

# ACT Ombudsman Six month report

Q1 and Q2 of 2024-25

A report on the activities of the ACT Ombudsman

1 July to 31 December 2024

<b>ACT Ombudsman’s functions .....</b>	<b>4</b>
<b>Reports and submissions .....</b>	<b>6</b>
Reports .....	6
Section 17K investigation of Barnardos Australia.....	6
Actions Speak: ACT Revenue Office.....	6
Actions Speak: ACT Corrective Services.....	7
Actions Speak: Housing ACT .....	7
Actions Speak: Insights.....	7
Post visit summary: Jervis Bay Police Station.....	8
Child sex offenders register.....	8
Submissions.....	8
<b>Investigations and inspections.....</b>	<b>10</b>
Systemic investigations .....	10
Section 17K Barnados Australia.....	10
ACT Policing.....	10
ACT Integrity Commission.....	10
Housing ACT .....	10
ACT Revenue Office.....	11
Monitoring .....	11
Covert and intrusive powers inspections .....	11
Child Sex Offenders Register inspection.....	12
<b>Engagement and education.....</b>	<b>14</b>
Factsheets and education materials.....	14
Statements and communiques.....	14
Forums .....	15
<b>Complaints management.....</b>	<b>16</b>
Complaints received.....	16
ACT directorates and agencies .....	17
Complaints finalised .....	18
Investigated complaints .....	20
Complaint trends.....	21
General trends.....	21



ACT Corrective Services.....	22
Housing ACT.....	22
ACT Policing.....	22
Access Canberra.....	23
Housing ACT.....	23
Performance against complaint handling service standards.....	24
<b>Reportable Conduct Scheme .....</b>	<b>26</b>
Notifications received.....	26
Designated entity compliance .....	27
Reports finalised.....	27
Reportable conduct service standards .....	30
<b>Freedom of Information .....</b>	<b>31</b>
FOI contacts received.....	31
Finalised Ombudsman reviews.....	32
FOI review service standards.....	32
Published decisions .....	34
<b>Appendices.....</b>	<b>35</b>



# ACT Ombudsman's functions

The role of the ACT Ombudsman is to consider complaints about the actions of ACT government agencies and ACT Policing and provide assurance that the entities we oversee act with integrity and treat people fairly.

We influence systemic improvements in public administration by:

- undertaking independent and impartial review of complaints about government administrative action
- providing oversight of:
  - the ACT Freedom of Information (FOI) framework
  - the ACT Reportable Conduct Scheme
  - ACT Policing
  - the ACT Integrity Commission (as Inspector)
- influencing government agencies to be accountable, lawful, fair, transparent and responsive
- providing assurance that law enforcement, integrity and regulatory agencies are complying with legal requirements when using covert, intrusive and coercive powers
- providing support to the Judicial Council as its Principal Officer.

We also form part of the ACT's multi-body National Preventive Mechanism (ACT NPM) for places of detention under the control of the ACT Government, alongside the ACT Custodial Inspector and the ACT Human Rights Commission. The ACT NPM supports Australia's implementation of the United Nations' (UN) Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (OPCAT).

The ACT Ombudsman's functions and powers are prescribed under ACT legislation, including the:

- [Ombudsman Act 1989](#)
- [Public Interest Disclosure Act 2012](#)
- [Freedom of Information Act 2016](#)
- [Integrity Commission Act 2018](#)



- [Children and Young People Act 2008](#)
- [Monitoring of Places of Detention \(Optional Protocol to the Convention Against Torture\) Act 2018](#)
- [Crimes \(Controlled Operations\) Act 2008](#)
- [Crimes \(Child Sex Offenders\) Act 2005](#)
- [Crimes \(Assumed Identities\) Act 2009](#)
- [Crimes \(Surveillance Devices\) Act 2010](#)
- [Judicial Commissions Act 1994.](#)

Under the [ACT Self-Government \(Consequential Provisions\) Amendment Act 1989 \(Cth\)](#), and by [arrangement](#) between the Australian and ACT Governments, the Commonwealth Ombudsman is also the ACT Ombudsman. The Territory and the Ombudsman recognise that the Office of the Commonwealth Ombudsman, while performing the role of the ACT Ombudsman, is a Commonwealth entity that is required to comply with Commonwealth legislation.

This 6 month report is produced in accordance with the [Services Agreement between the ACT and Commonwealth of Australia \(1 July 2020 – 30 June 2025\)](#) as amended.<sup>1</sup>

This report covers the period 1 July to 31 December 2024.

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<sup>1</sup> The Services Agreement was amended by exchange of letters between the Acting Ombudsman and the ACT Chief Minister on 18 May 2022 and 2 July 2022.

# Reports and submissions

## Reports

The ACT Ombudsman published one public statement and 6 reports in the first 6 months of the 2024-25 financial year. All reports can be found on the [publications page](#) of the ACT Ombudsman website.

## Section 17K investigation of Barnardos Australia

In September 2024, we released a [public statement](#) about an investigation we conducted under s 17K of the *Ombudsman Act 1989* as a result of concerns raised during our oversight of reportable conduct allegations investigated by Barnardos Australia (Barnardos). Our investigation found multiple flaws with Barnardos' investigation, which compromised the quality of the evidence gathered and ultimately led to an unsatisfactory outcome for all parties involved.

We made 5 recommendations, which Barnados accepted, aimed at improving their timeliness, investigation planning, quality of information gathered, and procedural fairness processes. Recommendation 6 was that, given the flawed investigation, Barnados replace its investigation findings for findings we deemed more appropriate. Barnados did not accept this recommendation.

## Actions Speak: ACT Revenue Office

In July 2024, we published the first in our new 'Actions Speak' series of reports focussed on monitoring the implementation and impact of our recommendations. This series of reports follows on from our two 'Did they do what they said they would?' reports which covered the implementation of recommendations from multiple investigation reports.

[Actions Speak ACT Revenue Office](#) assessed the ACT Revenue Office's implementation of 9 recommendations made by the ACT Ombudsman in August 2020. Those recommendations were aimed at [improving ACTRO's consistency and transparency when undertaking annual land revaluations](#). We found 8 recommendations had been



fully implemented, and one recommendation had been partially implemented, noting that an online portal to provide information about objecting to an assessment, which would implement the outstanding recommendation, was on track for completion later in 2024.

## Actions Speak: ACT Corrective Services

In December 2024, [Actions Speak ACT Corrective Services](#) reported on the implementation of 15 recommendations by the ACT Ombudsman in November 2020, aimed at [improving policies and procedures governing the parole processes at the Alexander Maconochie Centre \(AMC\)](#). We found 14 recommendations had been fully implemented and one recommendation had been partially implemented, noting that more work is needed to optimise accessibility to programs for people detained at AMC to consider the outstanding recommendation fully implemented.

## Actions Speak: Housing ACT

In December 2024, [Actions Speak Housing ACT](#) reported on the implementation of 9 recommendations made by the ACT Ombudsman in July 2023 aimed at [improving communication and engagement with tenants about mandatory relocation under the Growing and Renewing Public Housing Program](#). We found 5 recommendations had been fully implemented and 3 had been superseded by new policy and the passage of time. We found one recommendation partially implemented, noting Housing ACT has opportunities to develop how feedback is captured, analysed and used to improve service delivery.

## Actions Speak: Insights

In December 2024, in collaboration with the Commonwealth Ombudsman, we published our [Actions Speak: Did they do what they said they would?](#) report on key insights and lessons identified from monitoring the implementation of recommendations and suggestions we made from 1 July 2021 to 31 October 2024.



## Post visit summary: Jervis Bay Police Station

In October 2024, in our role as part of the ACT NPM and in collaboration with the Commonwealth NPM, we published a [Post Visit Summary](#) about our visit to the Jervis Bay Police Station on 6 December 2023.

We found the Jervis Bay Police Station was in very good condition for its age and location. We found the cells are rarely used.

We identified some areas of concern including a lack of toilet privacy for people in detention, commercially available floor drains which can be used as ligature points, and the primary transport vehicle not having an air-conditioned pod. Of most concern were deficiencies found with the duress alarms and intercom systems, all of which were either not working or only working intermittently, and the absence of any procedures to routinely check these were functional.

