

Embargoed until 3:30pm Wednesday 26 October 2011

NSW Ombudsman Annual Report 2010-2011

Ombudsman committed to getting the job done: positive outcomes for the people of NSW

The NSW Ombudsman Bruce Barbour today tabled his 2010–2011 Annual Report.

'Once again, the bottom line of our work this year is making sure we achieve positive outcomes and systems improvement for the people of NSW' Mr Barbour said. **'We continue to take on new challenges and while the scope of our work has increased, we have not deviated from the core focus of our business.'**

This year the Ombudsman received 33,064 complaints and notifications, completed 23 agency audits and over 8,000 file audits, visited 59 regional and remote communities in NSW and consulted with 1,466 people on a range of issues.

Ombudsman takes swift action to fix problems

'Some of the complaints we receive involve simple issues while others are more complex and systemic' Mr Barbour said. **'For many of the people we deal with, even the smallest outcome, like an apology, a refund or a better explanation can make a significant difference.'**

A tenant called us complaining that water was streaming down the walls in her unit and Housing NSW were taking too long to respond. We contacted Housing NSW and arranged for repair work to start within a week (**case study 76 – p.91**).

An inmate called us complaining that the dinner delivered was not enough for the 37 inmates in their pod. Our immediate action resulted in the general manager having the food checked the following night and putting in place steps to improve quantity and quality control of inmate food at the Centre (**case study 22 – p.41**).

We investigated a police officer who had been untruthful in his account of failing to investigate a motor vehicle incident. The officer lied about serving a Court Attendance Notice in person, resulting in the driver receiving a conviction without reasonable notice of the charge against him. Following our recommendations, police apologised to the driver and annulled his conviction (**case study 43 – p.57**).

Improving cross-agency communication

'Essential services are increasingly delivered by a wide range of public and private sector agencies. Our broad mandate means we are in a strong position to work across these agencies to effectively address complex issues' Mr Barbour said.

We became aware that a foster carer's son was living in a non-government foster home and had a serious criminal history. After making inquiries with several agencies, we facilitated information exchanges to ensure the agency received full and accurate records. The son was subsequently assessed as being not suitable to live with foster children (**case study 62 – p.77**).

The NSW Aboriginal Land Council complained to us about significant delays in processing land claims by the then Land and Property Management Authority. We facilitated a successful conciliation between the two agencies, resulting in a 15-point agreement that included measures aimed at improving land claim processes (**case study 81 – p.110**).

Ombudsman continues to be proactive

'Being an effective oversight agency is not just about handling complaints' Mr Barbour said. **'It's also about taking a proactive approach and interacting with people to identify what the important issues are and the best way to address them.'**

Following 16 complaints in the past year about police wrongfully arresting young people for breach of bail conditions, we raised our concerns with police. We were advised that the interface between the police and court databases was not working properly, resulting in inaccurate bail information. Following our involvement, police developed interim strategies to reduce the risk of wrongful arrests while waiting for the upgrade of the systems (**case study 41 – p.56**).

We issued a practice update to clarify the types of behaviours that fall within the definition of sexual misconduct following a school's inadequate handling of allegations of inappropriate conduct by a teacher. Against our advice, the school found the teacher's behaviour not amounting to reportable conduct. A few months later, we received notice of further allegations of similar nature against the same teacher, who subsequently pleaded guilty in court to several child sex offences (**case study 66 – p.79**).

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Regional and suburban references

Bathurst Correctional Centre	Case study 13	p.39
Bathurst Correctional Centre	Case study 77	p.91
Blue Mountains City Council	Case study 30	p.44
Dillwynia Correctional Centre	Case study 77	p.91
Grafton Correctional Centre	Column 2	p.39
Grafton Correctional Centre	Case study 19	p.40
Goulburn Correctional Centre	Column 2	p.41
John Morony Correctional Centre	Case study 15	p.39
Junee Correctional Centre	Case study 22	p.41
Junee Correctional Centre	Case study 77	p.91
Kariong Juvenile Correctional Centre	Column 2	p.37
Macquarie University	Article	p.49
Manly Council	Case study 25	P,43
Manly Council	Case study 35	P,47
Metropolitan Remand & Reception Centre (MRRC)	Case study 13	P.39
Metropolitan Remand & Reception Centre (MRRC)	Case study 16	p.40
Metropolitan Remand & Reception Centre (MRRC)	Case study 77	p.91
Metropolitan Special Programs Centre (MSPC)	Case study 17	p.40
Mid North Coast Correctional Centre	Column 2	p.38
Mid North Coast Correctional Centre	Case Study 12	p.38
Narrabri Shire Council	Case study 29	p.46
Parklea Correctional Centre	Column 2	p.38
Parramatta Correctional Centre	Case study 14	p.39
Silverwater Women's Correctional Centre	Case study 20	p.40
South Coast Correctional Centre	Column 2	p.38
Tamworth Correctional Centre	Case study 77	p.91
Upper Lachlan Shire Council	Case study 27	p.43
Wellington Correctional Centre	Column 2	p.38
Wellington Correctional Centre	Case study 11	p.38