



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Reference: Annual and financial reports 2014-2015)

Members:

**MR B SMYTH (Chair)
MS M PORTER (Deputy Chair)
MS M FITZHARRIS
MS N LAWDER**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 5 NOVEMBER 2015

**Secretary to the committee:
Mr A Snedden (Ph: 620 50199)**

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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Amended 20 May 2013

The committee met at 10.31 am.

Appearances:

ACT Audit Office

Cooper, Dr Maxine, Auditor-General
Stanton, Mr Brett, Director, Performance Audits
Sharma, Mr Ajay, Principal, Professional Services
Sheville, Mr Bernie, Director, Financial Audits
Prentice, Mr Malcolm, Principal, Financial Audit

THE CHAIR: Good morning, ladies and gentlemen, and all those in the gallery, to this hearing of the public accounts committee inquiry into the 2014-15 annual and financial reports. On behalf of the committee, I would like to thank you, Auditor-General, and the accompanying officials from your office for attending today. The proceedings this morning will focus on the ACT Audit Office 2014-15 annual report, and will conclude at approximately 11.30.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the pink privilege statement on the table before you. Have you read and do you understand the implications of privilege?

Dr Cooper: Yes, I have.

THE CHAIR: All so acknowledged. Thanks very much. I remind witnesses that proceedings are being recorded by Hansard for transcription purposes as well as being webstreamed and broadcast.

Before we proceed to questions from the committee, Auditor-General, would you like to make an opening statement?

Dr Cooper: Thank you very much. I would like to start by saying that 2014-15 is a particularly important year for the Audit Office, because on 8 July 2014, under amendments to the Auditor-General Act 1996, the Auditor-General became an officer of the Legislative Assembly. This reinforces the independence of the position and strengthens the connection with the Legislative Assembly. The amendments also give prominence to the role of the Speaker regarding budget processes and the appointment or suspension of the Auditor-General. Furthermore, the amendments strengthen the importance of the Audit Office staff not being subject to direction from anyone other than the Auditor-General.

During 2014-15 the Audit Office fulfilled its responsibilities of undertaking financial audits and performance audits while also meeting its public interest disclosure obligations and managing many representations.

With respect to our financial auditing work, we completed 75 audit reports on financial statements and 30 reports of factual findings on statements of performance. Eighty-five per cent were completed within their required timetable. This is a decrease from the 93 per cent achieved in 2013-14. Completion of our audits was delayed primarily due to delays in the receipt of certified financial statements from agencies.

However, even though that occurred, all audits were completed in time for agencies to meet any applicable statutory reporting time frames.

For financial audits, we try to keep our fees predictable, with only minor changes depending on circumstances. In setting fees, we seek to recover the costs of completing the annual audit program. We do this as the scope of financial audits is predictable in most cases. I thought the committee would be interested to know that in 2014-15 we had an internal audit undertaken on our financial audit fees; it was found that the fees were set in accordance with the legislation and that the method used was reasonable.

In 2014-15 in the performance audit arena we tabled seven performance audits. Of these, five had been identified in the forward program. The five identified were debt management, the rehabilitation of male detainees at Alexander Maconochie Centre, restoration of the lower Cotter catchment, ACT government support to the University of Canberra for affordable student accommodation, and the bulk water alliance.

The audit on the integrity of data in the Health Directorate was generated through consideration of health integrity issues that came to the forefront during the early part of that year. It was an issue raised with all auditors-general that was felt to need consideration. As it is an important issue of itself and had financial audit implications, we undertook that performance audit. The other unplanned audit was on the sale of ACTTAB. It was generated through consideration of deliberations made by the select committee on estimates and also from contact from a member of the Assembly.

In 2014-15 we made response to a review of our office's performance audit method and practices that commenced in 2013-14. That is for performance audit. We have incorporated performance audit methods into our work paper document system, and this is contributing to streamlining how we undertake our performance audits.

