



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON THE INTEGRITY COMMISSION AND  
STATUTORY OFFICE HOLDERS**

(Reference: [Inquiry into Annual and Financial Reports 2024-25](#))

**Members:**

**MR E COCKS (Chair)  
MR A BRADDOCK (Deputy Chair)  
MR T WERNER-GIBBINGS**

**PROOF TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**FRIDAY, 14 NOVEMBER 2025**

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**Secretary to the committee:  
Ms K de Kleuver (Ph: 620 70524)**

**By authority of the Legislative Assembly for the Australian Capital Territory**

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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## **Privilege statement**

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*Amended 20 May 2013*

**The committee met at 9.33 am.**

Appearances:

Braddock, Mr Andrew, Acting Speaker

Office of the Legislative Assembly

Duncan, Mr Tom, Clerk of the Legislative Assembly

Finlay, Mr Hamish, Deputy Clerk and Serjeant-at-Arms of the Legislative Assembly

Turner, Ms Rachel, Executive Manager, Business Support Branch

Monk, Dr David, Acting Senior Director, Office of the Clerk

**THE CHAIR:** Good morning and welcome to this public hearing of the Standing Committee on the Integrity Commission and Statutory Office Holders for its inquiry into annual and financial reports for 2024-25. The committee will today hear from the Office of the Legislative Assembly, the ACT Integrity Commission, the ACT Ombudsman, Inspector of the ACT Integrity Commission, and Principal Officer of the ACT Judicial Council.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

This hearing is a legal proceeding of the Assembly and has the same standing as proceedings of the Assembly itself. Therefore, today's evidence attracts parliamentary privilege. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly. The hearing is being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and web-streamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome Mr Andrew Braddock MLA, Acting Speaker, and officials from the Office of the Legislative Assembly. Since we are not inviting opening statements, we will proceed to questions. I will start. There has been a distinct increase in the amount of parliamentary work during this Assembly. I want to check to see how OLA staff are coping with the additional workload and the additional stress that we are putting them under. Have you managed to put things in place to manage the additional demands that come with a minority government and the intense load we seem to be applying across the opposition and the crossbench?

**Mr Braddock:** Mr Duncan, would you like to answer that?

**Mr Duncan:** Thank you very much, Mr Chair. It definitely is a different parliament with the minority government. The committees are pretty much going at full capacity, I would suggest, looking at the number of references and inquiries. In terms of the extra workload, we have not been sitting any extra hours, so, in terms of the casual editors and attendants, we are not seeing an increase in load. The orders for the production of

documents have definitely had an effect in the Office of the Clerk. Today, for instance, we are printing out a whole range of documents for the legal arbiter, who is arriving on Monday to do an assessment of the climate change mitigation documents that were ordered by the Assembly. One of the members has challenged that claim. Certainly, we are keeping an eye on the orders for the production of documents to see what the increase in workload is.

In terms of resources and the budget, we are running four extra positions across the office. That is less to do with parliament activity and more to do with the business support side. We have an assistant technical officer to do with hearings. We have some security staff. We have an employee in the HR section, which is dealing with the new requirements under the enterprise bargain agreement for members' staff, because members now have a very strong focus on making sure their staff are trained and assessed for performance on a regular basis. The fourth position is in IT. We have an IT project officer who is trying to help us with the transformation to more digital processes. That position has been funded. Over time, we will be applying for the funding from the Treasury. But, in terms of other pressures, I think we are managing reasonably well. We will keep an eye on it to make sure that there is not too much workload for our staff.

**THE CHAIR:** That is good. If there is a shift in the workload—for example, as we are dealing with more legislation through the term—I imagine you would reassess that. Would you have concerns about capacity or—

**Mr Duncan:** Not yet, because, as you know, every bill introduced in the Assembly is automatically referred to a committee, but committees need to decide whether they want to undertake an inquiry. I cannot speak on behalf of committees, but I suspect one of the parameters that they decide on is whether they have the capacity to undertake an inquiry given their other inquiries into petitions and self-referred matters. I am not aware of an increased volume of legislation. We normally get 60 to 80 bills a year. I could stand corrected on that. Certainly, if it does substantially increase and if committees start doing inquiries into more bills, we will certainly look at whether we need to supplement the resources for the committee office.

**Mr Braddock:** Mr Cocks, the Office of the Legislative Assembly can always, if future demand requires it, put forward a business case through the Speaker in the normal budgetary processes as well.

**THE CHAIR:** Aside from that budgetary resourcing angle, have you put anything else in place in terms of supports for staff or is it not necessary at this stage?

**Mr Duncan:** Not at this stage, but, as I said, we are keeping an eye on it.

**THE CHAIR:** Is there anything else that we as members can do to make sure everyone is—

**Mr Duncan:** No. I think members are well aware. We recently had a debate about sitting days, and I am well aware from sitting in that debate that the level of activity of the Assembly has an effect on all staff. Members are well aware of that and make decisions accordingly.

**MR WERNER-GIBBINGS:** I have a few questions based on my past 12 months and what people have mentioned to me while I have been here. I would like to start with a broader question about how the mission has probably changed slightly. I imagine the focus at the start of the year was supporting the 11th Assembly and, certainly, the new members. Now we are 12 months in and the Assembly is reasonably well bedded down. What are the officers' top priorities for 2025-26?

**Mr Duncan:** Maintaining the level of service that we provide is always a constant one. It is business as usual. We have a strategic plan that ends this financial year. Next year, in February, we will start doing a strategic planning exercise for the next four years. It is something we do every four years. We will be looking at what demands are on us and what sorts of priorities we need to have. The review of Latimer House Principles has commenced. I am meeting with the Centre for Public Integrity, which has been chosen by the Speaker to do that, and that will be the next major focus for me. I will be lodging a submission on behalf of the office, looking at ways we can improve the governance of the territory and particularly the legislature. The executive and the judiciary will no doubt contribute to that process as well. It is in the offing. Perhaps one of my colleagues will want to jump in with any other priorities. The strategic priorities will probably be set in February next year. We wanted to leave it until we had been operating for a year, in order to assess.

**MR WERNER-GIBBINGS:** That is systematic. You do most strategic plans—

**Mr Duncan:** We do it every four years. We set ourselves—

**MR WERNER-GIBBINGS:** Yes, but not in an election year or just after an election?

**Mr Duncan:** No. Members need to find their feet and the Assembly needs to find its feet, because it is a different way of operating. As we have already alluded to, there is the fact that it is a minority government and the Greens are not part of the governing party, so that has put pressures on different areas. At this stage, there has been no change in priorities. Our aim is to support the Assembly, its committees and the members.

