

press statement press statement press statement press statement

Embargoed until 10:30am 26 October 2007

NSW Ombudsman Bruce Barbour – press statement **2006-2007 Annual Report**

I have tabled the Ombudsman's Annual Report for 2006-2007.

The report highlights our work across government and other agencies to fix problems and address misconduct. In the last year:

- We received and provided advice on over 32,000 matters
- We reviewed 3,923 agency inquiries and conducted a further 2,409 preliminary or full investigations
- We reviewed the deaths of 221 of the most vulnerable children and people with a disability, and released a two volume report with 62 recommendations to bring about systemic change
- Six of our reviews of new police powers were made public, including our reports about the use of drug detection dogs and the taking of DNA samples
- Our officers visited 57 regional and remote New South Wales communities and delivered over 250 speeches, presentations and training sessions to thousands of agency staff and community members
- 67% of the Freedom of Information matters we reviewed resulted in better outcomes for complainants, including further release of documents and fee refunds

There are 79 case studies in the annual report demonstrating that when people complain about the actions of officials, my office can achieve better outcomes for them and the whole community.

- Following our involvement, a couple were compensated by a council which had provided inaccurate development advice. The council has now moved to prevent further subdivision in the area (page 102). **People make life-changing decisions**

based on what officials tell them. They deserve the right information from government.

- In response to our advice, a council stopped its rangers from issuing infringement notices for traffic offences they were not authorised to enforce (pages 100-101). **The community expects local government to act lawfully and fairly when taking enforcement action.**
- Our investigation caused DoCS to properly assess a number of children at risk of harm and neglect. This resulted in court action to ensure their safety (page 84). **It is vital that the systems in place to protect children operate effectively. Young children cannot act to safeguard themselves or their siblings. The Ombudsman, through our investigations and reviews, provides a check and balance in child protection.**
- As a result of our investigation, police apologised to a man improperly strip-searched following a drug detection dog indication (pages 59-60). **Police need search powers to do their job. However, no one should be strip searched without lawful cause.**
- As a result of our intervention, an inmate wrongly held at a correctional centre was released on bail. Two others were assured access to essential medication for asthma and cancer (pages 110-113). **Inmates, like all in the community, should be treated fairly by officials. And they too deserve proper medical care.**

While dealing with one off complaints is our main job, we also closely review key aspects of agencies' service delivery and conduct. This year, some 20 Ombudsman projects were commenced or completed examining critical areas of public administration.

- We finalised a comprehensive report into the policing of domestic violence. Our 44 recommendations will improve the effectiveness of frontline police, and the situation of families affected by domestic violence. **Domestic violence affects everyone in New South Wales. I am pleased that police have already taken substantial steps to implement our recommendations.** I am also pleased with government announcements since our report increasing resources to tackle domestic violence, and reforming the system for apprehended violence orders (page 64).
- We commenced a review of complaint handling procedures in more than 370 local councils and public sector agencies. **People expect departments and councils to take complaints seriously. Our review is focussed on making sure agencies have in place the right systems for speedy, effective and early complaint resolution.**

- We investigated police management of high-speed pursuits. Police pursuits can be a risky business. Police have detailed and explicit procedures to manage these risks and improve the safety of officers and the community. Mostly, police comply with these procedures. When they do not, and if the procedures are to work, failings need to be identified and properly addressed. **Our investigations showed some of the systems are not working. Not every pursuit is properly reviewed. And too often apparent breaches are not identified and redressed. Our recommendations aim not only to improve training, but also the compliance by senior officers responsible for the policing of police pursuits** (pages 64-65).

We have also continued our commitment to improve agency practice through practical guides. Some 40,000 of our handbooks, guidelines and reports are downloaded from the Ombudsman website every month. This year, we completed guidelines in areas such as the use of apologies by agencies and complaint handling by New South Wales' universities. And, after many years working with the Premier's Department, we have finally published joint guidelines for agencies on dealing with Freedom of Information applications.

