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NSW Ombudsman Annual report 2011-2012

The NSW Ombudsman today tabled his annual report for 2011-2012.

The year at a glance

While statistics do not provide a full picture of the Ombudsman's work, they do show that the office continues to deal with a large number of matters. This year, the Ombudsman has dealt with 33,353 complaints and notifications. This includes 9,504 formal matters and 23,849 informal matters.

Fixing everyday, important problems

The Ombudsman can help to overcome misunderstandings, improve services, fix delays and other administrative failings, getting to the heart of an issue to achieve outcomes in the public interest. **'In some cases, these matters can result in changes that benefit a much larger part of the community'** the Ombudsman, Bruce Barbour, said. **'My office can make a difference across many situations and circumstances. This is the real value in an Ombudsman with a broad mandate and jurisdiction.'** Our work this year included:

- Helping a mother of a 15 year old girl with an intellectual disability to get the support and assistance her daughter needs at school. Two government departments are changing the way they deal with similar situations following our involvement (**case study 33, page 64**).
- Working with NSW Police Force to ensure officers were not enforcing bail conditions that may be unlawful (**case study 7, page 43**).
- Recommending a council consider changing their approach to an elderly couple with a high water bill resulting from a concealed leak. **'Councils have a close relationship with the community. To maintain this, they must identify situations where they can and should use their discretion.'** The council has adopted a policy to deal with similar situations in the future, and invited the couple to apply for a once-off adjustment to their bill (**case study 39, page 69**).
- Intervening to overcome an unreasonable delay by Fair Trading in finalising a claim for compensation. **'Delays in dealing with what should be straightforward matters are unacceptable, and create unnecessary frustration and concern for the people involved.'** (**case study 37, page 67**).
- Ensuring inmates in correctional centres receive the assistance they need, including medical and psychiatric treatment. **'These are often vulnerable people in an institutionalised setting. The State has a responsibility for ensuring their health and wellbeing'** (**case studies 27 and 28, page 58**).
- Working to overcome lengthy delays in processing applications for water licences. The Office of Water have worked to halve the backlog of applications, and we are satisfied they are making progress **'People have a right to timely and appropriate decisions in matters that impact on their lives and livelihood'**(**page 62**).

Investigating and reporting on systemic issues

Each year, the Ombudsman conducts a range of investigations into areas of public importance. This year, we have investigated:

- The system the State Debt Recovery Office has in place to review requests for fines to be waived (**page 62**).
- The management of a contract for asbestos surveys in public schools (**page 64**).
- Community Services' and NSW Police Force's response to multiple reports of significant risk of harm about three children under 10 (**case study 46, page 74**).

The Ombudsman has reported the findings of a number of investigations directly to Parliament. These reports have dealt with:

- The need for a different approach to addressing Aboriginal disadvantage (**page 98**).
- The behaviour management program at Kariiong Juvenile Justice Centre (**page 51**).
- The need for reform in the boarding house sector (**page 93**).
- The management of asbestos, lead and other hazardous materials in NSW Police Force buildings (**page 65**).
- The implementation of Keep them Safe (**page 74**).
- The management of use of force in prisons (**page 51**).

These reports are mentioned briefly in the annual report, and can be accessed at the Ombudsman's website (www.ombo.nsw.gov.au/news-and-publications/publications/reports).

Working to improve services

The Ombudsman works to ensure the community receives the best possible services from both government and non-government providers.

'When we review the way in which services are delivered, we do not just look at what strategic plans, policy documents or media releases say will be done' said the Ombudsman. **'We look at what is happening in practice, and identify what works, what doesn't, and what needs to be done differently. This is particularly important at a time when agencies are being asked to do more with less, to work smarter and deliver tailored and appropriate services to the community.'**

This year we have:

- Reviewed the circumstances of a group of adolescents at risk **'Much of the focus in child protection is on younger children, but it is essential older children and young people get the protection and support they need and deserve'** (**page 76**).
- Continued to monitor whether the NSW Police Force are notifying us of prosecutions that fail because of the unreasonable action or serious failing of a police officer. **'These matters can be very serious, and they must be recorded as complaints and handled accordingly'** (**page 44**).
- Reviewed the situation of 48 school-age children in two Western NSW towns, and demonstrated how agency information holdings could be used to better identify and respond to children at risk. **'Government agencies hold a great deal of information about children in these communities. When it is viewed together, it can help agencies to better plan their response'** (**page 99**).
- Reviewed the use of segregation and separation in juvenile justice centres. **'Segregation should only be used for the safety of a young person or to prevent them from harming others. If we see instances of it being used as punishment, we raise these with both the centre managers and Juvenile Justice.'** (**page 56**).

Regional and suburban references

Acmena Juvenile Justice Centre	Case study 24	P58
Bathurst Correctional Centre	Case study 11	P53
Blacktown City Council	Case study 41	P69
Bourke		P101
Brewarrina		P101
Campbelltown City Council	Case study 44	P70
Charles Sturt University		P41
Cooma Correctional Centre	Case study 22	P57
Dawn de Loas Correctional Centre	Case study 21	P57
Eurobodalla Shire Council	Case study 42	P70
Frank Baxter Juvenile Justice Centre	Case study 25	P58
Gloucester Shire Council	Case study 39	P69
Gosford City Council	Case study 40	P69
Goulburn Correctional Centre	Case study 14	P54
Junee Correctional Centre	Case study 13	P54
Kariong Juvenile Justice Centre		P51
Lane Cove Council	Case study 43	P70
Metropolitan Remand & Reception Centre	Case study 27	P58
Metropolitan Special Programs Centre	Case study 18	P56
Mid North Coast Correctional Centre	Case study 10	P53
North Head Sewage Plant	Case study 29	P62
Parklea Correctional Centre	Case study 23	P57
Riverina Juvenile Justice Centre	Case study 26	P58
Silverwater Women's Correctional Centre	Case study 16	P55
Silverwater Women's Correctional Centre	Case study 28	P58
Warringah Council	Case study 45	P70
Wellington Correctional Centre	Case study 12	P53