We also had an internal audit undertaken in that arena on the actual manual that we were using. The reviewer found that overall the manual conformed to current performance auditing standards and provided reasonable guidance to performance auditors. There were some suggestions for improvements in the text, which we are in the process of making. We have also, importantly, in the performance audit area, improved our report production process and reviewed the template. We are finding that is making production more reliable and easier.

The other arena where we work is in terms of representations. We had 19 of those last year; the year before there were 17. There were also three public interest disclosures; the year before, there were five. Representations and public interest disclosures are the invisible workload at the office, and they require considerable time, as background information is often sought before you can determine an appropriate action.

In terms of staffing, in 2014-15 we had 41 staff. Our turnover of staff was 13-per-cent for permanent staff; last year, it was 16 per cent. It was 31 per cent if you include people engaged on a temporary basis; last year it was 24 per cent. We have been employing more staff engaged temporarily. These people are not expected to retain employment within the office, yet the numeric that we all report in our annual report is a macro one. We have a workforce plan which deliberately factors in staff who are

to be employed on a temporary basis. So any numeric around staff turnover in the Audit Office may look high, as it does at 31 per cent, but it does factor in temporary staff.

In 2014-15 we had an operating deficit of 327,000, which exceeded the budget operating deficit of 31,000. The major reason for that was the increased use of contractors and consultants, including subject matter experts that we had not foreseen we needed, to undertake both financial audits and the performance audits.

In financial audit, contractors were engaged on a short-term basis as recruitment activities were needed to replace departing staff and there was a time lag. In terms of our revenue, in 2014-15 it was 6.7 million, largely consisting of a fee of 3.9 from financial auditing; an appropriation then made the balance of around 2.7.

We consider our short and long-term financial position to remain sound. Our challenges for the year that we are in, 2015-16, include managing our workforce in a flexible manner to complete our audits, be they financial or performance. We intend to continue engaging contractors and consultants and have permanent staff—that mixture.

Another challenge is achieving the planned number of performance audits on time. That is always demanding, particularly because, once we commence the audit, performance audits often reveal issues that we could not have foreseen.

Our financial audits are able to be managed within time lines more easily than the performance audits, with a tight legislative time frame to complete that large number that I have just read out. In 2015-16, that is going to be exacerbated: because it is an election year, we will have to bring things forward.

Another challenge in 2015-16 is that we are currently doing our first performance audit using powers in the Auditor-General's Act to audit non-public sector entities that receive ACT government resources. This audit is on the Calvary Public Hospital in relation to its financial management in 2013-14. We have found that this audit will take much more time because, under the changes in the legislation, we cannot provide a draft report to the ACT government agency concurrently with giving that to the non-public sector entity, in this case the Calvary hospital. The legislation is unbelievably black and white in this: they must get it prior to the directorate. I think this is an oversight in the drafting of the changes in the legislation and was not foreseen. It may have been assumed that when you did an audit on a non-public sector entity you would be only considering its issues, but every issue that we consider is likely to involve a government agency as well as the private sector one, because of the interface that occurs.

In addition to that audit, we will be undertaking six others. They include one covering public transport, the frequent network, which we hope will be tabled very shortly; one into the initiation of the light rail; one into the management of credit cards, and that involves all credit cards; one into the maintenance of public housing; and one into financial arrangements for Mr Fluffy. Also we have decided to do a performance audit on the ACT Policing agreement. Thanks for listening.

THE CHAIR: Thank you very much for that. Just for the sake of completeness, with the six audits that you mentioned that are underway or will be done in the current year, in relation to public transport, when do you expect that to be tabled? I am not holding you to it, but when is the expectation that it would be tabled?

Dr Cooper: We are sending that to the printer, we hope, later today. At the latest, it would be tomorrow morning to the printers. So depending on printing processes we may be handing that to the Speaker tomorrow, or Monday or Tuesday.

THE CHAIR: All right.

Dr Cooper: It is very soon.

THE CHAIR: And capital metro?