**MR WERNER-GIBBINGS:** You mentioned the strategic plan. It would be entirely self-judging. The strategic plan was set 3½ years ago. Have you met the KPIs? Are you in front or behind a bit? Will you have to re-jig the next plan to take account of what has been learned over the past four years?

**Mr Duncan:** I think we have. We have a strategic plan which lasts for four years, but we have an annual plan as well. We track the immediate pressures. It is at a more granular level of achievements. There is the Executive Management Committee, which all the people at the table are on. We meet once a month, and every quarter we track how we are going on our annual plan and whether we are meeting our targets and our priorities. I have not looked at the document in detail, but I think we will find that we have met every target that we set for ourselves. I am happy to provide the details on notice to the committee—

**MR WERNER-GIBBINGS:** That would be interesting from an enlightenment perspective for the committee.

**Mr Duncan:** to show you the annual plan. As I said, it is at a quite granular level. It is on the IT front and a whole range of things, such as the enterprise bargaining agreement. The Executive Manager of Business Support is starting to work on the new enterprise agreement for all staff and LAMS Act staff. That work is already going on. I am happy to provide that documentation to the committee to give it a sense of the strategic plan but also what the annual targets and priorities are.

**Dr Monk:** Excuse me, Chair. I could elaborate on the Clerk's comments about the Latimer House Principles review. The review is a role associated with the Centre for Public Integrity. We are working through the formalities of the contract, in terms of whether it is sufficiently under the centre or not. I wanted to just clarify that.

**THE CHAIR:** Thank you.

**MR WERNER-GIBBINGS:** This is more about working in the Assembly. One of our roles as elected representatives is to inform and engage constituents about the democratic process. A lot of the time, it uses video taken in the chamber. We make X or Y speech to assist, get messages out or let people know that their messages have been heard. However, the broadcast cameras in the chamber are not of the highest quality. We have seen members bringing staff in with super HD stuff to do their own filming. Has the office explored how the camera quality in the chamber could be improved or upgraded? Are there thoughts about that?

**Mr Braddock:** That is an excellent question, Mr Werner-Gibbings. I too have noted that the quality of it does not aid community appreciation of what is happening in the chamber. I would be very interested to know if Mr Duncan or someone else can answer that.

**Mr Duncan:** The person who can probably answer that question is sitting in the broadcast booth as we speak. I will not get him out. We made a decision many years ago to broadcast the proceedings. The original cameras were very low quality. We have upgraded them. I cannot recall when. I can happily provide that information to the committee. At that time, the cost was relatively low. The Tasmanian parliament got broadcast-quality TV cameras that film *Home and Away* and things like that, but it was a very expensive exercise. We made the judgement at that time that we were not going to do that. But, if demand from members is expressed through the Standing Committee on Administration and Procedure, we would—

**THE CHAIR:** We weirdly suspect there might be support for an increased budget submission for that sort of thing.

**Mr Duncan:** I suspect there would be. If members conveyed to us that that was something we need to consider, given the increase in social media use, we would certainly get it costed and would prepare a budget bid for the Speaker and the Standing Committee on Administration and Procedure's consideration, and then we would pursue that, I guess. It has been quite some time since those cameras were put in, and, as you say—

**MR WERNER-GIBBINGS:** Very sallow.

**Mr Duncan:** I make no comment.

**MR WERNER-GIBBINGS:** Thank you. I appreciate it. Are you on the Standing Committee on Administration and Procedure?

**THE CHAIR:** Certainly. The Liberal whip is a member of the Standing Committee on Administration and Procedure, as is the government whip.

**MR WERNER-GIBBINGS:** There is an apparent temperature fluctuation within offices and between offices. There are office staff who use portable heaters and blankets in winter and other officers rely on fans and close blinds to stay cool. I will say for the record that the office that I am in is absolutely fine at all times, but there are obvious differences in temperature in different offices. Is work being done or is there a way of keeping the temperature within the building, as old as it is, more consistent?

**Mr Braddock:** Ms Turner, are you in a position to answer that?

**Ms Turner:** Mr Werner-Gibbings, I appreciate that concern. I am suffering the same issue in the North Building. My office is an igloo and others are warm. Unfortunately, there is the age of the building, the structure of the building, the HVAC system that we have—

**MR WERNER-GIBBINGS:** Sorry—what is that acronym?

**Ms Turner:** Heating, ventilation and cooling—

**MR WERNER-GIBBINGS:** Okay.

**Ms Turner:** We regularly get people in to look at it. When you fix a problem for someone, it creates a problem somewhere else. It is a challenge with the age of the building, but also, more broadly, with large buildings that have a large number of people. However, the team is more than happy to look at any specific situation, so please feel free to raise it with me or Peter Byron as the manager.

**MR WERNER-GIBBINGS:** That would be the advice: people in offices would go straight to you and say, “This is a real problem because of X, Y and Z”?

**Ms Turner:** Yes, and we will get a technician to look at it.

**THE CHAIR:** A whole bunch of concerns have been raised at different times and the response is that it is an old building. It was a second-hand building when the Assembly inherited it. Is there end of life for the Assembly building or has there been any strategic work around the future of the building?

**Mr Duncan:** When the Assembly made the decision to increase from 17 to 25 members, we established a working group to plan the expansion. I was the chair of that working group and Kathy Leigh or one of her representatives was another member. The Speaker’s chief of staff was an observer and the Chief Minister’s chief of staff was an observer. We looked at various options of where we would accommodate the extra



members, from 17 to 25. There were largely three options on the table. One was to create 25 electoral offices across the territory. One was to move the executive out of the building and convert those offices into two members' offices as opposed to one. The third option was to move most of OLA over to the North Building.

The options were costed. We had an external consultant to do that work and they made some assumptions. One of the assumptions they made was that we would be in this building for 20 to 25 years. That was in 2014. So we have been operating under the assumption that we will be in this building for 20 to 25 years. That was a decision taken by the then Chief Minister—well, there was a crossover between Katy Gallagher and Andrew Barr, and Vicki Dunne, who was the then Speaker.

**THE CHAIR:** That was in 2014—20 to 25 years.

**Mr Duncan:** Correct.

**MR WERNER-GIBBINGS:** So 2034 or 2040.

**THE CHAIR:** We are approaching halfway through.

**Mr Duncan:** Correct. That is the only work that I am aware of. We have been having discussions with the City Renewal Authority about the precinct and their plans for the precinct. They may be the better people to ask in terms of what they have planned for the Assembly building. Certainly from OLA's perspective, those are the only conversations that we have had, back in 2014, about how long we will be in this building.

**THE CHAIR:** I will move to a different question quickly to wind things up. It builds on some of the other things that have been asked. You have a project officer looking at IT related issues. One of the things that comes up is around communication and accessibility for the public, as well the *Hansard*. Our Hansard system, compared with some other parliaments, is not as accessible. Is there any work towards a searchable Hansard system?