We made 15 suggestions for improvement aimed at addressing the areas of concern and other aspects of the station's operations. ACT Policing accepted all 15 suggestions and advised it had implemented 7 suggestions and was implementing the final 8 suggestions.

## Child sex offenders register

In August 2024, we published [Monitoring child sex offenders in your community – how did ACT Policing go?](#) about ACT Policing's administration of the child sex offenders register. This report is discussed below under 'Child Sex Offenders Register Inspection'.

## Submissions

In the first 6 months of the 2024–25 financial year, the ACT Ombudsman contributed to various consultations on ACT policy initiatives, including:

- amendments to the [Monitoring of Places of Detention \(Optional Protocol to the Convention Against Torture\) Act 2018](#) to enshrine ACT NPM functions
- amendments to the [Integrity Commission Act 2018](#) to implement reforms following the Govey Review
- proposed police search powers to reduce knife-crime in the ACT





- reforming the *Children and Young People Act 2008* to promote shared responsibility for child protection through collaborative information sharing and reforming mandatory reporting laws
- as ACT Ombudsman and Inspector of the Integrity Commission, proposed legislative amendments aimed at strengthening the independence of Officers of the Legislative Assembly.

The ACT Ombudsman, as a member of the ACT NPM, also contributed to Australian NPM submissions, including:

- [Submission to the United Nations' Committee against Torture: Convention against Torture, Convention against Torture follow-up procedure: Sixth periodic review of Australia](#) (August 2024)
- [Australia's youth justice and incarceration system: Submission to the Commonwealth Senate Legal and Constitutional Affairs References Committee](#) (October 2024)



# Investigations and inspections

## Systemic investigations

### Section 17K Barnados Australia

As mentioned above, we investigated Barnardo's Australia's investigation of a reportable conduct allegation under section 17K of the Ombudsman Act..

### ACT Policing

We continued an own motion investigation under s 5(1)(b) of both the *Ombudsman Act 1976* (Cth) and the *Ombudsman Act 1989* (ACT) into ACT Policing's use of force that commenced in April 2024. We anticipate publishing a report on the outcome of this investigation in early 2025.

### ACT Integrity Commission

The ACT Ombudsman as Inspector of the ACT Integrity Commission also continued an own initiative investigation under s 265 of the *Integrity Commission Act 2018*, commenced in November 2023. This investigation is ongoing, and the outcomes will be reported when it is completed.

### Housing ACT

In July 2024, the Ombudsman commenced a systemic complaint investigation into Housing ACT after receiving 13 complaints relating to maintenance, repairs, and modifications. The investigation is considering alleged delays in addressing and actioning repair and maintenance requests, potential administrative and record keeping errors, and Housing ACT's general communication with third parties and tenants. The findings will be reported when it is completed.



## ACT Revenue Office

In September 2024, the Ombudsman commenced a systemic complaint investigation into the ACT Revenue Office (ACTRO) after receiving 9 complaints about the raising of historic land tax debts. The investigation is considering the processes ACTRO used to raise the debts, including how they used artificial intelligence, calculated penalty tax and interest, and the overall fairness of the process. The investigation is also considering ACTRO's review processes, including timeliness and how it assessed objections to historic land tax assessments. The findings will be reported when it is completed.

## Monitoring

We are monitoring the implementation of recommendations from 2 past investigations:

- Own motion investigation report ([Volume 1](#) and [Volume 2](#)) on ACT Policing's engagement with the ACT First Nations community, published March 2021.
- Special report on the [Investigation into the dismissal of corruption reports by the ACT Integrity Commission](#), published in November 2023.

Our assessment of implementation of recommendations from these reports will be published in due course.

## Covert and intrusive powers inspections

The ACT Ombudsman is responsible for inspecting the records of law enforcement agencies, including the Australian Federal Police (encompassing ACT Policing), the Australian Criminal Intelligence Commission, and the ACT Integrity Commission, which use covert and intrusive powers under the following ACT legislation:

- *Crimes (Controlled Operations) Act 2008* allows law enforcement agencies to conduct covert operations to obtain evidence for prosecuting offences, or to investigate integrity matters, while protecting law enforcement officers and civilians who participate in those operations from civil and criminal liability.



- *Crimes (Surveillance Devices) Act 2010* provides a framework for law enforcement officers to use surveillance devices, such as listening and tracking devices, in criminal and corrupt conduct investigations.
- *Crimes (Assumed Identities) Act 2009* facilitates the lawful acquisition and use of assumed identities by law enforcement officers for investigative and intelligence-gathering purposes in relation to criminal activity. To date, we have not conducted any inspections under the legislation as all agencies advised these powers have not been used.

Within these laws, we are mandated to inspect agencies' records to determine the agencies' compliance with the legislation.

From 24 to 27 September 2024, we carried out an inspection of ACT Policing's use of surveillance devices and controlled operations powers for the period 1 July 2023 to 30 June 2024.

We did not identify any serious non-compliance in relation to ACT Policing's use of surveillance devices. However, we made findings in relation to developing appropriate procedures to reduce the risk of non-compliance with the requirements to destroy information obtained through a surveillance device, as well as improving the quality of applications in support of warrants.

ACT Policing accepted our findings and is taking steps to remedy the deficiencies we identified. The full results of the inspection will be included in the ACT Ombudsman's annual report for 2025-26. ACT Policing advised there were no controlled operations undertaken during the inspection period, and we did not make any findings.

## Child Sex Offenders Register inspection

The ACT Ombudsman monitors ACT Policing's compliance with Part 3.11 and Chapter 4 of the *Crimes (Child Sex Offenders) Act 2005* (CCSO Act).

On 18 September 2024, we published [Monitoring child sex offenders in your community – How did ACT Policing go?](#), containing the results of our inspection conducted in September 2023. The report found that ACT Policing was generally compliant in its administration of the register of child sex offenders (the Register), but that the CCSO



Act, which enables registration of child sex offenders, was not updated to include new Commonwealth child exploitation offences (introduced in 2019 and 2020) until March 2023, with the amendments not taking effect until April 2024.

The amendment apparently does not operate retrospectively, and consequently 10 offenders will not be on the Register for the period they should have been, including 6 offenders who should have been on the Register for life but will instead have reporting periods of either 8 or 15 years.

We are concerned that the Register does not provide the full measure of community safety as intended, and it is imperative that ACT Policing manage the potential risks posed by those offenders not being registered for the correct period of time. We highlighted the need for ACT Policing, the ACT Justice and Community Safety Directorate, and the Commonwealth Attorney-General's Department to establish effective arrangements to ensure the CCSO Act is updated whenever there is an amendment or enactment of a relevant Commonwealth offence.

From 3 to 5 September 2024, we undertook a further inspection of the Register for the period 12 September 2023 to 3 September 2024. The report for this further inspection has not yet been finalised.

# Engagement and education

In the first 6 months of the 2024–25 financial year, we delivered and participated in various engagement and education initiatives.

## Factsheets and education materials

We published a number of factsheets:

- [Oversight of the use of covert, intrusive and coercive powers](#)
- [ACT Policing complaint pathway](#)
- [Implementation fact sheet for ACT agencies](#)
- A series of flow charts on handling allegations of reportable conduct, including [identifying allegations](#), [reporting allegations](#), [investigating allegations](#), [making findings](#) and [finalising investigations](#).

Throughout this reporting period, the ACT Reportable Conduct Scheme sent newsletters for both general designated entities and religious organisations.

In September 2024, the Australian NPM released the [Australian NPM Strategic Plan](#), which we contributed to as a member of the ACT NPM. The Strategic Plan sets out the vision, mission and strategic goals of the Australian NPM.

## Statements and communiques

We published several statements and communiques:

- [Joint statement](#) marking International Access to Information Day by Information Commissioners and Ombudsmen on the importance of mainstreaming access to information and participation in the public sector (September 2024)
- [Statement of Commitments](#) about how we engage with organisations when carrying out our statutory oversight functions (October 2024)
- [Statement of Expectations](#) about how organisations engage with us when we are carrying out our statutory oversight functions (October 2024)



- [Communique](#) by Association of Information Access Commissioners urging public sector leaders to invest in data governance and proactive disclosure practices (November 2024)
- [Communique](#) providing clarifying information about issues discussed at the ACT Reportable Conduct Scheme Practitioners' Forum on 14 November 2024
- [Joint Statement](#), as a member of the ACT NPM and Australian NPM, expressing concern about the Northern Territory's proposal to reintroduce the use of spit hoods on children in both youth detention and police custody (October 2024).

