

SECTION B

CONSULTATION AND SCRUTINY REPORTING

B

COMMUNITY ENGAGEMENT

The Ombudsman's office maintains contact with the community in a variety of formal and informal ways. This aspect of our work is important in raising public awareness of the right to complain to the Ombudsman and building confidence in the role of the office in managing and investigating complaints about ACT Government agencies and ACT Policing.

During 2007–08 we:

- attended Tenancy Week 2007 and promoted the office's services to invited guests and the public
- met with the Women's Information and Referral Centre to explain the Ombudsman's role and services
- held an information stall at Contact Canberra 2008 (part of the National Multicultural Festival)
- met with the Tenants Union and Welfare Rights Legal Centre to explain the Ombudsman's role and services
- met with the Citizen's Advice Bureau to explain the Ombudsman's role and services
- held a joint information stall at Woden Shopping Centre with the Office of Regulatory Services, Human Rights Commission and Legal Aid
- conducted outreach activities during Orientation Week at the University of Canberra and the Australian National University
- met with the Conflict Resolution Service to explain the Ombudsman's role and services
- met with the Migrant Resource Centre to explain the Ombudsman's role and services
- provided an information session to Carers ACT about the Ombudsman's role and services
- lectured on the role of the Ombudsman in police complaints to the Criminal Practices course of the Legal Workshop at the Australian National University.

Periodically the office surveys complainants, as this is one way to measure our performance and to identify areas for improvement in service delivery. Such surveys also provide information which helps us better target our outreach activities.

Late in the reporting period we commissioned an independent market research company to undertake a survey of complainants. The survey aims to obtain information on three key aspects—access, demographics and quality of service. We will report on the survey results in our 2008–09 annual report.

During 2007–08 the office established the Dennis Pearce Top Performance in Administrative Law Prize at the University of Canberra. The prize, named after the first ACT Ombudsman, Prof. Dennis Pearce, is awarded to the student who receives the highest grade in the administrative law unit in the University of Canberra's Law School. The inaugural winner of the prize was Mr Brendan Jones.

LEGISLATIVE ASSEMBLY COMMITTEE INQUIRIES AND REPORTS

No completed inquiries of Legislative Assembly Committees related to the operations of the ACT Ombudsman's office.

LEGISLATIVE REPORT

The role of the ACT Ombudsman is performed under the *Ombudsman Act 1989* (ACT). The Ombudsman also has specific responsibilities under the *Freedom of Information Act 1989* (ACT) and is authorised to deal with whistleblower complaints under the *Public Interest Disclosure Act 1994* (ACT).

ACT Policing

Members of the Australian Federal Police (AFP) provide policing services for the ACT under an agreement between the Commonwealth and ACT Governments. Members of the AFP assigned to the AFP's ACT region are engaged in community policing duties under the ACT Chief Police Officer, who is also an AFP Assistant Commissioner. The legislative basis for

dealing with complaints about the AFP changed during 2006–07.

Under the *Complaints (Australian Federal Police) Act 1981* (Cth) (Complaints Act), responsibility for investigating complaints was shared between the AFP and the Ombudsman's office. All complaints from members of the public had to be dealt with jointly by the AFP and the Commonwealth Ombudsman.

The Complaints Act was repealed on 30 December 2006 and replaced with Part V of the *Australian Federal Police Act 1979* and amendments to the *Ombudsman Act 1976* (Cth). Complaints received by either the AFP or the Ombudsman prior to 30 December 2006 continue to be dealt with under the provisions of the Complaints Act.

Under the new legislative regime, responsibility for investigating complaints rests with the AFP. The new model removes the requirement for joint handling of all complaints. AFP line managers are now required to deal with minor matters. More serious matters are notified to the



Outreach at the University of Canberra with other members of the Australian and New Zealand Ombudsman Association

Ombudsman's office. The categorisation of complaints into minor or serious matters was agreed on by the AFP Commissioner and the Ombudsman and set out in a legislative instrument. Primary responsibility for resolving more serious matters remains with the AFP.

In addition, the Commonwealth Ombudsman, also designated as the Law Enforcement Ombudsman under the *Ombudsman Act 1976* (Cth), is required to review the handling of complaints and conduct issues in the AFP at least annually and may investigate conduct issues on his

own initiative. The notification of all serious complaints received by the AFP alerts the Ombudsman to matters that may warrant investigation.

A Child Sex Offenders Register was established in the ACT as a requirement of the *Crimes (Child Sex Offenders) Act 2005* (ACT) (the Act). One of the Ombudsman's functions under the ACT Ombudsman Act is to monitor compliance with Chapter 4 of the Act by the ACT Chief Police Officer and other people authorised by the Chief Police Officer to have access to the register.