**Mr Braddock:** Thank you, Mr Cocks. I would also note that there was a recent study which looked at the accessibility of parliaments and found that questions on notice and tabled papers had accessibility questions. To answer this question, I might point to Mr Finlay.

**Mr Finlay:** We have recently established a Metadata and Discovery Group, led by our Assembly Librarian. It is yet to meet, but it is about to meet. That will look at the searchability and discoverability of parliamentary data.

**THE CHAIR:** It is very 2025: metadata and discoverability.

**Mr Finlay:** Yes. The reason the Library is heading this up is that the Library interacts with the parliament's data in the same way the public would, as an end user, effectively. They are not going to the back end of systems; they are using the front end and they are looking at it in that way. The plan for that group is to look at discoverability as a whole, all the data that we host and the manner in which it is accessible or not accessible, to

pick out a combination of our priorities, the low-hanging fruit and where we can get easy gains, and to do a bit of scoping about how big a project this would be if we really addressed this data. My suspicion is that the older data of the *Hansard* would be a substantial body of work and would require a budget bid and all the rest. But the purpose of this group is to do the initial scoping and planning so that we can work out how big a problem it is.

The other aspect of it is that we are still looking at possible new systems to replace existing systems. For example, in Chamber Support, the systems that support our tabled papers, our bills and those sorts of things are due for replacement. As part of establishing a new system, we would ensure that the way the data is put in at the beginning is sufficiently tagged, sorted and so on, so that it is easy to extract at the other end. We may have a problem with our historical data—bad data in, bad data out—but we can at least try to avoid that moving forward with any new projects.

**THE CHAIR:** As you are going through that project, are you looking at the impact of newer technologies, including things like the large language models, which, if you try to access them, are blocked from the ACT system.

**Mr Finlay:** Very much so. It has been suggested that one solution to our problem is to, effectively, put a ring fence around our data, throw a large language model in there and have that extracting the data in a more searchable way. That is in the very early stages. We want to assess it properly to see whether that is a viable option.

**THE CHAIR:** It sounds like it is not just for Hansard information but across all of the Assembly's information, from the *Hansard* to bills, explanatory notes and committee papers.

**Mr Finlay:** Precisely.

**THE CHAIR:** That is really good news. Mr Werner-Gibbings, do you have something to finish this?

**MR WERNER-GIBBINGS:** Yes. Thank you. Over the past four months, I have noticed the number of schools that are coming through and engaging in the democratic process. We have conversations with them. I have been asked about it by my daughter, whose school has not yet gone to the Assembly. How do groups and schools get involved with the Assembly's public understanding work? Is the Assembly proactive in contacting schools and offering opportunities or is it only when schools contact the Assembly and say, "We'd like to come"? How does that work?

**Mr Braddock:** That is an excellent question and one I have asked before, because I am very keen to see much education for the Canberra community as to what this parliament does and how it effectively represents them. In terms of the actual logistics of how they get involved, Mr Duncan, are you able to answer that?

**Mr Duncan:** I am afraid not, but I can take it on notice. My understanding is that we are quite proactive and that we quite regularly go to schools and invite them to come here. I want to be certain that is correct. I will provide the answer to that question on notice.

**MR WERNER-GIBBINGS:** Okay. And, if invitations are given, which schools are invited and why? Is it done electorate by electorate or grade by grade? What is the system?

**Mr Duncan:** As I said, I will take it on notice. My sense is that every school is invited regardless of electorate. It is not done by electorate; it is done by every school. We accept anyone who wants to come. I stress that we have limited resources. We have 2½ staff, so we have a capacity issue, but I do not think too many schools have been refused. Again, I will take that question on notice and will provide the committee with how the system operates.

**Mr Braddock:** Mr Duncan, would it be possible, as part of taking that on notice, to provide what the capacity is, in terms of the number of school visits or students?

**Mr Duncan:** I can certainly do that.

**THE CHAIR:** Excellent. We will wind it up at that point. On behalf of the committee, thank you for your attendance today. If you have taken any questions on notice—and there was at least one—please provide your answers to the committee’s secretary within five business days of receiving the uncorrected proof *Hansard*.

**Hearing suspended from 9.59 am to 1.00 pm**

Appearances:

ACT Integrity Commission

Adams, The Hon Michael KC, Commissioner

Lind, Ms Judy, Chief Executive Officer

**THE ACTING CHAIR** (Mr Braddock): We welcome the ACT Integrity Commission. As we are not inviting opening statements, we will now proceed to questions.

At the conference on integrity commissions held by Deakin University in October, there was some reflection on the 12 principles of integrity commissions and how the various jurisdictions are stacking up against them. One that stood out for me was that we could potentially do better against principle 4, which was about whistleblower and witness protections. Do you have any observation on gaps or improvements that we could make in respect of whistleblowers and witness protections, or do you think we are at a good standard there?

**Mr Adams:** I do not think any more could be done in a formal, legal sense. What needs to be done is in terms of actual practice. Each case is different. For example—because this is in the public domain—in Kingfisher, with someone who I took the view was in the position of a whistleblower, to whom I afforded a pseudonym in the public hearings, his evidence was absolutely vital. None of the proceedings would have made sense without it. I got him to give evidence, but I did not allow him to be visually recorded. He was audio recorded, but I moved the camera away. That is what I mean by doing practical things.

With the legal protections, even if it were not for the PID Act, and our particular act, if a public official visited any retribution on someone for doing their duty, that would be a very serious matter under their contracts, under the relevant legislation that governs official conduct.

The fact is that, although the particular legislation protecting whistleblowers from retribution and from legal consequences is good as a pointer, it actually adds almost nothing to legal rights. Again, it is always going to be in the area of: how do the officials receiving the information as a practical matter protect the whistleblower?

Another problem with whistleblowers is that, very often, the whistleblower is themselves involved in the particular misconduct. That is a very difficult matter then to manage. Sometimes they are well motivated; as it were, they have had their epiphany, and they have decided they have to tell the truth. Sometimes they think it is going to come out, so they might as well be first. There are a whole lot of motives. Sometimes they just hate the official who has made the order and want to have a comeback. There are a whole lot of motivations.

You have to put aside the motivation and just look at the public interest, to ensure that whistleblowers are encouraged to come forward, whatever their personal motivations might be. But where they are themselves involved in the misconduct, that becomes very difficult to manage.

**THE ACTING CHAIR:** Commissioner, you seem to indicate that the practice may be

where there are gaps.

**Mr Adams:** The focus has to be.

**THE ACTING CHAIR:** What are you talking about? What improvements or changes in practice are required to support that?

**Mr Adams:** It has to be case by case. Motherhood statements are all very well, but they do not actually take the matter any further. I think what has to happen is that senior management has to be aware of the issues, of the public policy needed to encourage whistleblowers, and astute to ensure that whistleblowers are protected within whatever the management arrangements are for the organisation.

