1 | 2 | 1 | | 4 | | | | 1 | | | 1 |
| Early, Primary or Secondary School | 3 | 3 | | | | 3 | | | | | | | |
| University of Canberra | 14 | | 11 | 1 | 2 | 14 | | | 1 | 1 | | | 2 |
| Environment and Sustainable Development Directorate | 33 | 4 | 22 | 8 | 3 | 37 | 4 | 3 | 3 | 12 | | | 22 |
| ACT Environment and Sustainable Development Directorate | 10 | 2 | 5 | 1 | 1 | 9 | | 1 | | 1 | | | 2 |
| ACT Planning and Land Authority | 23 | 2 | 17 | 7 | 2 | 28 | 4 | 2 | 3 | 11 | | | 20 |

| Directorate/Agency | Total Received | Category 1 – not investigated | Category 2 – not investigated | Category 3 – investigated | Category 4 – investigated | Total Finalised | Remedies | | | | | | | Total Remedies | |
|--|----------------|-------------------------------|-------------------------------|---------------------------|---------------------------|-----------------|------------------|----------|----------------------------------|-------------|------------------|---------------------------------|----------------------------|----------------|------------|
| | | | | | | | Action expedited | Apology | Decision changed or reconsidered | Explanation | Financial remedy | Law, policy or practice changed | Other non-financial remedy | | |
| Health Directorate | 13 | 5 | 7 | 1 | | 13 | 1 | 1 | | 2 | | | | | 4 |
| Justice and Community Safety Directorate | 124 | 32 | 67 | 19 | 8 | 126 | 2 | 1 | 3 | 21 | | 1 | 1 | | 29 |
| ACT Corrective Services | 70 | 11 | 45 | 13 | 8 | 77 | 1 | | | 15 | | | 1 | | 17 |
| ACT Court or Tribunal | 11 | 6 | 5 | | | 11 | | | | | | | | | |
| ACT Human Rights Commission | 2 | | 1 | | | 1 | | | | | | | | | |
| Justice and Community Safety Directorate | 18 | 7 | 7 | 2 | | 16 | | 1 | 1 | 3 | | 1 | | | 6 |
| Legal Aid ACT | 8 | 1 | 2 | 3 | | 6 | 1 | | 2 | 2 | | | | | 5 |
| Public Advocate of the ACT | 1 | | | | | | | | | | | | | | |
| ACT Office of Regulatory Services | 10 | 4 | 5 | 1 | | 10 | | | | 1 | | | | | 1 |
| Public Trustee for the ACT | 4 | 3 | 2 | | | 5 | | | | | | | | | |
| Territory and Municipal Services Directorate | 48 | 16 | 25 | 5 | | 46 | 1 | | 2 | 4 | | | | | 7 |
| Canberra Connect | 4 | 1 | 3 | | | 4 | | | | | | | | | |
| ACTION | 5 | 1 | 3 | 1 | | 5 | | | 1 | 1 | | | | | 2 |
| Territory and Municipal Services Directorate | 39 | 14 | 19 | 4 | | 37 | 1 | | 1 | 3 | | | | | 5 |
| ACT Policing | 93 | 41 | 42 | 9 | 2 | 94 | | | | 13 | | | | | 13 |
| Grand Total | 467 | 145 | 255 | 56 | 20 | 476 | 11 | 7 | 14 | 71 | 1 | 1 | 1 | | 106 |

Glossary and Abbreviations

Glossary and Abbreviations

| | |
|-----------------|---|
| ACT | Australian Capital Territory |
| ACTPS | ACT Public Service |
| agencies | Administrative units and public authorities that perform and deliver ACT Government functions |
| approaches | All public contact made with the office of the ACT Ombudsman |
| Directorates | Portfolio administrative units of ACT Government business |
| GST | Goods and services tax |
| office, the/our | The Office of the ACT Ombudsman |
| PLEO | Principal Law Enforcement Officer |

Index

A

- ACT Corrective Services
 - Alexander Maconochie forum, 4
 - approaches and complaints, 19
- ACT Court or Tribunal, 19
- ACT Government agencies
 - complaints, 4–6, 17–19
 - finalised, 4, 17–19
 - investigations, 4, 17–19
 - received, 4, 5, 17–19
 - spread, 5
 - engagement, 2, 4
 - internal complaint–handling, 2, 3, 4, 6
 - see also* name of directorate
- ACT Human Rights Commission, 19
- ACT Legislative Assembly, 3
 - committee inquiries and reports, 8
 - Ombudsman status, 3
- ACT Office of Regulatory Services, 19
- ACT Ombudsman
 - accountability, 3
 - Officer of the Legislative Assembly, 3
 - role, 2
 - Services Agreement, 2, 3, 10
- ACT Ombudsman's office
 - contact details, ii
 - functions, 2
 - telephone queue and auto-attendant messaging system, 4
- ACT Planning and Land Authority, 18
- ACT Policing
 - assumed identities, 2, 14
 - child sex offenders register, 2, 14
 - Commonwealth Ombudsman Services Agreement cost, 10
 - complaints, 4, 5, 19
 - finalised, 4, 19
 - investigations, 4, 19
 - received, 4, 5, 19
 - remedies, 6, 19

