

APPENDIX

statistics

TABLE 1—ACT Government departments and agencies complaints received, and complaints and issues finalised, 2004–05, *Ombudsman Act 1989* (ACT) (including freedom of information).

TABLE 2—ACT Policing complaint issues finalised, 2004–05, *Complaints (Australian Federal Police) Act 1981* (Cth).

TABLE 3—ACT Policing method of handling complaint issues finalised, 2004–05, *Complaints (Australian Federal Police) Act 1981* (Cth).

Legend for 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.

Complaint not pursued—withdrawn by complainant, or written complaint requested but not received.

Complaints finalised—complaints finalised in 2004–05, including some complaints carried over from previous years.

Complaints received—complaints received in 2004–05.

Conciliated—complaints conciliated through the AFP's workplace resolution process.

Defect—administrative deficiency determined where an agency has not acted fairly, reasonably or in accordance with its legislation, policies and procedures.

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

Issues—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—further investigation, following preliminary inquiries stage, asking more questions and reviewing the agency's files, policies and procedures.

Ombudsman investigation not warranted—investigation not warranted for one of the following reasons: complaint issue is over 12 months old, frivolous or not in good faith, insufficient interest, or related to commercial activity, or 'not warranted' having regard to all the circumstances.

Ombudsman preliminary inquiries—initial inquiry to determine whether a complaint is within jurisdiction, an investigation is required or the complaint can be resolved by informal inquiries.

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

Resolved without determination—complaint issues resolved before the office reached a view as to whether or not there was any administrative deficiency.

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.

TABLE 1 ACT GOVERNMENT DEPARTMENTS AND AGENCIES COMPLAINTS RECEIVED, AND COMPLAINTS AND ISSUES FINALISED, 2004–05, *OMBUDSMAN ACT 1989*(ACT) (INCLUDING FREEDOM OF INFORMATION)

Agency	Complaints		Outcome of issues finalised							
	Received	Finalised	Agency defect	No agency defect	Resolved without determination	Ombudsman investigation not warranted	Advised to pursue elsewhere	Complaint not pursued	Out of jurisdiction	Total issues finalised
ACT Architects Board	1	1					2			2
ACT Bureau of Sport and Recreation	1	1				1				1
ACT Canberra Institute of Technology	7	6				3	1		2	6
ACT Chief Minister's Department	4	4				1		1	2	4
ACT Community Advocate	3	4	1		2	1		1		5
ACT Corrective Services	104	104	2	2	9	77	30	7	3	130
ACT Cultural Facilities Corporation	2	2		1			1		1	3
ACT Department of Disability, Housing and Community Services	4	5		1			2	1	1	5
ACT Department of Education and Training	8	14	6	10	2	4	2	1		25
ACT Department of Justice and Community Safety	3	3				1	1		1	3
ACT Department of Treasury	8	8		1		5	2			8
ACT Department of Urban Services	20	25	2	2		13	8	3	1	29
ACT Director of Public Prosecutions	2	3		1	1	1				3
ACT Emergency Services Bureau		1				1				1
ACT Health	7	6		1		1	2		2	6
ACT Human Rights Office	1	1				1	1			2
ACT Law Society	1	1				1				1
ACT Legal Aid Office	10	12		1		8	3	1		13
ACT Legislative Assembly		2						2		2
ACT Magistrates Court	8	9				4	3		2	9
ACT Office for Children, Youth and Family Support	50	53	3	5	2	28	21	6		65
ACT Office of Fair Trading	6	6			1	4	1			6
ACT Planning and Land Authority	44	52	5	11	7	15	30	6		74
ACT Public Trustee	5	5				4	1			5
ACT Registrar-General's Office	4	4				3	1			4
ACT Road User Services	51	50	1	3		32	13	2	1	52
ACT Supreme Court	3	3				1	1		1	3
ActewAGL	5	5				1	2		2	5
ACTION	4	5		1		1	3			5
Environment ACT	5	7		3		2	3	1		9
Housing ACT	83	91	8	9	1	38	45	2	2	105
Office of the Occupational Health and Safety Commissioner and ACT Workcover	3	3				1	1	1		3
University of Canberra	2	2					1	1		2
Total	459	498	28	52	25	253	181	36	21	596

TABLE 2 ACT POLICING COMPLAINTS ISSUES FINALISED, 2004–05, *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981* (CTH)

Complaints	Received	443
	Finalised	506
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Outcome of issues finalised	Conciliated	250
	Incapable of determination	2
	Substantiated	4
	Unsubstantiated	27
	Ombudsman investigation not warranted	267
	Advised to pursue elsewhere	3
	Complaint not pursued	83
	Out of jurisdiction	1
	Total issues finalised	637

TABLE 3 ACT POLICING METHOD OF HANDLING COMPLAINT ISSUES FINALISED, 2004–05 *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981* (CTH)

Method of handling complaints	Ombudsman decision not to Investigate	85
	Ombudsman preliminary inquiries	47
	Ombudsman investigation	0
	AFP workplace resolution	460
	AFP investigation	44
	Special investigation	1
	Total issues finalised	637

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.