I do not think that, aside from general warnings, and they are out there, there is much to be gained by any attempts at detail, because they will always be defeated by the particular circumstances.

**MR WERNER-GIBBINGS:** This is a slightly different tack. On page 31 of the annual report, it says that, in 2024-25, 749 ACT public service staff attended a commission education session. That is a significant increase from the 500 that were counted in 2023-24. Is there a broad understanding of why 250-odd more staff came along to your information sessions? Regardless, what is the feedback that you are getting from participants in those sessions, and what is the impact of those sessions on the work in the public service? Do you have any insight?

**Mr Adams:** I understand that we do ask for responses to what has gone on. I can take that on notice, if you like. I think the reason is that, with the publication of reports, and with the public hearings, public servants have come to appreciate that they may be exposed, and they need to know more about how the Integrity Commission might impact them. I am not saying that is for bad reasons. I think they are now starting to perceive that the Integrity Commission can have an actual impact on their work, themselves and their colleagues, and they want to know how it works. That would be the reason I would attribute.

**Ms Lind:** The increase in activity is because we have an internal focus. We have some competent staff in what we call our prevention and education function. We have had a very—

**Mr Adams:** They are much more proactive.

**Ms Lind:** overt focus and are more proactive in offering sessions than we probably were in the previous 12 months. We have the ability to stream online sessions. There are different mechanisms that make it easier for interested public servants to actually jump online, listen to the session and interact with the presenter.

**MR WERNER-GIBBINGS:** Four months into the new financial year, are you able to say—whether or not that trend is increasing—whether the level of last year will be replicated this year?

**Ms Lind:** I would have to take that on notice. I do not have the stats in front of me.

Certainly, internally we are still maintaining that focus. Within the last month, I did a presentation to probably 60 or 70 senior officials within the Education Directorate. We have more of those planned. People are interested to know more about what the Integrity Commission is, what we do, and what the tests for corrupt conduct are—a basic level of awareness.

As the commissioner said, as his reports get tabled, it is starting to trigger conversations and thinking about, “What does this mean for me, for my group or for my directorate? What are the issues here that I need to look out for?” I think that will be a continuing conversation over the next 12 months to two years.

**Mr Adams:** I am reaching out—I do not think we will be able to do it this year, but early next year—to have a confidential discussion involving all directors-general and myself, about integrity issues and the way they see it, on a “no names, no pack drill” rule, so that they can be candid—as candid as they can be; there will always be limits, of course. I think meeting the top officials of directorates and having candid discussions with them about the issues will be useful. We are starting to arrange that through the Head of Service.

**THE CHAIR:** In your foreword, there is discussion about reducing the number of complaints that warrant investigation. That was an interesting discussion. It sounds like there has been increased work at the front end to separate things out.

**Mr Adams:** That is right.

**THE CHAIR:** What I am trying to understand, and really keen to understand, is the consideration of the threshold. How do you come to a determination, within this new approach, as to whether an issue warrants further investigation? How do we make sure that everything that does have some degree of warranting investigation is being investigated?

**Mr Adams:** There are, essentially, two tests. Perhaps Ms Lind can address that, because she controls it. Can I just say that there are two essential tests. The first lot kicked out are those that are obviously outside jurisdiction, where they want to criticise a commonwealth department or the Queensland prisons. Those can be knocked out straightaway. They do not require a second look. We just do not have a basis for it. And it is surprising, the numbers of matters that fall into that.

There are then the relatively trivial matters where they are felt deeply by the complainant, but you would never find that they were serious, even if the allegations were true. They just will not amount to serious corrupt conduct. We have more than enough work that does, so it is a question of focusing resources. Those, again, you would not go into the detail of. You start out with a view. Assuming this is true, is it going to be rewarding? Those are the two main tests.

**Ms Lind:** Yes, that is right. With the out-of-jurisdiction ones, we get a large number of complaints from citizens dissatisfied with general decisions that have been made across directorates. We get a lot of complainants complaining about behaviour of police, which is out of our jurisdiction. There are general complaints about things happening in the federal sphere. There are a lot that are simply out of jurisdiction.

There are those that still would indicate, on their face, a level of misconduct. There is a flow of those to the Public Sector Standards Commissioner. We do not just dismiss those and nothing happens with them. If we do not think, on the basis of the information we have, that they are likely to reach the threshold under section 9 of our act, we think about who needs to address the conduct, or the alleged conduct. That goes directly to the Public Sector Standards Commissioner and, in some instances, the matter is dismissed. But we give it to the relevant directorate, if it indicates that something might have gone wrong with their processes or procedures and there is an issue that needs to be addressed from the perspective of the complainant.

**Mr Adams:** Often the complaints amount to maladministration, really, not corruption. It is an administrative problem that probably needs to be addressed, so you bring it to the attention of the directorate or the standards commissioner.

**THE CHAIR:** Yes. That is useful to understand. There is a distinction—

**Mr Adams:** Anything that has a real—I am sorry; I spoke over you.

**THE CHAIR:** That is all right. There is that distinction between maladministration and corruption.

**Mr Adams:** Yes.

**THE CHAIR:** If I understand it correctly, is it section 9 that has the definition of serious—

**Mr Adams:** “Tend to find serious corrupt conduct”.

**THE CHAIR:** Yes. “Serious corrupt conduct” is the threshold, the key aspect of the legislation.

**Mr Adams:** From our point of view. We are still able to investigate corrupt conduct. The act requires us to prioritise serious corrupt conduct. Of course, often you do not know that it is serious until the end of an investigation. At all events, given our resources, you focus on the most serious matters that are likely to turn out to be serious corrupt conduct, rather than those that pretty well obviously are not.

**THE CHAIR:** You are a bit limited in what you can do, if it does not fit within the definition of “serious corrupt conduct”.

**Mr Adams:** No. We can investigate corrupt conduct within section 9, even if it might not amount to serious corrupt conduct. But the act requires us to prioritise the investigation of serious corrupt conduct; and, anyway, common sense would lead us there. We have limited resources; of course, you focus on those matters of greatest consequence.

**THE CHAIR:** Can you remind me about that “serious corrupt conduct” definition? I think that is very important as well.

**Mr Adams:** “Serious corrupt conduct” is corrupt conduct that is likely to adversely affect public confidence in the integrity of government.

**Ms Lind:** And systemic corruption.

**Mr Adams:** Systemic corruption is another category. That is because one occasion might not be serious, but where it is a whole systemic structure or systemic events and where, of itself, relatively minor corrupt conduct is taking place, that in effect becomes serious corrupt conduct, because you need to stop it.