Importantly, my report includes many examples of good practice by government and other agencies. Most work with us, rather than against us. This cooperation is essential if we are to get things right.

Bruce Barbour
NSW Ombudsman

Mr Barbour will be holding a press conference at 10:15am at the Press Gallery, Parliament House.

Facts and Figures

Police

- ✓ 3,466 written complaints received, including 1,268 from police officers
- ✓ 2,303 police complaint investigations were reviewed, 90% were satisfactorily handled
- ✓ 89% of our investigation recommendations were accepted by police
- ✓ 60 officers were charged with 184 offences as a result of complaint investigations, with 80% of all charges stemming from complaints made by police officers

Departments and Authorities

- ✓ 4,623 matters received, 3,465 resolved by advice or referral
- ✓ 686 positive outcomes from the 631 matters where we took action
- ✓ 92% of complaints relating to public authorities assessed within 48 hours
- ✓ 34% of complaints related to poor customer service or poor complaint handling

Community Services

- ✓ 1,760 matters received, 1,200 of which were resolved informally
- ✓ 43% of formal matters were resolved after preliminary inquiries were made
- ✓ reviewed the deaths of 221 people, including 123 children, and released a two volume report with 62 recommendations
- ✓ coordinated 31 official community visitors, who made over 3,000 visits to 1,230 services

Local Government

- ✓ 2,833 matters received, 1,992 resolved by advice or referral
- ✓ 636 positive outcomes from the 539 complaints where we took action
- ✓ 125 local councils' complaint handling systems surveyed
- ✓ 30% of complaints related to customer service

Corrections and Juvenile Justice

- ✓ 4,179 matters received, 3,486 resolved by advice or referral
- ✓ 175 person days spent visiting correctional centres
- ✓ 385 positive outcomes from the 577 complaints where we took action
- ✓ 15% of complaints related to inmates' daily routine

Employment-related Child Protection

- ✓ 1,995 notifications alleging reportable conduct assessed
- ✓ 1,620 agency investigations reviewed or monitored
- ✓ 45 training sessions for staff dealing with children
- ✓ Hosted 22 industry forums
- ✓ 100% compliance by agencies with investigation recommendations

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Regional and suburban references

Berrima Correctional Centre	Case study 44	P111
Cessnock Correctional Centre	Case study 41	P110
City of Sydney Council	Case study 54	P121
Dillwynia Correctional Centre	Case study 48	P113
Emu Plains Correctional Centre	Case study 45	P111
Eurobodalla Shire Council	Case study 29	P101
Fairfield City Council	Case study 62	P127
Goulburn Correctional Centre	Case study 40	P110
Junee Correctional Centre		P111
Junee Correctional Centre	Case study 46	P111
Junee Correctional Centre	Case study 47	P112
Kariong Juvenile Correctional Centre		P116
Kariong Juvenile Correctional Centre	Case study 50	P116
Liverpool Council	Case study 26	P100
Macquarie University	Case study 60	P126
Manly Council	Case study 61	P127
Metropolitan Remand Reception Centre	Case study 49	P113
Metropolitan Special Programs Centre	Case study 33	P104
Metropolitan Special Programs Centre	Case study 35	P107
Metropolitan Special Programs Centre	Case study 42	P110
Mosman Municipal Council	Case study 11	P74
Muswellbrook Council	Case study 28	P101
New England	Case study 9	P66
Mid North Coast Correctional Centre	Case study 34	P106
Parklea Correctional Centre		P108
Parklea Correctional Centre	Case study 39	P109
Redfern	Case study 1	P46
Silverwater correctional Centre	Case study 36	P108
Silverwater Women's Correctional Centre		P113
Sutherland Shire Council	Case study 27	P101
Sutherland Shire Council	Case study 30	P102
University of NSW		P132
Woollahra Council	Case study 31	P102