## Forums

We led and participated in a number of forums and training sessions:

- In July 2024, the Ombudsman participated in an interview as part of an evaluation of the Blueprint for Change Program and Wellbeing Evaluation being run by Proximity Advisory Services, contracted by ACT Corrective Services.
- On 31 July 2024, we hosted an introductory and educative forum on the ACT Reportable Conduct Scheme for religious organisations.
- In August and October 2024, we ran ACT Reportable Conduct Scheme information sessions for religious organisations.
- On 14 October 2024, we participated in a panel discussion hosted by ACT Corrective Services for new corrections officers about the role of the ACT Ombudsman and other oversight bodies.
- On 14 November 2024, we hosted the latest ACT Reportable Conduct Scheme Practitioners' Forum. Several current and emerging issues were discussed at the Forum, including when to submit a s 17G notification and drafting reportable conduct allegations.
- In November 2024, we participated in stakeholder consultations by the Jumbunna Institute for Indigenous Education and Research, UTS, as part of Stage 2 of the Independent Review into the Over-Representation of First Nations People in the ACT Criminal Justice System.
- On 4 December 2024, we hosted an ACT FOI roundtable with senior FOI practitioners to provide Ombudsman feedback and discuss emerging issues.
- On 5 December 2024, we hosted an ACT Reportable Conduct Religious Organisations practitioner forum. Several current and emerging issues were discussed at the forum including the defined scope of employee for religious organisations.



# Complaints management

## Complaints received

During the first 6 months of 2024-25 (Quarter 1 and Quarter 2), we received 218 complaints across all ACT directorates, agencies, and ACT Policing (Table 1).

This is a 17% increase in the overall number of complaints received compared to the same period in 2023-24. However, last financial year did have an unusual drop in complaints received in the first six months in comparison to previous years.

As the table below shows, compared to the same period in 2023-24, complaints related to the ACT Reportable Conduct Scheme, FOI and ACT Policing have remained stable, complaints about ACT directorates and agencies increased by 16%, and complaints about the ACT Integrity Commission continue an upward trend.

Table 1: ACT complaints received 1 July to 31 December 2024 compared to previous years.

Complaints received	2022-23			2023-24			2024-25
	Q1 & Q2	Q3 & 4	Total	Q1 & Q2	Q3 & 4	Total	Q1 & Q2
ACT Directorates and Agencies	192	162	354	151	174	325	175
ACT Policing	33	21	54	29	43	72	27
FOI Act	9	4	13	3	1	4	4
ACT Reportable Conduct Scheme	7	9	16	3	5	8	3
ACT Integrity Commission	2	3	5	1	20	21	9
<b>Total complaints received</b>	<b>243</b>	<b>199</b>	<b>442</b>	<b>187</b>	<b>243</b>	<b>430</b>	<b>218</b>

*Note:* This data is dynamic and may be updated. For this reason, there may be minor differences when compared to previous published reports.



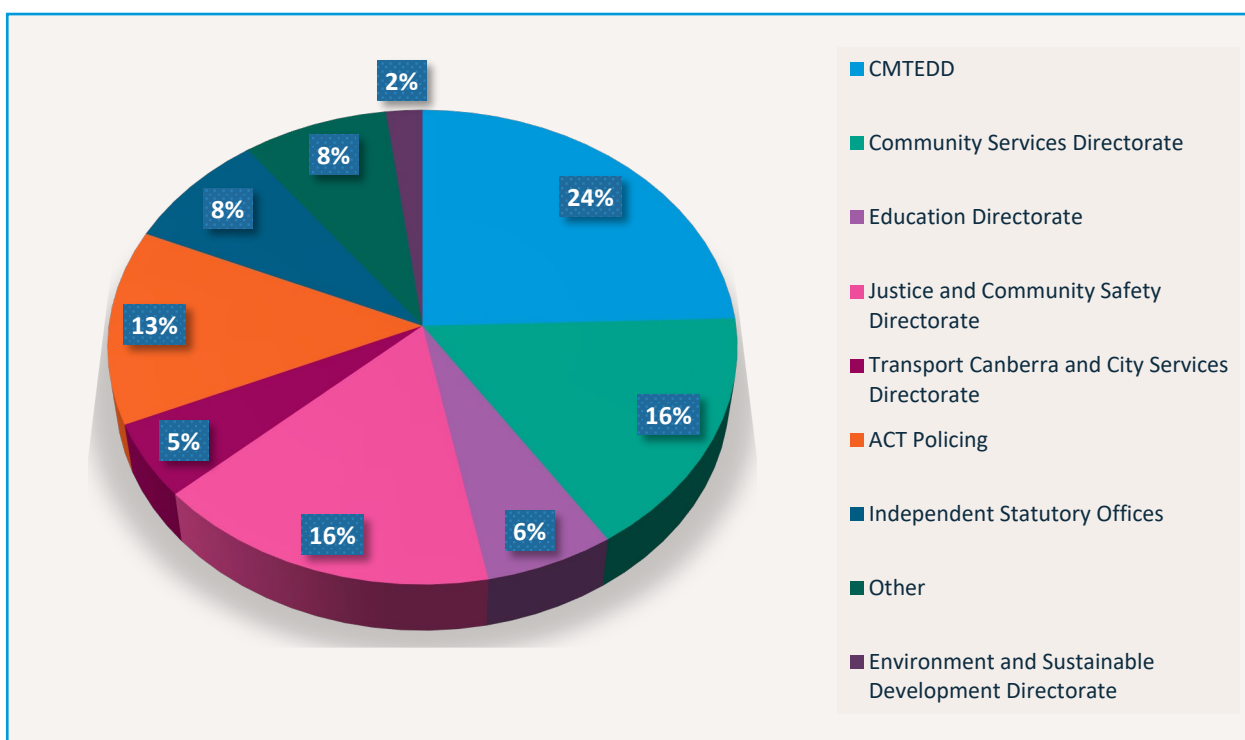


# ACT directorates and agencies

The largest number of complaints received by the ACT Ombudsman in Quarter 1 and Quarter 2 2024–25 related to the Chief Minister, Treasury and Economic Directorate (CMTEDD) (24%), Justice and Community Safety Directorate (16%), Community Services Directorate (16%), and ACT Policing (13%).

Outlined in Figure 1 is the portion of total complaints received by the ACT Ombudsman across all directorates and ACT Policing.

Figure 1: ACT directorate, agency and ACT Policing complaints received 1 July to 31 December 2024



*Note: the chart groups together directorates that received less than 5 complaints into 'other' category.*

When reported by individual agency, as opposed to directorate, the largest number of complaints received were:

- ACT Corrective Services (33)
- Housing ACT (28)
- ACT Policing (27)
- Access Canberra (22)

For the last 3 financial years, these 4 agencies have consistently been subject to the most complaints.

Table 2 below shows a breakdown of the 202 complaints received about ACT directorates, agencies, and ACT Policing in the reporting period. Additional information relating to complaints received by the ACT Ombudsman about ACT directorates and agencies is provided at **Appendix A**.

Table 2: All ACT and ACT Policing complaints received 1 July to 31 December 2024

ACT Reporting Portfolio	Contact Count	% Contact Count
Chief Minister, Treasury and Economic Development Directorate	48	24%
Justice and Community Safety Directorate	33	16%
Community Services Directorate	33	16%
Independent Statutory Offices	17	8%
Education Directorate	13	6%
Transport Canberra and City Services Directorate	10	5%
Environment and Sustainable Development Directorate	5	2%
Canberra Health Services	4	2%
Environment and Planning Directorate	4	2%
Health Directorate	4	2%
Prescribed Authorities	2	1%
Major Projects Canberra	1	0%
Territory-owned Corporations	1	0%
Office of the Legislative Assembly	0	0%
<b>Total complaints received (directorates and agencies)</b>	<b>175</b>	<b>87%</b>
ACT Policing	27	13%
<b>Total complaints received overall</b>	<b>202</b>	<b>100%</b>

*\*Percentages may not add up to 100 per cent due to rounding*

## Complaints finalised

As outlined in Table 3, the ACT Ombudsman finalised 258 complaints in the first 6 months of 2024-25, with 242 complaints relating to ACT directorates, agencies and ACT Policing. This included 21 complaints finalised about Housing ACT, 40 about Access Canberra, and 30 about ACT Corrective Services.