Dr Cooper: I will not give you a time line on that because the discussions on that and the complexities in that are greater than what we had envisaged. That could be early next year—February.

THE CHAIR: Yes. That is okay.

Dr Cooper: That one probably might be around February. Credit cards—

Mr Stanton: We are progressing multiple draft reports at the moment, including capital metro light rail, the Calvary public hospital performance, financial reporting, and credit cards. Those audits are in train at this point in time. We plan to release those audits as draft reports to the agencies prior to Christmas. We are not sure when that tabling will occur early next year.

Dr Cooper: We will be looking probably more at February, given shutdown periods and all of that—February-March.

THE CHAIR: And maintenance of public housing?

Dr Cooper: Maintenance of public housing will probably be a few months after that—March, April or May. And financial arrangements for Mr Fluffy will probably be around the same time as public housing, within that period. With ACT Policing, we think it is a straightforward audit, and we have just been doing the planning for it, so it may come in prior to those other two but we will wait until we explore what the issues are before committing. But all will be before the end of June next year.

THE CHAIR: All right. Could we have a discussion on the legislation and the Calvary audit. Firstly, when would you expect Calvary to be done—or will the legislation have to be changed?

Dr Cooper: No, legislation does not have to be changed. It is a processing issue. It is an issue of communication. Under the current legislation, we have to give it to the non-public sector entity for two weeks prior to being able to give the draft report through to the agency. We are doing that. Given that what usually happens is that once you have given a draft to someone it then takes time to discuss the issues with

them, it is probably going to add an additional month beyond what we had originally planned.

Mr Stanton: It is an interesting scenario because we certainly do multiple agency audits on a number of occasions and we need to provide that audit report to those agencies. You can consider the comments as they come in collectively. It is an interesting scenario to provide it to the non-public sector entity in the first instance. The legislation says that you must take those comments on board and consider those, and we will do that, and then we are free to issue it to other interested parties, including the agency.

Dr Cooper: But when we issue to it the non-public sector entity it will be done with caveats around it and very limited ability for them to have many people within their organisations see it. It will just be key people. The other thing is that legally, we understand, even if they gave us permission, written or verbal, that we could share it with the directorate, we cannot. The legislation is so tight that that is not possible.

THE CHAIR: Do you have suggestions on changes to the legislation?

Dr Cooper: Yes. We would be looking for us to be able to decide, given the type of audit it is, whether you could put it out to auditees concurrently.

THE CHAIR: All right.

MS FITZHARRIS: Could I have a supplementary to that?

THE CHAIR: Sure.

MS FITZHARRIS: Were you involved or consulted throughout the drafting of the legislation?

Dr Cooper: We are consulted, but the nuance of this—

MS FITZHARRIS: Until implementation—

Dr Cooper: Until implementation the nuance of this was that our interpretation was different from when the legal people looked at it. When we are doing our first audit on a non-public sector entity we are making sure that every single step is checked.

MS FITZHARRIS: With respect to a change that would allow auditees to be concurrently informed, what are the pros and cons of the two different—

Dr Cooper: I think the pros are you then get both perspectives at the same time and you can go back to them and say, “What you’ve just said doesn’t match with this.” It is a communication issue.

MS FITZHARRIS: Yes, it is not a static, one-way—

Dr Cooper: That is right. It may be assumed that, with the non-public sector entity, an audit in that arena would just focus on them. We are finding it cannot. The

relationship between the agency that manages either the contract or the interaction is so great that, for fairness, you have to look at—

MS FITZHARRIS: Look at both sides of that.

Dr Cooper: Yes.

MS FITZHARRIS: For future audits, you could see this potentially being about following the money?

Dr Cooper: Yes.

MS FITZHARRIS: For future audits, this would be an ongoing issue for all of those?

Dr Cooper: Yes.

MS FITZHARRIS: Can you imagine one where you would not have those two—

Dr Cooper: Yes.