**THE CHAIR:** Going back to the threshold question, how do you deal with complaints which may be vexatious?

**Mr Adams:** We do not investigate them.

**THE CHAIR:** How do you make the determination that it is likely to be vexatious?

**Mr Adams:** The problem is that sometimes they look vexatious, but at the kernel of it there is a real nub of problem. But where it is only vexatious, really, you are looking at the weight of evidence. Is it merely someone mouthing off? Is it merely someone who wants a payback? And is it merely someone retailing a rumour for bad motives, essentially? Sometimes vexatious means that they have been everywhere, got knocked back everywhere, and come back to us as a last resort. But there is no bright line, because something may, as I say, apparently be vexatious, but the nub of it may be real. Those are difficult, but we have seen them. What happens, of course, is that the person is so outraged by what has happened and indignant that they have lost all objectivity. But that does not mean they do not have a genuine complaint.

**THE CHAIR:** It sounds like there is a bit of an art to navigating in that case—

**Mr Adams:** Exactly There is always a judgement call. By the way, we never tell them, when we knock it back, that it is because they are vexatious. It will always be because there is inadequate basis for investigation, because that will be the fundamental ground.

**THE CHAIR:** That goes to the question: was there evidence there to support it?

**Mr Adams:** Yes, exactly.

**THE CHAIR:** You rely on that side, not the vexatious side.

**Mr Adams:** Not always evidence, but whether there are obvious lines of inquiry that might yield serious evidence. You do not chop it off right at the beginning. You ask: are we likely to get something were we to overturn that rock?

**THE CHAIR:** It sounds like it is not dismissed out of hand.

**Mr Adams:** No.

**Ms Lind:** No.



**THE CHAIR:** You consider what the pathway would be.

**Ms Lind:** We do have mechanisms to access additional information that help us look at what is the alleged conduct, first and foremost, and what is the likelihood of that conduct being true, notwithstanding that all through the material the complainant might give us very strong indications of vexatiousness. It is the conduct that we are looking at first, based on the information that we have to make that call.

**MR BRADDOCK:** In your annual report, you identified governance and oversight as one of the themes that you have discovered, which is interesting, given the Auditor-General has made comments about governance failings in various projects.

I want to drill in on page 18, where you talk about the critical role of senior leadership. Basically—forgive me for paraphrasing your paragraph—you say that they need to take ownership of integrity-related decisions, rather than delegating them, and that they need to insist on accurate and fair, or warts and all, reporting. Can I have a further understanding in terms of what you are seeing that is driving this comment? What are you doing, in working with the ACT public service, to ensure they do embrace a more warts-and-all approach to reporting upwards?

**Mr Adams:** This will be part of my interactions with the directors-general. We are all aware of what amounts to bureaucratic language which avoids actual decision-making at a clear level, where the waters are muddied, the decisions give ways of escaping, and engage ambiguities so that, ultimately, if you happen to be wrong, you will not be criticised. The classic, of course, is a journalist attempting to question politicians. It is avoidance, deflection—all those techniques. Not surprisingly, you see them wherever someone feels they are at risk of criticism.

Part of the problem is that people are not accepting that you have to be responsible for decision-making and, even if you are going to be criticised, you state what you honestly think.

That means, on the other side, leadership has to be tolerant of advice that they do not like. That is really difficult to do. If you are telling your boss that they are making, or about to make, a decision which you think is wrong, that can have career implications; it can have other implications. But it is absolutely essential for integrity. What I am seeing in documents is careful calculation to avoid, if possible, the risk of being punished for saying something which is not wanted.

That, I have no doubt—Robodebt shows us this—goes all the way up to giving advice to ministers. It is clear that, in some cases, ministers have clear views about things. And it clear that, by and large, directors-general see their job, not wrongly, as enabling ministers to make decisions, because it is a democracy and they are the ones who are responsible for those decisions.

The problem is: where is the line drawn between “yes, minister”, and “no, minister”? That is a real problem, and it is a cultural problem. I cannot fix cultural problems; no-one can. But what you want to have, I think, is understanding of integrity rules that strengthen independence, rather than weaken independence by making attacks on those who do exercise independence easier.

A classic example is a conflict of interest—and I raise it as a particular example—where it can be so generally stated as to remove people even from the risk of being possibly, even unreasonably, held to be guilty of a conflict. They avoid the responsibility for a decision by saying, “Okay, I’m out of here,” when they should in fact be making the decision on the basis of the information they have.

That is only one example of rules aimed at integrity, but at such a wide level of generality that it frightens people from saying things they need to say.

**MR BRADDOCK:** So that I understand your argument, is it a case of us needing to change those rules? In which case, which rule?

**Mr Adams:** No. I think it is the way in which you apply the rules, really. That is why I say “culture”. The fact is that human beings can defeat any scheme, and they can make any scheme work. It really depends on what they want to do. It is the nature of the beast. I think our rules are good rules. The point is to develop a culture in which robust decision-making and robust explanations are seen as good, not bad—as sought, even if not liked, rather than deflected or avoided, or resulting in what amounts to flim-flam.

**MR BRADDOCK:** Another committee, the public accounts and administration committee, were talking about the risk-aversion culture, which is precluding innovation within the public service. Is there an element here of that risk-aversion meaning that those robust conversations are not being held?

**Mr Adams:** I do not want to overstate it, but I think there is a real risk of it, yes. Do not forget that we only see a tiny, a miniscule, percentage of these communications. Hundreds of thousands of these are done every week. We see two or three. You have to be careful about generalising from a tiny database. Nevertheless, one has to apply one’s common sense and knowledge of people and how things operate.

**MR WERNER-GIBBINGS:** On page 76, the commission revised its wellbeing policy, following an independent review. I understand there is development of video content to explain the process and assist witnesses. Has this revision and development been finished yet? What impact will it have on witnesses, do you think?

**Ms Lind:** We have done an explainer video; that is on our website. It walks through people who have had no interaction with the commission and who have been summoned to give evidence in front of the commission. It literally walks them through the process, from the minute they arrive, to who is in the room and what the process is. That is one of the elements.

The key element, though, is the internal management of the commission’s interaction with that witness throughout—

**MR WERNER-GIBBINGS:** Which is the process as well, not just—

**Ms Lind:** Yes, and the life cycle. There have been various internal reviews in other jurisdictions which highlight probably the obvious fact that it is the length of time from the minute a witness is engaging with the commission through to finalisation of that

actual investigation that creates the stress. It is the stress of the unknown and the length of the unknown.

We can facilitate access to professional help, in terms of psychological help. We are also looking at what more we can do to keep witnesses informed throughout our process, so that there are not those large gaps when it comes to, “What is the commission doing next on this?” That will be part of our ongoing process, as we go forward.