- controlled operations, 2, 12–13
 - inspections, 2, 12–14
 - surveillance devices, 2, 13–14
- ACT Public Services (ACTPS)
 - complaint management forums, 3, 4
 - strategic engagement, 2, 3
- ACT Revenue Office, 17
- ACTION Buses, 4, 19
- Alexander Maconochie Centre, oversight forum, 4
- annual report omissions and reasons for non-compliance, 15
- approaches, definition, 3
 - see also* complaints, approaches and assumed identities, 2, 14

C

- Canberra Connect, 19
- Canberra Institute of Technology, 18
- Chief Minister and Treasury Directorate, 5, 17
- Chief Police Officer, 13
- Child Sex Offenders Register, ACT, 2, 14
- Commerce and Works Directorate, 5, 17
- Commonwealth Ombudsman, 15
 - annual report, 15
 - Services Agreement with ACT Government, 2, 3, 10
- community engagement, 3, 6
 - see also* strategic engagement
- Community Services Directorate, 4, 5, 17–18
- community services directory, 6
- complainants, 2, 4, 17
- complaint management forums, 3, 4
- complaint-handling processes, agency and police, 2, 4
 - feedback on improvements to, 3
 - own-motion investigation, 3, 6

complaints, approaches and
 finalised, 4, 17–19
 investigations, 4, 17–19
 received, 4, 5, 17–19
 remedies, 2, 3, 4, 6, 17–19
 statistics, 4–6, 17–19
 summary, 4–6

CONTACT Book, 6

CONTACT Canberra, 6

contact details, ii

controlled operations, 2, 12–13
 PLEO reports, 12, 13

Crimes (Assumed Identities) Act 2009, 2, 14

Crimes (Child Sex offenders) Act 2005, 2, 14

Crimes (Controlled Operations) Act 2008, 2,
 12, 13

Crimes (Surveillance Devices) Act 2010, 2,
 13, 14

D

Deputy Chief Police Officer, 13

disclosures, public interest, 2, 9

E

Economic Development Directorate, 5, 18

Education and Training Directorate, 5, 18

Environment and Sustainable Development
 Directorate, 5, 18
 Construction Occupations Registrar, 4

F

financial management report, 10

forums, 3, 4

Freedom of Information Act 1989, 2, 9

freedom of information
 complaints about requests
 to directorates, 9

G

governance, 8

government agencies
see ACT Government directorates;
see also ACT Policing

H

Health Directorate, 5, 18

highlights, 3

Housing ACT, 4, 18

Human Rights Commission
see ACT Human Rights Commission

I

inspections, ACT Policing, 2, 12–14

investigations, 2
 own-motion, 3, 6
 statistics, 4, 17–19

J

Justice and Community Safety Directorate, 4,
 5, 19

L

Legal Aid ACT, 19

legislation based report, 9

Legislative Assembly
see ACT Legislative Assembly

M

Minister for Police and Emergency Services,
 14

N

newsletter, quarterly, 4

O

Ombudsman Act 1989, 2, 9
overview, 2–3
own-motion investigations, 3, 6

P

performance report, 2–6
 analysis, 3–6
 highlights, 3
 outlook, 3
 summary, 3
Principal Law Enforcement Officer (PLEO), 12
Public Advocate of the ACT, 19
Public Interest Disclosure Act 2012, 2, 9
Public Trustee for the ACT, 19

R

records management, 9
refresh program, 2
remedies, 2, 3, 4, 6
 statistics, 17–19
 types of, 2, 17–19

S

schools, 18
Select Committee on Estimates, 8
seminars, 20-minute, 3
Services Agreement, 2, 3, 10
 payment, 10
stakeholders, 3
Standing Committee on Public Accounts, 8
strategic engagement, 2, 4
surveillance devices, 2, 13, 14

T

Territory and Municipal Services
 Directorate, 5, 19
*Territory Records (Records Disposal
 Schedule – Ombudsman Complaint
 Management Records) Approval 2011
 (No 1) (NI2011–93)*, 9
Territory Records Act 2002, 9
training, staff, 9
transmittal certificate, iii

U

University of Canberra, 18

W

website address, ii
whistleblower complaints, 2

WWW.OMBUDSMAN.ACT.GOV.AU