

Table A1—Approaches and complaints received and finalised about ACT Government agencies, 2005–06, *Ombudsman Act 1989* (ACT) (including freedom of information).

Table A2—ACT Policing complaint issues finalised, 2005–06, *Complaints (Australian Federal Police) Act 1981* (Cth).

Table A3—ACT Policing method of handling complaint issues finalised, 2005–06, *Complaints (Australian Federal Police) Act 1981* (Cth).

EXPLANATIONS OF TERMS USED IN APPENDIX 2 TABLES

Advised to pursue elsewhere—complainant advised to pursue complaint directly with agency, court or tribunal, industry or subject specialist, member of parliament or minister

AFP investigation—AFP investigation of complaints against AFP members and review by the Ombudsman

AFP workplace resolution—complaints managed by the AFP in the workplace and reviewed by the Ombudsman

Approach/complaint not pursued—withdrawn by complainant, or written complaint requested but not received

Approaches/complaints finalised—approaches/complaints finalised in 2005–06, including some complaints carried over from previous years

Approaches/complaints received—approaches/complaints received in 2005–06.

Category 1 approaches—resolved without investigation, outcomes include decisions not to investigate and referrals to appropriate agency or authority

Category 2 approaches—approaches that cannot be resolved at category 1 and require further internal inquiries/research or more information from the complainant, resolved without contacting the agency

Category 3 approaches—investigation conducted and agency contacted

Category 4 approaches—further investigation conducted, as the complaint/approach was not able to be resolved in category 3

Conciliated—complaint conciliated through the AFP’s workplace-resolution process and reviewed by the Ombudsman

Incapable of determination—sufficient evidence was not available to support a clear conclusion

Issues—approaches/complaints can contain a number of issues, each requiring a separate decision as to whether to investigate; each issue may result in a separate outcome

Ombudsman decision not to investigate—the Ombudsman may decide not to investigate where a person has not tried to resolve their problem directly with the relevant agency or there is a more appropriate avenue of review available

Ombudsman investigation—investigation, following consideration by the AFP, asking more questions and reviewing the agency’s files, policies and procedures

Ombudsman investigation not warranted—investigation of the approach/complaint judged to be unnecessary for one of the following reasons: over 12 months old, frivolous or not in good faith, insufficient interest, related to commercial activity, or ‘not warranted’ having regard to all the circumstances; this includes approaches/complaints that were considered by the AFP and reviewed by the Ombudsman where further investigation was not warranted

Out of jurisdiction—complaint not within the Ombudsman’s legal powers

Remedies—complaints can contain a number of issues, each requiring separate investigation and possibly resulting in a number of different remedies

Special investigation—investigations conducted under section 46 of the *Complaints Act* may be conducted solely by the Ombudsman or jointly with the AFP

Substantiated—complaint issue was found to be true

Unsubstantiated—there were no grounds for the complaint issue.

TABLE A1 APPROACHES AND COMPLAINTS RECEIVED AND FINALISED ABOUT ACT GOVERNMENT AGENCIES, 2005–06, *OMBUDSMAN ACT 1989* (ACT) (INCLUDING FREEDOM OF INFORMATION)