Table 3: ACT complaints finalised 1 July to 31 December 2024 compared to previous years

Complaints finalised	2022-23			2023-24			2024-25
	Q1 & Q2	Q3 & Q4	Total	Q1 & Q2	Q3 & Q4	Total	Q1 & Q2
ACT Directorates and Agencies	239	148	387	142	144	286	212
ACT Policing	39	28	67	17	33	50	30
FOI Act	3	10	13	1	3	4	2
ACT Reportable Conduct Scheme	6	9	15	4	5	9	4
ACT Integrity Commission	1	2	3	1	20	21	10
<b>Total complaints finalised</b>	<b>293</b>	<b>194</b>	<b>485</b>	<b>165</b>	<b>205</b>	<b>370</b>	<b>258</b>

*Note: This data is dynamic and may be updated. For this reason, there may be minor differences when compared to previous published reports.*

Complaints to the ACT Ombudsman can result in different outcomes, including a clearer explanation of a decision, an apology, further action taken by the agency, or an expedited process within the agency.

Complaints are assessed to see if they can be resolved quickly or whether a more formal investigation is warranted. Our focus on early resolution aims to provide a better service for complainants and agencies by resolving complaints as quickly as possible.

Several factors determine how we deal with a complaint, including whether:

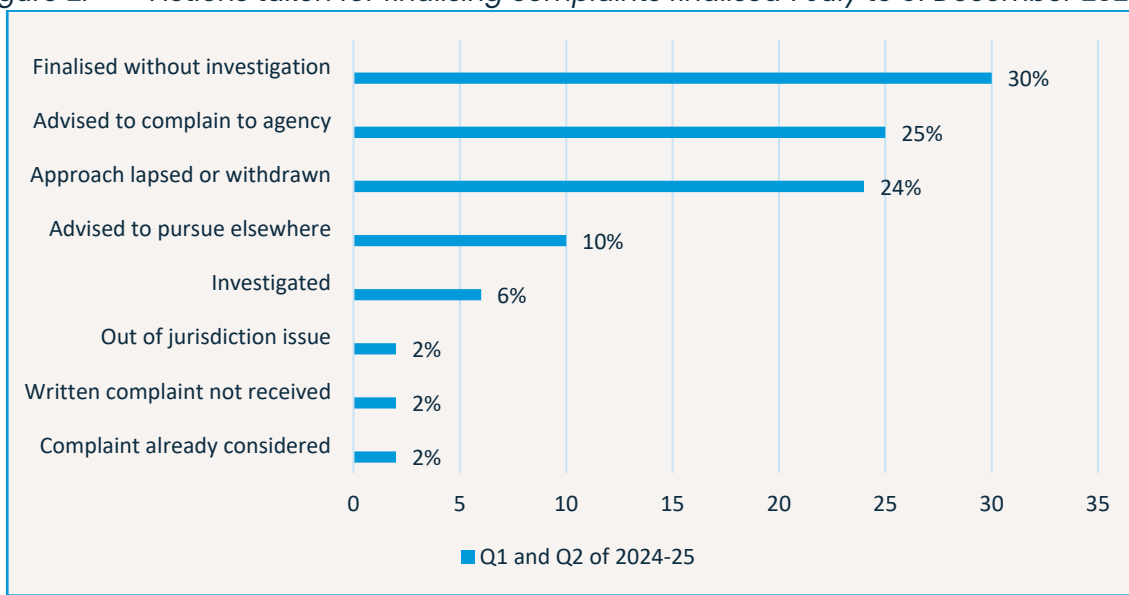
- the complainant has already complained to the agency or an internal review pathway exists
- another oversight body or a tribunal could provide a better outcome
- a reasonable outcome is available for the complainant.

Positive outcomes for complainants can be achieved with or without a formal investigation. For example, there are times where we can provide a better explanation about decisions to a complainant based on our knowledge of directorates or agencies.



Figure 2 outlines the actions taken by the ACT Ombudsman to finalise complaints received during the reporting period. 30% of complaints were recorded as finalised without investigation. This figure includes complaints where we assess that investigation is not warranted in all the circumstances and decline to investigate. The next most common action recorded to finalise complaints (25%) was referring the complainant to the agency of concern to follow that agency’s internal complaints pathway. A similar number of complaints lapsed or were withdrawn (24%).

Figure 2: Actions taken for finalising complaints finalised 1 July to 31 December 2024



## Investigated complaints

During Quarter 1 and Quarter 2 of 2024–25, the ACT Ombudsman finalised 8 formal complaint investigations (one of which covered 2 related complaints) about ACT directorates, agencies and ACT Policing. This is consistent with our performance in the first 6 months of 2023–24.

Our work seeks to improve administrative practice by entities as well as deliver outcomes for individual complainants. Some of the individual outcomes we achieved in this period included helping complainants obtain a partial refund from their university and having incorrectly charged housing repair costs reimbursed. Additionally, we assisted in having decisions changed or reconsidered where appropriate and facilitated a better explanation or apology from the entity concerned.



The table at **Appendix B** provides further details of the outcomes of complaint investigations finalised during Quarter 1 and Quarter 2 of 2024–25. More than one outcome can be achieved per finalised investigation.

# Complaint trends

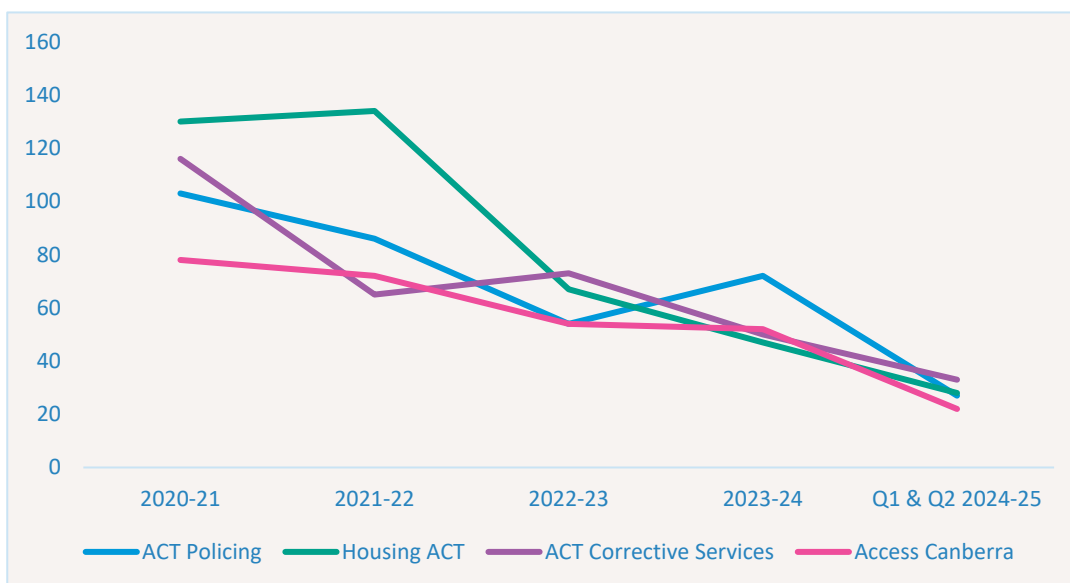
## General trends

The ACT agency for which we received the highest number of complaints during Quarter 1 and Quarter 2 of 2024–25 was ACT Corrective Services (33), followed by Housing ACT (28), ACT Policing (27), and Access Canberra (22).

Compared to the same period in 2023–24, complaints about Access Canberra remained stable. Complaints about ACT Corrective Services, which replaced ACT Policing as the most complained about agency, increased by 22%. Complaints about Housing ACT also increased by 22%. We received 7% less complaints about ACT Policing.

These agencies are consistently the most complained about each reporting period. Figure 3 shows the trend in complaints for the top four most complained about agencies since July 2020.

Figure 3: Complaints received for the four main agencies since 1 July 2020



*Note:* This data is dynamic and may be updated. For this reason, there may be minor differences when compared to previous published reports.