Mr Stanton: If it was solely focused on and very specific to a non-public sector entity and its operations, management or use of ACT territory funding, clearly there is an argument there that surely they get the report first, prior to the agency. It is hard to imagine a situation where there is not an element of either contract management or grants management from the agency.

Dr Cooper: We do try to consider ethical issues all the time, apart from legal. If we are doing a report that is particularly focused around an issue, and we are quoting around that, we will give it back to that person or the agency, before we even put it in our draft. This is where you actually have a draft, and it is about trying to synthesise everything to present what we think is the correct situation.

MS FITZHARRIS: Have the suggested changes filtered up from you to other—

Dr Cooper: No. We have a meeting lined up with the people in JACS who do the changes to legislation. We will be talking with them about it. It has occurred just in the past couple of weeks that we have become really aware of the constraint on this. We thought that if they would agree, at Calvary—and we have not asked them. But when we were told, “Even if they agree you still can’t,” that is pretty tight.

THE CHAIR: What you need is some flexibility in how it might be carried out?

Dr Cooper: Yes.

THE CHAIR: Ms Porter, a new question.

MS PORTER: First of all, welcome, Dr Cooper, and officers. I want to ask you how you think the new arrangements are going. That is not my substantive question, but given that you talked about it when you made your opening statement, I wondered whether there had been any unintended or unexpected outcomes from—

Dr Cooper: From being an officer of the Legislative Assembly?

MS PORTER: Yes.

Dr Cooper: We view it as very positive. It is a clear definition of our relationship. We have, with Madam Speaker, been trying to go through new budget processes. They have been worked through. Our first major budget is around now. We are used to going through the bureaucratic processes through Treasury. Now we are shifting through the processes that are much more connected directly with Madam Speaker and her role in the Assembly.

We are learning as we do that. What we are proposing—Madam Speaker has requested—is that there will be a protocol. In future years, having learnt from this year how we do it, there will be a protocol. We will have a procedure and it should go extremely smoothly in the future. It has been reasonably smooth, although there have been some time issues where we had not quite realised we were so short of time. With the bureaucracy there is that amount of time every year, but it is different when we need, for instance, to consult with you, through Madam Speaker.

MS PORTER: Anyway, so far so good.

Dr Cooper: So far, from our perspective—I cannot speak for Madam Speaker—we have been trying very much to streamline things.

MS PORTER: Thank you for that. When you were talking about your staff turnover you emphasised, of course, the numbers of non-permanent staff. It seemed to me that there was less turnover, from what you were saying, with the permanent staff.

Dr Cooper: That is right, but the way the numeric is required to be presented in the annual report—

MS PORTER: Yes, it reflects the non-permanent staff.

Dr Cooper: That is right.

MS PORTER: On page 157 it indicates the number of employees that were satisfied; it gives an indication of the satisfaction of employees in the chart there. Do you want to make any comment at all about the results represented in the chart? Could you highlight the work that you are undertaking to support staff and to maintain employee satisfaction levels? I have some additional questions. I have given them all to you at once so that you can deal with them at the same time because they are all interrelated. On page 49 it talks about the training that you undertake with staff. It mentions some interesting training initiatives—domestic violence awareness, quality conversations and organisational time management. Are those kinds of things contributing to getting the high staff satisfaction that you see on that chart on page 157? Would you like to expand on any other kind of training support that you provide to staff?

Dr Cooper: Ms Porter, thank you for that important question because that is a key issue in our office that we focus on. Mr Ajay Sharma manages all of that for us, so he

will be able to take us through that.

Mr Sharma: With respect to the survey on page 157, this is a survey that we do on an annual basis. There has not been a big change in terms of the satisfaction level for staff. It has remained similar to last year, for example. We are finding that, overall, staff are satisfied with the working conditions. They are also satisfied in terms of the training and development that we are providing. We have support mechanisms that we provide to staff through coaching and feedback. As you would be aware, staff work within teams. Within the team structure we provide support to the middle management level so that they attend supervision and coaching training. So support is provided to staff.