| Agency | Received | Not investigated | | | | Investigated | | | | Remedies | | | | | | |
|---|------------|------------------|------------|------------|------------|--------------|------------------|----------|----------------------------------|---------------------|-------------|------------------|---------------------------------|----------------------------|-------|--|
| | Total | Finalised | | | | Total | Action expedited | Apology | Decision changed or reconsidered | Disciplinary action | Explanation | Financial remedy | Law, policy or practice changed | Other non-financial remedy | Total | |
| | | Category 1 | Category 2 | Category 3 | Category 4 | | | | | | | | | | | |
| ACT Corrective Services | 97 | 41 | 21 | 27 | 9 | 2 | 1 | 1 | 3 | 1 | 1 | 2 | 9 | | | |
| ACT Emergency Services Authority | 1 | 1 | | | | | | | | | | | | | | |
| ACT Health | 22 | 12 | 5 | 4 | 1 | | | | | | | | | | | |
| ACT Office of Fair Trading | 8 | 3 | 1 | 4 | 1 | | | | | | | | | | | |
| ACT Library and Information Services | 2 | 1 | 1 | | 2 | | | | | | | | | | | |
| ACT Magistrates Court and Tribunals | 6 | 2 | 3 | 1 | 1 | | | | | | | | | | | |
| ACT Planning and Land Authority | 37 | 12 | 8 | 5 | 12 | 1 | 1 | 1 | | | | 1 | 4 | | | |
| ACT Registrar-General's Office | 4 | 2 | | 2 | 1 | | | 1 | 1 | 1 | | | 3 | | | |
| ACTEW Corporation | 27 | 22 | 2 | 2 | 1 | 2 | 1 | 1 | | | | | 2 | | | |
| ACTION | 4 | 1 | 1 | 1 | | | | | | | | | | | | |
| Cultural Facilities Corporation | 1 | | | | | | | | | | | | | | | |
| Canberra Institute of Technology | 5 | 2 | 1 | 3 | | | | | | | | | | | | |
| Chief Minister's Department | 4 | 1 | 1 | 1 | 1 | | | | | | | | | | | |
| Department of Disability, Housing and Community Services | 14 | 10 | 1 | 2 | 1 | | | | | 1 | | | 1 | | | |
| Department of Education and Training | 11 | 6 | 1 | 3 | 1 | | | | | | | | | | | |
| Department of Treasury | 15 | 5 | 4 | 2 | 5 | | | | | | | | | | | |
| Department of Urban Services | 36 | 17 | 12 | 6 | 1 | | | | | | | | | | | |
| Environment ACT | 2 | 2 | 1 | 1 | 1 | | | | | | | | | | | |
| Housing ACT | 105 | 70 | 9 | 19 | 6 | 104 | 2 | 2 | 3 | | | 1 | 8 | | | |
| Land Development Agency | 2 | 2 | | 1 | | | | | | | | | | | | |
| Legal Aid Commission (ACT) | 7 | 2 | 3 | 1 | 1 | | | | | | | | | | | |
| Office for Children, Youth and Family Support | 37 | 12 | 17 | 5 | 6 | 40 | 1 | | 1 | | | | 2 | | | |
| Office of the Community Advocate | 6 | 2 | 1 | 1 | 1 | 5 | | | | | | | | | | |
| Office of the Director of Public Prosecutions | 9 | 5 | 5 | | | 10 | | | | | | | | | | |
| Office of the Occupational Health and Safety Commissioner and ACT Workcover | 1 | 1 | | | | 1 | | | | | | | | | | |
| Public Trustee for the ACT | 3 | 1 | 1 | 1 | | 3 | 1 | 1 | | | | | 2 | | | |
| Roads ACT | 42 | 17 | 13 | 7 | 8 | 45 | 1 | 1 | 1 | 4 | 1 | | 8 | | | |
| Supreme Court of the Australian Capital Territory (The) | 1 | | | | 1 | 1 | | | | | | | 1 | | | |
| University of Canberra | 3 | | 2 | | 2 | 4 | | | | | | | 1 | | | |
| Total | 512 | 248 | 114 | 99 | 61 | 522 | 6 | 6 | 4 | 1 | 10 | 8 | 1 | 4 | | |

TABLE A2 ACT POLICING COMPLAINT ISSUES FINALISED, 2005–06, *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981* (CTH)

| | | |
|------------------------------------|---------------------------------------|------------|
| Complaints | Received | 353 |
| | Finalised | 419 |
| Outcome of issues finalised | Conciliated | 245 |
| | Incapable of determination | 6 |
| | Substantiated | 1 |
| | Unsubstantiated | 17 |
| | Ombudsman investigation not warranted | 158 |
| | Advised to pursue elsewhere | 15 |
| | Complaint not pursued | 44 |
| | Total issues finalised | 486 |

TABLE A3 ACT POLICING METHOD OF HANDLING COMPLAINT ISSUES FINALISED, 2005–06, *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981* (CTH)

| | | |
|--------------------------------------|---------------------------------------|------------|
| Method of handling complaints | Ombudsman decision not to investigate | 77 |
| | Ombudsman investigation | 74 |
| | AFP investigation | 30 |
| | AFP workplace resolution | 305 |
| | Special investigation | 0 |
| | Total issues finalised | 486 |

Note: The office reviews and audits its statistical data. Minor adjustments to statistics used in this report may occur as a result of such reviews.