## ACT Corrective Services

During Quarter 1 and Quarter 2 of 2024-25, the ACT Ombudsman received 33 complaints relating to ACT Corrective Services (which includes the Alexander Maconochie Centre (AMC)), an increase from 27 complaints in the same period of 2023-24.

The most common issues in ACT Corrective Services complaints related to:

- visits with detainees
- officer conduct
- no action in response to requests or complaints, and
- policies and procedures, including for identification and discipline for contraband.

## Housing ACT

During Quarter 1 and Quarter 2 of 2024-25, the ACT Ombudsman received 28 complaints about Housing ACT, a slight increase from 23 complaints in the same period of 2023-24.

The most common issues raised in Housing ACT complaints related to:

- maintenance and repair, including timeliness of works being completed, lack of clear communication & unsatisfactory completion of works
- administration of public housing waitlists/requests for transfers, and
- anti-social behaviour and neighbourhood disputes, and complaint handling.

## ACT Policing

The ACT Ombudsman received 27 complaints about ACT Policing during Quarter 1 and Quarter 2 of 2024-25, which is a small reduction from the 29 complaints received in Quarters 1 and 2 of 2023-24.

The most common issues identified in ACT Policing complaints related to:

- customer service, including timeliness and not following-up matters
- complaint handling, and



- inappropriate or unlawful officer conduct.

Complaints about the actions of ACT Policing are commonly referred for investigation by the Australian Federal Police's (AFP) Professional Standards area, if the complainant has not yet raised their complaint with the AFP.

## Access Canberra

During Quarter 1 and Quarter 2 of 2024-25, the ACT Ombudsman received 22 complaints about Access Canberra, comparable with the 23 complaints in the same period of 2023-24.

The most common issues raised in Access Canberra complaints related to:

- parking infringement notices
- timeliness for processing applications for working with vulnerable people checks and licenses (including driver, real estate, and security licenses)
- handling of consumer disputes by Fair Trading, and
- communication about decisions to suspend drivers' licenses.

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- maintenance and repair, including timeliness of works being completed, lack of clear communication & unsatisfactory completion of works
- administration of public housing waitlists/requests for transfers
- anti-social behaviour and neighbourhood disputes, and
- complaint handling.



# Performance against complaint handling service standards

The Ombudsman has service standards for complaints received in both the Commonwealth Ombudsman's jurisdiction and the ACT Ombudsman's jurisdiction.

The ACT Ombudsman revised its performance framework in 2023–24 to simplify our objectives and develop new performance criteria and targets. We consider that a simple, easy to understand performance framework, coupled with a dedicated approach to raising the profile of performance, will best support the continuous improvement culture we seek to embed in the way we work.

We aim to finalise complaints as outlined below:

- 50% within 30 working days
- 75% within 90 working days
- 85% within 6 months, and
- 99% within 12 months.

In addition, we aim to ensure the number of complaints finalised each month is greater than or equal to 99% of the total number of complaints received.

We are usually able to achieve this timeframe for routine or simple complaints, but more complex complaints may take longer to resolve. This means we may not always meet our target during periods where we receive a higher proportion of complex complaints.

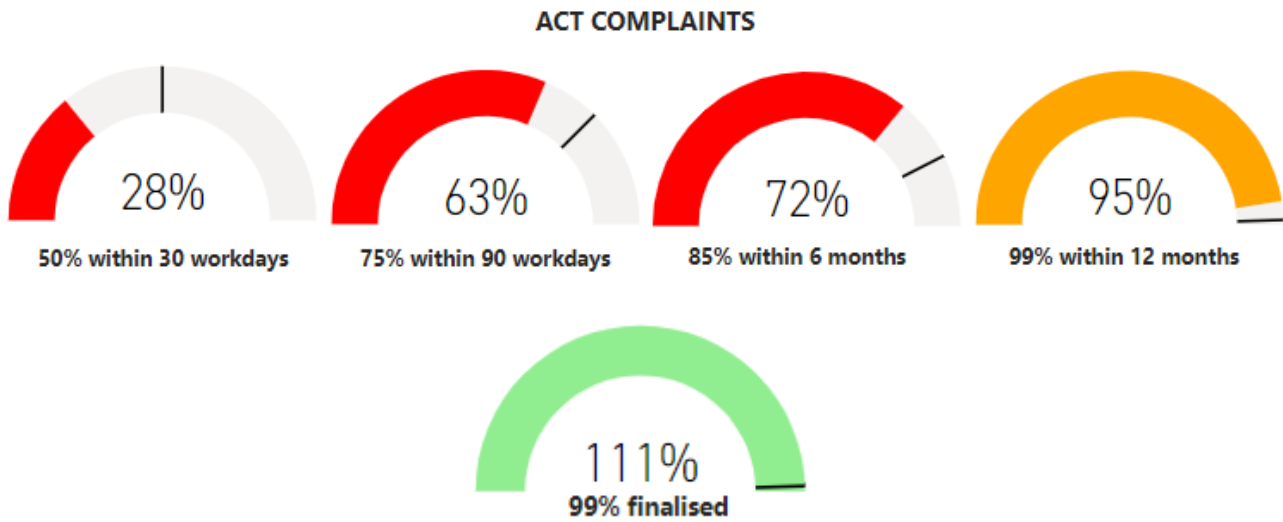
As set out in Figure 4, in Quarter 1 and Quarter 2 of 2024–25, 28% of complaints finalised about ACT directorates, agencies and ACT Policing were closed within 30 working days, with 63% of complaints finalised within 90 working days, 72% of complaints finalised within 6 months, and 95% within 12 months. These results fell short of the targets.

More pleasingly, during the 6-month period covered by this report, the ACT Ombudsman finalised more ACT complaints than it received, an improvement from the previous 6-month period.





Figure 4: Performance against complaints service standards 1 July to 31 December 2024



To address performance shortfalls, the ACT Ombudsman is developing enhanced complaint handling guidance materials designed to support staff capability and confidence, and the retention of technical knowledge. The continued focus on strengthening staff onboarding, and the implementation of a process change to anchor responsibility within our complaints team for mandatory transfers of complaints to other bodies under the *Ombudsman Act 1989* is also anticipated to support greater front-end efficiency.

The ACT Ombudsman is currently enhancing its digital services by implementing a new customer relationship management system, replacing existing technology with a modern and more reliable platform.

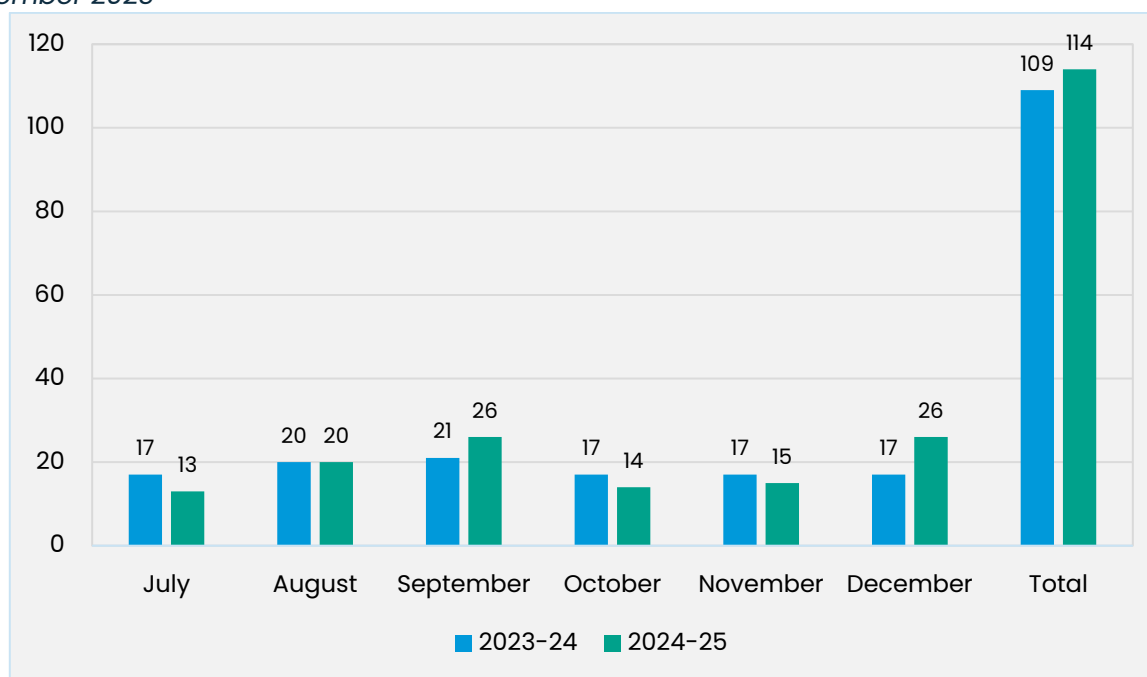
The ACT Ombudsman will continue to track performance to inform the allocation of resources and the implementation of continuous improvement strategies.