Some witnesses want to come in, give their evidence and then they do not want to hear from us again. With other witnesses, it depends on their level of anxiety, how involved they are in the investigation and whether they are potentially a wrongdoer. It is very much on an individual basis that we need to be thinking about how this commission can minimise stresses on them and help meet their needs, in terms of minimising the stress and the associated anxiety.

**MR WERNER-GIBBINGS:** Which, in turn, maximises the outcome and the utility for the commission.

**Ms Lind:** Correct.

**MR WERNER-GIBBINGS:** I think you touched on it there; with the wellbeing policy as a whole, what elements does it encompass?

**Ms Lind:** Our organisational position is that we are not in the business of clinical support. It is very much based on a principle of making sure the witness knows what supports are available, and we will play a role in facilitating access to those. It requires us to take into account, when we are making our operational decisions to the extent that we can, what impact we might have on that witness, and whether there are things we can do.

Quite often, we get witnesses coming back with medical certifications to say they are not in a fit state to engage with the commission at that point in time. The commissioner assesses that and will say, “Okay, we’ll put you to one side or think about a different strategy,” which might be, for instance, giving us a written statement of information, rather than coming in front of the commissioner to give oral evidence.

**THE CHAIR:** We will have to wind things up. It is an interesting discussion, and I encourage you to put some more questions on notice.

**MR WERNER-GIBBINGS:** Yes; thank you.

**THE CHAIR:** On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Appearances:

Office of the ACT Ombudsman

Anderson, Mr Iain, ACT Ombudsman, Inspector of the ACT Integrity Commission,  
Principal Officer of the Judicial Council

Dwyer, Ms Katrina, Senior Assistant Ombudsman, Defence, Investigations, ACT  
and Legal Branch

O'Brien, Ms Julie, Deputy ACT Ombudsman, Office of the ACT Ombudsman

O'Connell, Ms Erin, Director Reportable Conduct and FOI, Defence, Investigations,  
ACT and Legal Branch

Ramsay, Ms Georgia, Director ACT Strategy and Inspector, Defence, Investigations,  
ACT and Legal Branch

**THE CHAIR:** We welcome the ACT Ombudsman, Inspector of the ACT Integrity Commission and Principal Officer of the ACT Judicial Council. As we are not inviting opening statements, we will proceed directly to questions. The Ombudsman 2024-25 annual report highlights several areas of concern. The office received 522 complaints during the year, and that is up from 430 the previous year, with some particularly sharp increases in complaints about ACT agencies. Multiple systemic issues have been investigated by your office, including across policing and chronic failures in Housing ACT's handling of public housing repairs. Given the surge in complaints, have you identified any root causes of what may be happening? It is a pretty significant increase. Do you have any idea of the concrete steps that have been taken to improve complaint resolution?

**Mr Anderson:** Complaint numbers can fluctuate for a range of reasons, and they do go up and down a bit. I would like to think that part of the reason complaint numbers have gone up is that we have been increasing our activities and the visibility of our activities. Hopefully people are more aware that they can come to us and are more aware of the sorts of outcomes that we can obtain.

When I engage with the directorates, I always try to encourage them to think about ensuring that they have the citizen at the centre of their transactions and that they are not organising themselves simply in a way that suits the agency's processes. That is an easy thing to say, but sometimes it is harder for agencies to implement. Habits can be hard to change. When we issue a report, I try to write things that are relevant to any other agency and draw the attention of directors-general to those reports as well.

I do not have a sense that there is anything fundamentally rotten with the ACT public service, if that is where your question is going. As I said, I think it is partly that we are perhaps more visible. We are seeing things that can certainly be improved, but we see things that can be improved in all of our jurisdictions. Where we see something that is being done well, we will, of course, call that out as well. Agencies can always improve—how they communicate in particular and how they keep records. These are things that should be part of good public service. But agencies need to keep being reminded about that and they need to also keep reminding themselves about it.

**THE CHAIR:** One of the areas that is particularly stark is the 68 per cent jump in complaints regarding Housing ACT. Clearly, many of us, as MLAs, hear the complaints as well. Do you have any insights as to whether there are particular issues within the

housing space that are generating such a dramatic increase? That is a very large increase.

**Mr Anderson:** It was particularly about maintenance issues. A few other common themes come through, such as concerns about antisocial behaviour or concerns about how the waiting lists were being managed for different cohorts of people. Maintenance was a very clear concern. I have had discussions with Housing ACT about how they are doing maintenance. Maintenance is typically outsourced, so the tenant might have observed a failure by the outsourced tradesperson to, in fact, fix the issue, with repeated visits being necessary, but they were being paid all the time.

From a contract management perspective, there were some things that could have been done better to make sure that Housing ACT was actually watching what was being done and whether things were being fixed, otherwise they were just paying the bills for repeated visits that were not actually addressing the core issue. We have looked at a number of complaints. We have a systemic piece that we are working on finalising at the moment about, in particular, the maintenance dimension for Housing ACT.

The recent machinery of government changes will affect some of the Housing ACT issues as well, in terms of who is actually responsible for them. We will keep watching whether that is positive or whether there needs to be more engagement on that, given that some different people are now accountable for some of those issues.

**THE CHAIR:** You indicated that you are engaging with the ACT government. Is it directly with Housing ACT or across different levels? What is the extent of engagement? Is it at the systemic level or just individual complaint level?

**Mr Anderson:** For Housing ACT, it has been both. I also meet regularly with Kathy Leigh, as head of the ACT public service, as well as Housing ACT. Maintenance is a specific issue I have raised with her on at least one occasion in those discussions, so that she also has visibility of the concerns that we have.

**THE CHAIR:** Thank you.

**MR BRADDOCK:** Have you noticed a trend with automated systems? It may be a web form that does not provide an avenue for a complaint or the system or process simply does not have human intervention to bring it up. Is that an issue I should be concerned about in terms of the ACT government's operations?

**Mr Anderson:** It is an issue I have had more concerns about at the commonwealth level so far, but we are doing a piece of work at the ACT level as well about one agency and their use of automated decision-making. At this stage, we have not formed any views. We are at the very early stage of the investigation, but we are interested in the issue. We think that agencies need to be very careful and they need to make sure that they actually have proper ways of assuring themselves that the decisions that are being made are being made correctly. There is a very seductive danger about automated decision-making. It can look great, but you need to look under the bonnet and be sure: "Hang on, what indicators do we have that it is working correctly or what indicators do we have to say that maybe there is an issue?"

**MR BRADDOCK:** This may not be the time or place for you to answer this question, but I will leave the discretion up to you. Which agency was it, and what is the likely timeframe for the report of the inquiry into the agency?