# Reportable Conduct Scheme

## Notifications received

During Quarter 1 and Quarter 2 of 2024–25, the ACT Ombudsman received 114 notifications from designated entities (entities) about allegations of reportable conduct, with none of these notified to ACT Policing by entities. This is a small increase from 109 notifications in the same period in 2023–24.

Figure 5: Notifications received from 1 July to 31 December 2024, compared to 1 July to 31 December 2023



The largest number of notifications received were from government and non-government schools (40), followed by kinship and foster care (21), and then education and care services (18) (see Table 4).

Table 4: Notifications received from 1 July to 31 December 2024, by sector.

Sector	Number	Percentage*
Government and non-government schools	40	35%
Kinship and foster care	21	18%
Education and care service provider	18	16%
Residential care organisations	17	15%
ACT Directorates	6	5%
Religious organisation	5	4%
Childcare Services	5	4%
Health Service Providers	2	2%
<b>TOTAL</b>	<b>114</b>	<b>100</b>

\*Percentages may not add up to 100 per cent due to rounding.

Along with notifications, during Quarter 1 and Quarter 2 of 2024–25, the ACT Ombudsman received enquiries (62) and complaints (3) from entities.

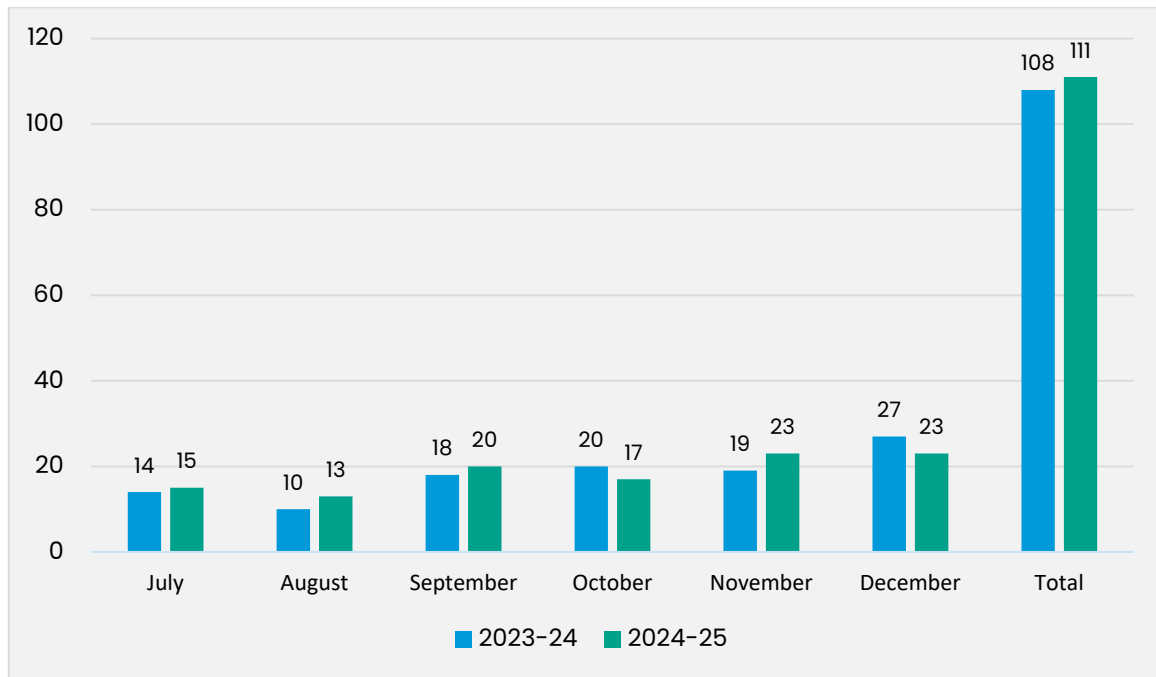
## Designated entity compliance

Entities must lodge a notification under section 17G of the *Ombudsman Act 1989* within 30 days of the entity becoming aware of a reportable conduct allegation. During Quarter 1 and Quarter 2 of 2024–25, entity compliance with the 30 calendar days was 83%. This is a decrease compared to 95% for the same period in 2023–24. The ACT Ombudsman will continue to work with entities through our practitioner forums, liaison meetings and case feedback to increase compliance with the legislative requirements.

## Reports finalised

During Quarter 1 and Quarter 2 of 2024–25, as outlined in Figure 6 below, the ACT Ombudsman finalised 111 matters, an increase from the 108 matters finalised in the same period in 2023–24.

Figure 6: Reports finalised from 1 July to 31 December 2024 compared to 1 July to 31 December 2023

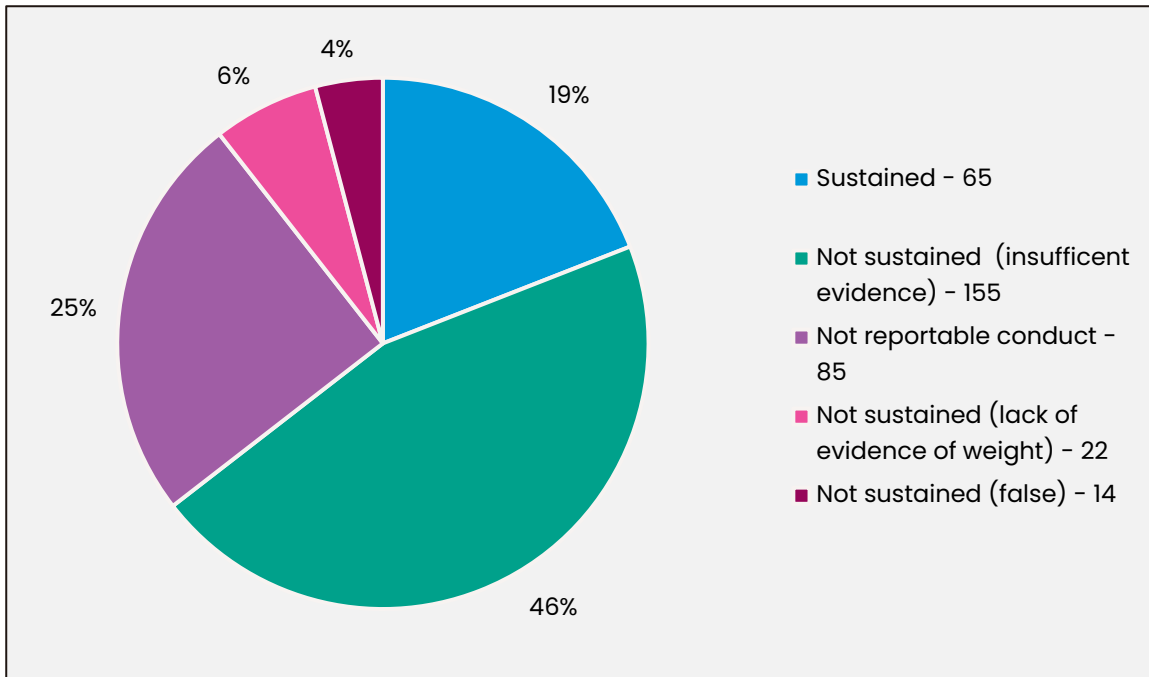


Entities must report the results of the investigation when completed and any taken or proposed action.

An investigation into alleged reportable conduct may find the allegation is unsustainable based on insufficient evidence or lack of evidence of weight. In some cases, an allegation may be found to be false or may not meet the definition of reportable conduct.

The investigation outcomes of each allegation and the action taken by entities during Quarter 1 and Quarter 2 of 2024–25 are summarised in Figure 7 and Table 5. A notification may contain multiple allegations, each having a finding and action recorded.

Figure 7: Investigation outcomes reported by entities from 1 July to 31 December 2024



\*Percentages may not add up to 100% due to rounding.

Table 5: Final investigation actions taken by entities from 1 July to 31 December 2024

Action	Number	Percentage*
No action after the investigation process	202	59%
Training	60	18%
Counselling	34	10%
Termination	24	7%
Other forms of disciplinary action	6	2%
No information	4	1%
Letter of warning	4	1%
Transfer/demotion	4	1%
Performance monitoring or managing	3	1%
<b>TOTAL</b>	<b>341</b>	<b>100</b>

Note: An investigation may contain more than one allegation, which may result in more than one finding and action. \*Percentages may not add up to 100 per cent due to rounding.

# Reportable conduct service standards

The ACT Ombudsman has service standards for the performance of our functions under the Reportable Conduct Scheme (see Figure 8).

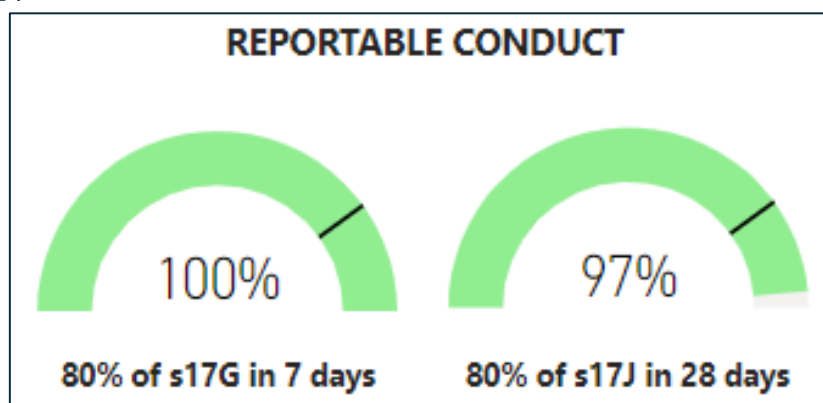
When we receive a notification from an entity about an allegation of reportable conduct (section 17G notification) we conduct an assessment of the organisation’s initial response against criteria including reporting to other bodies, risk assessment, and investigation plan. This allows the entity to consider our feedback during its investigation. We aim to do this within 7 days in 80% of cases.

During Quarter 1 and Quarter 2 of 2024–25, we assessed 100% of initial notifications within 7 days.

When we receive a final report from an entity following its investigation into reportable conduct allegations (section 17J report), we consider whether there was a proper investigation, appropriate action taken and whether we need further information from the entity. This gives the entity reasonable opportunity to act on our feedback or provide further information. We aim to complete this within 28 days in 80% of cases.

During Quarter 1 and Quarter 2 of 2024–25, we completed 97% of these assessments within this timeframe.

Figure 8: Performance against reportable conduct service standards 1 July to 31 December 2024



# Freedom of Information

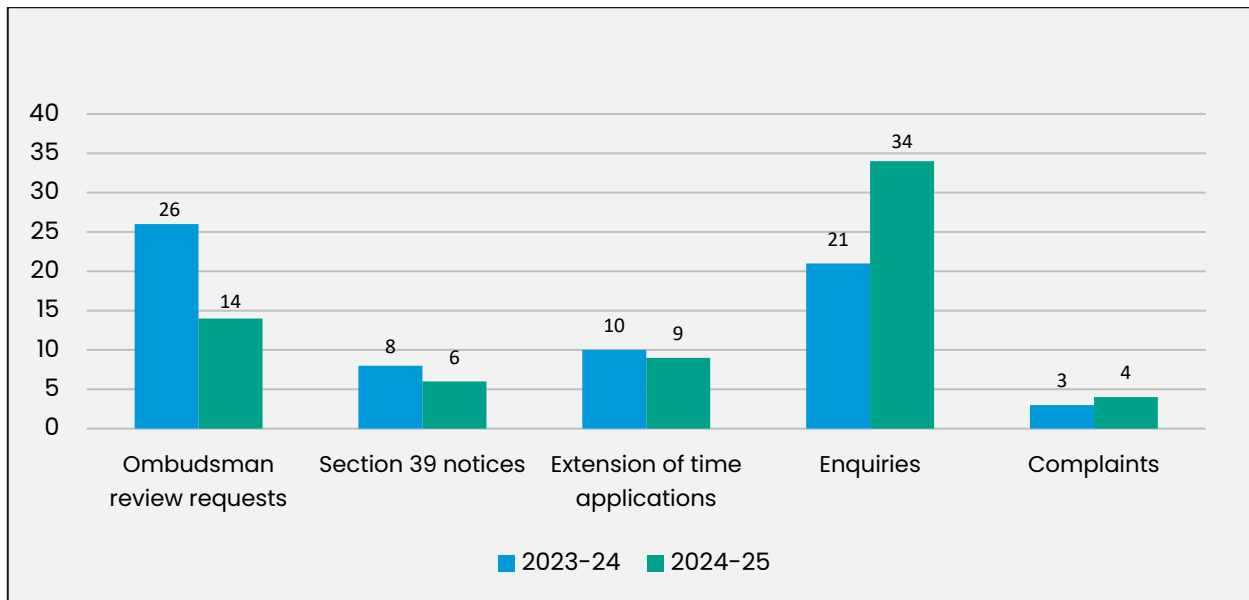
## FOI contacts received

The ACT Ombudsman received 67 contacts about our role under the [Freedom of Information Act 2016](#) (FOI Act) in Quarter 1 and Quarter 2 of 2024–25 compared to 68 contacts received in Quarter 1 and Quarter 2 of 2023–24.

In Quarter 1 and Quarter 2 of 2024–25, the contacts comprised:

- 14 applications for Ombudsman review
- 6 section 39 notices (notices given to the Ombudsman to advise that a decision on an access application was not made in time)
- 9 extension of time requests
- 34 enquiries
- 4 complaints.

Figure 9: FOI contacts received from 1 July to 31 December 2024 compared to 1 July to 31 December 2023



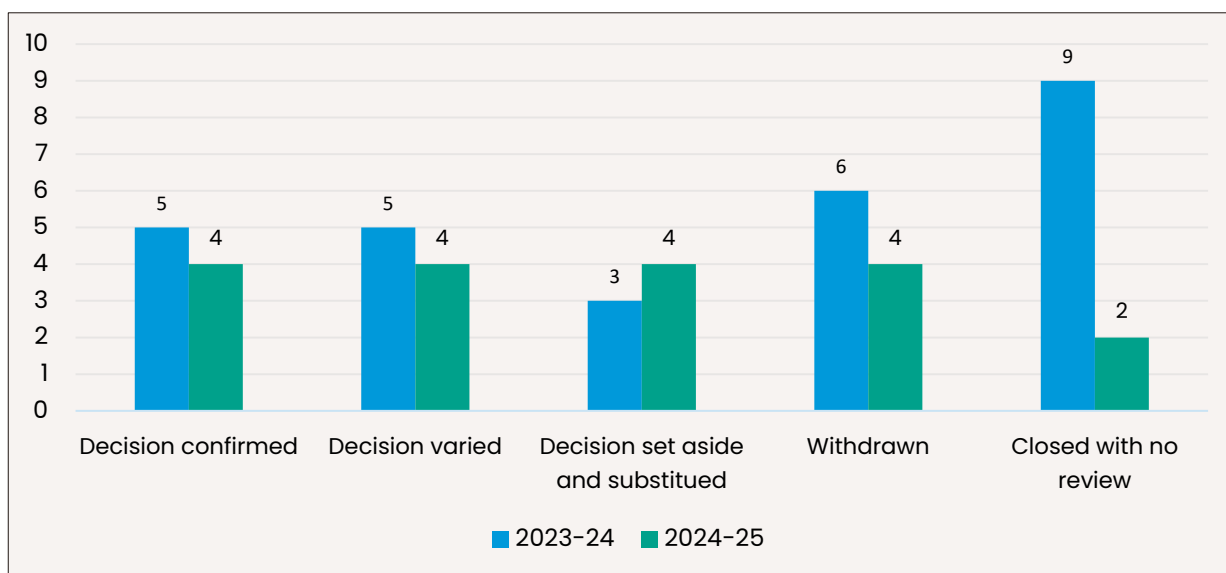
# Finalised Ombudsman reviews

As shown in Figure 10, the ACT Ombudsman finalised **18** Ombudsman reviews in Quarter 1 and Quarter 2 of 2024–25. This was a decrease compared to the 28 reviews finalised in Quarter 1 and Quarter 2 of 2023–24.