**Mr Anderson:** It will be in 2026. I am aiming for the first half of 2026. We have not publicly said who we are looking at. It is at a relatively early stage. I anticipate that, if they are doing something well, we will publish something about it, because of the nature of the topic, and, if they are not doing something well, we will definitely publish something. Either way, it will become public in due course.

**MR BRADDOCK:** Fair enough. Thank you for your inquiry. We look forward to it. Looking at freedom of information, firstly there was the review of the Freedom of Information Act that was released this year. Did you have any concerns about what that review did or did not identify as to the operation of the Freedom of Information Act?

**Mr Anderson:** We engaged with the reviewers and we have engaged with JACS since the review was completed. I think that the FOI system in the ACT is working reasonably well. That is not to say that there are not things that can be improved. The reviewers engaged quite widely to seek a range of views, and those views are typically reflected in their report. They pointed to things that we can improve on, they pointed to things that agencies can improve on, and they pointed to things that could be changed or improved in the legislation to facilitate some of that. They pointed to resourcing issues for agencies. They identified a range of things. We were broadly comfortable with the review and the recommendations.

**MR BRADDOCK:** What do you think is driving the uptick in the number of freedom of information requests? Is there any strategic trend that you have identified that we should be aware of?

**Mr Anderson:** One thing I will call out is that we are seeing more positive behaviour by agencies in seeking to resolve things informally. That is positive. Some of the agencies that have been taking a very long time with some of the requests have been getting better at engaging with the FOI applicant in a less formal way, so that the applicant feels that they will actually receive the information that they are seeking and it is less likely to end up in a review process or anything like that. That is positive. The FOI numbers go up and down a bit. Sometimes it is part of the electoral cycle, in terms of who is making requests and the volume of requests. I will ask whether my colleague has any particular views on numbers.

**Ms O'Connell:** No. I would agree that they fluctuate. In terms of Ombudsman review applications, though, as opposed to access applications, we see trends coming through with regard to the type of review applications that we might witness. For example, recently we have seen an increase in industrial relations matters—people seeking Ombudsman review for—

**MR BRADDOCK:** Due to the EBA negotiation cycle or are they individuals?

**Ms O'Connell:** Individuals. It is more along the lines of, say, complaint management or performance management et cetera.

**MR BRADDOCK:** It appears that the number of appeals to the Ombudsman is increasing and the timeframes are also increasing, I assume as a result of the quantity involved.

**Mr Anderson:** We are increasingly seeing complex matters coming to us. On the positive side, already this financial year, after 4½ months, we have resolved 30 matters, whereas we resolved 38 matters in the whole last financial year. We are looking at our own processes. It is hard to compare one application to another, but we are quickly getting through a lot of the reviews already this year.

**MR BRADDOCK:** Do you anticipate that the trend will continue and that you have sufficient resources to deal with the projected number of appeals that are likely to come your way?

**Mr Anderson:** I am cautiously optimistic. The important thing with any process improvements is to make them stick. If staff move on and things like that, we need to make sure that any new staff are appropriately trained, able to apply the processes and get the support they need—all of that sort of thing. We might get some unusual applications as well. We are engaging with agencies. We do a lot of outreach as well in terms of education. We try to share any learnings we have with the FOI officers in the directorates.

**MR BRADDOCK:** The implementation recommendations of the freedom of information review should be of benefit to your organisation, I would assume.

**Mr Anderson:** I believe so; yes.

**MR BRADDOCK:** Thank you.

**THE CHAIR:** There is the data on page 14 of the FOI report around full access, partial access or refused access. It looks like there is a bit of a trend towards partial access rather than full access. Is that a fair observation?

**Mr Anderson:** One of the issues with partial access is that it is very commonly partial access because the names of staff have been removed. That is enough to make it a partial release, when it might be a very minor redaction of the document. I think it is correct, but you should not read into that that they are necessarily significant redactions.

**THE CHAIR:** On the following page, it delves into reasons for refusal. One of the challenges we often have is around the application of what is cabinet information and where that privilege starts and ends. Have you engaged with that in appeals? Are there any observations you can offer from your side?

**Mr Anderson:** Certainly. We have done a number of reviews that have involved precisely that question, and we have given feedback to both the individual directorates and the directors-general as a group—I have spoken to them as a group about FOI—about the need to be sure that they are looking at the information properly and are not making assumptions. It may have been a process that was not actually developed for cabinet or did not go anywhere near cabinet. They need to look through the documents and ask themselves: “Is the material purely factual and can be released?” Those are the

two main issues. Agencies are sometimes overly ready to assume that something is subject to cabinet-in-confidence restrictions, when it was perhaps intended for cabinet in the future or, in the past, it was perhaps intended for cabinet but did not actually go there. There is that part and then there is the question of whether it is purely factual and can therefore be released.

**THE CHAIR:** It sounds like there is a line in defining attributes—that it must be prepared for the purpose of cabinet and that it would have gone to cabinet for consideration. Is that—

**Mr Anderson:** That is broadly the way in which we approach it. Sometimes documents are prepared for a separate purpose—for directorate consideration or something like that—but it might be that they will inform a cabinet process. We would be very cautious to say that it is a document that is actually subject to cabinet privilege if it was prepared for a different process, even if it could inform the preparation of a cabinet submission.

**THE CHAIR:** Thank you.

**MR BRADDOCK:** Of great interest to the Assembly are the rulings of the independent legal arbiter. Some of the orders for the production of documents that have gone through this place have turned on this question. Are you applying the same test as the independent legal arbiter has been applying, in terms of what is and is not cabinet-in-confidence?

**Mr Anderson:** That is an excellent question. I am not sure.

**Ms O’Connell:** I do not know either, sorry.

**MR BRADDOCK:** You can take it on notice.

**Mr Anderson:** We will take that on notice. We are applying the legislation and we have regard to jurisprudence about how to interpret the provisions in the legislation. That is the test that we are applying. I have not necessarily looked at the test that the independent legal arbiter is applying, but we will take that on notice.

**MR BRADDOCK:** You are both applying the same legal piece of legislation, but I would love to hear your answer. Thank you.

**MR WERNER-GIBBINGS:** Page 9 goes to complaints. Five hundred and thirty-six complaints were finalised last financial year, which is a significant increase on the 370 listed as finalised in 2023-24. Congratulations. Is it a result of a change in the processes or is it that you have far more complaints this time so you had to meet the number? How have you achieved such a significant increase?

**Mr Anderson:** Thank you for the congratulations. It is a challenge for anyone in our business: how do you manage? My peers around the country tend to either have a backlog of complaints or turn away too many complaints. There is discretion: do you accept it or do you not? It is often difficult for quite junior staff to apply that discretion and ask, “Is it something that warrants investigation and is it something that appears to be wrong?” We have put a lot of effort into how we support our staff and how we train



our staff. Internally, we have set up something called the Complaint Handling Support Unit. It is very small; it has 1½ people. It is there to review our guidance material and provide training to staff across our complaints and investigations branches. We are continually trying to improve our systems and our processes, but we have more to do on that as well.