The outcomes of these 18 Ombudsman reviews were:

- the original decision was confirmed in 4 cases
- the original decision was varied in 4 cases
- the original decision was set aside and substituted with a new decision in 4 cases
- 4 applications were withdrawn following informal resolution
- 2 applications were finalised without review (for example, where we found there were no reasonable prospects of the original decision changing or where the matter was otherwise resolved).

Figure 10: FOI review requests finalised from 1 July to 31 December 2024 compared to 1 July to 31 December 2023



## FOI review service standards

The ACT Ombudsman has service standards for our FOI review applications. Our ability to meet service standards can vary depending on the number of cases finalised through informal resolution processes and the complexity of matters.





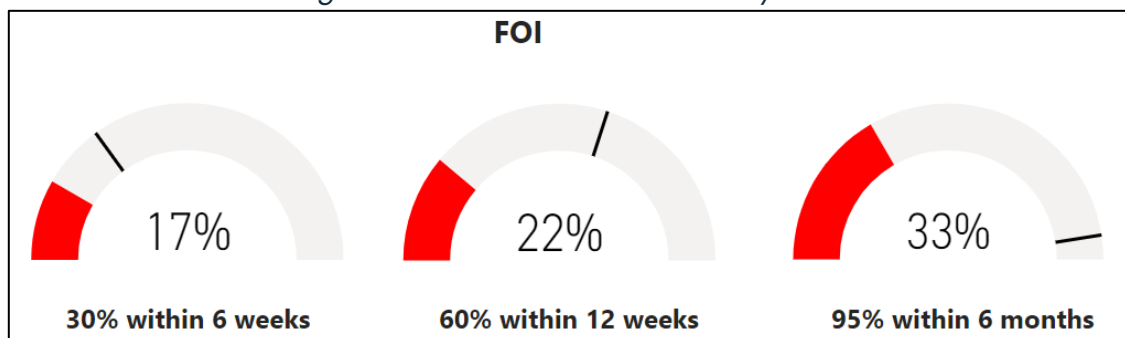
In Quarter 1 and Quarter 2 of 2024–25, as shown at Figure 11, we did not meet the 3 service standards in relation to the 18 matters that were finalised:

- 17% of FOI review matters were finalised within 6 weeks (below the standard of 30%)
- 22% were finalised in 12 weeks (below the standard of 60%)
- 33% were finalised in 6 months (below the standard of 95%).

During this period, the FOI team experienced issues with resourcing, including unplanned leave and recruitment. Further, the ability to meet our service standard is impacted by the continuing complexity of some reviews. Complex matters require additional time and actions, especially in relation to reviews involving multiple requests to parties for information, the review of sensitive material, third party involvement, the information at issue being voluminous, or additional work to assist parties to resolve matters informally.

FOI review matters can generally be finalised in 6 weeks where informal resolution is successful. Where a formal decision is required, routine matters are expected to take 12 weeks to finalise, with complex matters taking longer. A large number of complex matters were finalised in this reporting period.

Figure 11: Performance against FOI service standards 1 July to 31 December 2024



# Published decisions

As of 31 December 2024, we had published 139 decisions on the ACT Ombudsman website since commencing the ACT FOI oversight function. Eleven were published during Quarter 1 and Quarter 2 of 2024–25.<sup>2</sup> Publication of decisions provides agencies and applicants with guidance on the FOI Act, including the application of the public interest test.

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<sup>2</sup> 12 Ombudsman reviews were finalised with a decision – one decision finalised during Quarter 1 and Quarter 2 of 2024–25 was not published until Quarter 3 and Quarter 4 of 2024–25.



# Appendices

## Appendix A: Complaints about ACT directorates and agencies from 1 July to 31 December 2024

Directorate / Agency	Total received	Total finalised*	Finalised with Investigation	Finalised without investigation
<b>Chief Minister, Treasury and Economic Development Directorate</b>	<b>48</b>	<b>77</b>	<b>4</b>	<b>73</b>
Access Canberra	22	40	2	38
Chief Minister, Treasury and Economic Development Directorate – other	9	8	0	8
ACT Revenue Office	11	16	0	16
Canberra Institute of Technology	0	4	1	3
University of Canberra	4	7	1	6
Worksafe ACT	2	2	0	2
<b>Community Services Directorate</b>	<b>33</b>	<b>31</b>	<b>1</b>	<b>30</b>
Community Services – other	5	10	0	10
Housing ACT	28	21	1	20
<b>Justice and Community Safety Directorate</b>	<b>33</b>	<b>32</b>	<b>2</b>	<b>30</b>
ACT Corrective Services	33	30	2	28
ACT Emergency Services Agency	0	1	0	1
ACT Office of Regulatory Services	0	0	0	0
Justice and Community Safety – other	0	1	0	1
<b>Environment and Planning Directorate</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>2</b>
Suburban Land Agency	4	2	0	2
<b>Canberra Health Services</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>4</b>
<b>Education Directorate</b>	<b>13</b>	<b>13</b>	<b>0</b>	<b>13</b>
<b>Environment and Sustainable Development Directorate</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>4</b>



Directorate / Agency	Total received	Total finalised*	Finalised with Investigation	Finalised without investigation
<b>Health Directorate</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>4</b>
<b>Independent Statutory Offices</b>	<b>17</b>	<b>29</b>	<b>0</b>	<b>29</b>
ACT Court or Tribunal	4	8	0	8
ACT Human Rights Commission	7	11	0	11
ACT Teacher Quality Institute	0	0	0	0
Director of Public Prosecutions	0	1	0	1
Legal Aid ACT	4	4	0	4
Public Trustee and Guardian	2	5	0	5
<b>Office of the Legislative Assembly</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
ACT Audit Office	0	0	0	0
ACT Electoral Commission	0	0	0	0
ACT Legislative Assembly	0	0	0	0
<b>Prescribed Authorities</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>
ACT Law Society	2	2	0	2
<b>Territory-owned Corporations</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>2</b>
ACT Long Service Leave Authority	0	1	0	1
Icon Water	1	1	0	1
<b>Transport Canberra and City Services Directorate</b>	<b>10</b>	<b>12</b>	<b>2</b>	<b>10</b>
Transport Canberra and City Services – other	10	12	2	10
<b>Total ACT Government</b>	<b>175</b>	<b>212</b>	<b>9</b>	<b>203</b>
<b>ACT Policing</b>	<b>27</b>	<b>30</b>	<b>0</b>	<b>30</b>
<b>Total ACT</b>	<b>202</b>	<b>242</b>	<b>9</b>	<b>233</b>

\* Data on complaints finalised includes complaints received from 1 July 2023 to 31 December 2024, as well as complaints received in prior months.

Note: this data is dynamic and maybe updated.



## Appendix B: Outcomes of complaint investigations finalised from 1 July to 31 December 2024

Directorate / Agency	Better explanation provided by agency	Better Explanation by Ombudsman	Decision changed or reconsidered	No Remedy	Payment granted	Fee refunded/waived/reduced	Remedy provided by Agency	Total
<b>Chief Minister, Treasury and Economic Development Directorate</b>		1		1	1		2	5
Access Canberra		1		1			1	3
Canberra Institute of Technology							1	1
University of Canberra					1			1
<b>Community Services Directorate</b>	1	1	2			1		5
Housing ACT	1	1	2			1		5
<b>Justice and Community Safety Directorate</b>			1	1				2
ACT Corrective Services			1	1				2
<b>Transport Canberra and City Services Directorate</b>		1					2	3
Transport Canberra and City Services Directorate - other		1					2	3
<b>Total ACT</b>	1	3	3	2	1	1	4	15

*Note: More than one outcome can be achieved following a complaint investigation. This data is dynamic and may be updated.*



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Commonwealth Ombudsman

Level 5, 7 London Cct

Canberra ACT 2601

Tel: 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)