**MR WERNER-GIBBINGS:** We are a third of the way into this year, give or take. Are you finalising a similar number of complaints or do you think there will be more? How are things looking now?

**Mr Anderson:** At the moment, it is looking pretty positive. We are still not meeting all of our key performance indicators, but we are getting closer to meeting them.

**MR WERNER-GIBBINGS:** Are they self-assessed KPIs or did someone else put those on you?

**Mr Anderson:** We design them and we report against them publicly. We are getting closer to meeting them, in terms of the timeliness of making decisions on complaints in particular.

**MR WERNER-GIBBINGS:** Excellent. There might be a bit more complex answer to this. Detained people within the Bimberi Youth Justice Centre and the Alexander Maconochie Centre face, I imagine, significant challenges and complexities with how they reach out to the organisation and follow through with complaints. Can you outline the outreach programs you conduct for individuals in those centres and how you support them with making complaints?

**Mr Anderson:** We have worked with Corrective Services and Community Services about making sure that how they can complain to us is visible to people who are in detention, but we also conduct visits and things like that. I will see whether my colleague wants to say something further about that.

**Ms Ramsay:** I am happy to answer that one. We have very close relationships with the other oversight agencies: the Official Visitors, the Inspector of Custodial Services and also the Human Rights Commission. We all exchange different information on the ground. When it comes to the Alexander Maconochie Centre, we have a dedicated email that is whitelisted so that detainees can reach out to us directly.

**MR WERNER-GIBBINGS:** What does “whitelisted” mean?

**Ms Ramsay:** People who are in the Alexander Maconochie Centre cannot email just anybody. There are certain email addresses that they are allowed to email, and ours is one of them. We get those in a dedicated channel and we triage and handle them. Depending on the nature of the complaint or if it is a particularly vulnerable detainee or someone who struggles with literacy, my colleague and I can visit them and take the complaint in person, if we are made aware of it, either through an Official Visitor or through an email that we have received. Also, at least a couple of times a year, we try to go to AMC with some of our dedicated complaints handlers, to walk around and take complaints. With some of the other work that we have done, as a member of the ACT National Preventive Mechanism, we run surveys of both AMC and Bimberi.

Also, we most recently went to Bimberi when we were undertaking our use-of-force own motion investigation into ACT Policing. That was the most recent time we went to Bimberi, because we were aware of various young people who might have complaints and allegations. Members of my staff visited them and took some of the complaints in person, and some of those ended up in the report.

**MR WERNER-GIBBINGS:** This is more anecdotal: how is your work being received by individuals within AMC and Bimberi? Do you have the perception that they are engaging with what your outreach is trying to do, in terms of feedback and capacity or preparedness to follow through with complaints that they might have or issues that they want to raise?

**Ms Ramsay:** That is a bit hard to judge because the cohort is still quite small. One of the positive things that my team and I have experienced recently is that we are having more complaints referred to us by other entities.

**MR WERNER-GIBBINGS:** I was going to say that it is good to hear that people are on the ground, such as Official Visitors. That communication would strike me as being extremely important.

**Ms Ramsay:** Yes. That is helping us get a bit more reach in. We just do not have the resources to be on the ground the whole time, whereas the OV's tend to be there more often, as is the Inspector. We also work really closely with the Human Rights Commission, because a lot of the Corrective Services complaints may be more human rights related or justice health related, which is entirely out of our jurisdiction. We do a lot of checking with the Human Rights Commission to make sure that we are not duplicating. We will warm-refer complaints, with permission, directly to the Human Rights Commission as well. As to how it is being received on the ground, I do not really know, other than us feeling that we are gaining traction with handling some complaints.

**MR WERNER-GIBBINGS:** That is what I was asking about. You can get an understanding of whether people are not prepared to engage.

**Ms Ramsay:** Whenever we have gone there, we have not been short of people who want to talk to us, and it is not just about Corrective Services. People in detention might have a variety of issues that they are struggling with—disability services, health services or housing in preparation for release, and those types of things. So, while a lot of the complaints are Corrective Services related, detainees have more—

**MR WERNER-GIBBINGS:** There is a strong enough or broad enough understanding that detainees are able to say, “This is another issue”?

**Ms Ramsay:** Yes.

**MR WERNER-GIBBINGS:** Thank you very much.

**MR BRADDOCK:** I am looking at your Watch House post-visit summary and the suggestions you made. What is the mechanism that you have in place to monitor whether those suggestions are actually implemented?

**Ms Ramsay:** That is an excellent question. Our team undertook a visit to the Watch House and all the ACT police stations in May and June this year. It was a combined visit with all the members of the NPM. We are currently drafting our post-visit summary of that. Part of that report writing includes an assessment of all the suggestions and the implementation of those suggestions. Once that has been through procedural fairness, we anticipate that it would be made public early next year. We are actively monitoring.

**Mr Anderson:** Actively monitoring and reporting about it is a really important part because, again, if they have accepted the recommendation, that is easy for them, but we need to make sure that they are held to do something about it.

**MR BRADDOCK:** Exactly.

**THE CHAIR:** You have indicated that some of the workload drive might be from increased awareness and understanding. Have you been assessing what the general level of awareness and understanding of your role is and that it is a place to go with complaints about issues?

**Mr Anderson:** We survey complainants. They are people who knew that we existed and made a complaint. One of the things we ask is whether they knew about us and what they knew about us beforehand. We are seeing a significant rise in awareness that we exist. People are saying that they can find us and that we are accessible. Again, there is always more to do on that. We have done some community roundtables. While two of them were ACT-specific, at each one we talk with peak bodies that represent people in the ACT as well as nationally. We have been meeting with disability representative bodies, First Nations representative bodies and social security representative bodies. Through those ways, we try to help people who might not know what an ombudsman is or does, but, if they complain to their peak body, the peak body can say, “Hang on, we can do something about this.”

**THE CHAIR:** Thank you.

**Ms O’Connell:** I could add to that as well. As part of FOI, we do a community attitudes survey with the other jurisdictions around Australia. The ACT got very positive results in terms of the knowledge of freedom of information within the ACT. The results of that community attitudes survey are on our website, if you are interested in looking them up.

**THE CHAIR:** Thank you. On behalf of the committee, thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. On behalf of the committee, I thank witnesses who have assisted the committee through their experience and knowledge. We also thank broadcasting and Hansard staff for their support. If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as possible and no later than five business days from today.

**The committee adjourned at 1.59 pm**