We also have an office consultative committee. The consultative committee has been set up for staff to provide any anonymous comments and discussions with the consultative committee, which gets fed through to me. We use an independent survey to do the staff survey. This is coordinated by an independent person, Dr Richard Reilly. Once we get the report it is provided to the office consultative committee to have discussions with staff, to identify any areas that they wish to discuss and any further things that they wish to bring to management and the executive committee's attention.

We have a fair amount of engagement with staff in relation to any areas that are identified. The matters that are identified that we are doing continuing work on are in relation to the performance management framework and accommodation. Those two matters are separate in terms of their satisfaction level in relation to the audits and the amount of training and support that they are provided with to enable them to do their audit work on a day-to-day basis.

In terms of the learning and development program, there is a significant amount of investment from the office in training and development. There is a program that is developed through staff consultation on an annual basis. This program takes into account self-assessments undertaken by staff through the performance development plans. The detailed performance development plans for staff identify any areas for development. They are discussed with their managers and supervisors. So we have a look at those. We also look at any matters identified through the performance appraisal process. They are all considered in developing the program and then the program is implemented. Most of the training for staff is mandatory, to ensure that they are getting the support that they need. On an annual basis we provide training in terms of performance method and financial audit method. We see that as important. We also see some of the coaching and supervision skills as being equally important.

Some of the other areas include mentoring of staff. Staff can also attend to mentoring arrangements if they wish to do so. Another important component is professional development and professional area studies. For staff engaged particularly in financial audits, it is important that they undertake professional programs to satisfy the CPA and the CA program, for certified practising accountants. They get five days assistance for studies assistance. They also get half a day to attend exams. We have a forward planner that ensures that staff are able to take that time and that it can be managed. If they get through the exams they can also get reimbursement of tuition fees.

MS PORTER: Let us hope most of them are successful.

Dr Cooper: Yes. We do have in the financial area a rather large cohort of graduates, and we will always lose them at a certain time when they are trained up, just because we are a small organisation. The other thing I would like to share with the committee is that right at this moment we are talking about how we embrace diversity. Our planning day this year will be focusing on embracing diversity—diversity in attitudes, culture, gender, age and physical ability. We are doing that because we do not know what we do not know. All of us in the community are being asked to embrace diversity, but how do you do that? How do you learn what you do not know? So we are trying to push the edge in terms of both applying our values and applying what has been asked across the whole government sector—more and more embracing that diversity.

Mr Sharma: Ms Porter, I did not answer one question in relation to domestic violence awareness training. I wanted to bring to your attention that under the enterprise agreement it has recently been introduced so that staff can take 20 calendar days leave in relation to domestic violence. The purpose of this training was, in the first instance, to make everyone aware of domestic violence matters and how we as managers and supervisors can look out for those things, and a mechanism in terms of how we can provide support to staff. The second aspect of that training was about us, as an audit office, when we go out and audit leave provisions: what information we can have access to, what we will be able to see. So it was to increase our openness in relation to that.

Mr Prentice: On page 49 it highlights that we train our people in either the CPA program or the Institute of Chartered Accountants program. One of the major reasons for doing that is that the accounting has become quite complex in government in the past few years. If you refer to pages 35 and 36 of our annual report, we list there some of the areas where we have been called upon to provide advice to Chief Minister, Treasury and Economic Development Directorate and other directorates on complex accounting issues—in particular, on the current audit cycle just finished, on budgetary reporting. There was a new requirement there. So it is important that we train all of our staff, and not just the manager group. As the Auditor-General mentioned we do have a lot of junior-level people. It is important that they get familiar with these accounting requirements.

Some of the things listed on page 36 involve quite complex accounting. I refer in particular to the Mr Fluffy scheme that came in this year. Being a small office we do not have a large technical area, so we do seek external assistance. We also need to get across these issues ourselves, because at the end of the day it is the Auditor-General providing the audit report.

They are examples of some of the more complex areas of accounting that have come up in the past 12 months, and that is why we focus on those training programs.

THE CHAIR: Ms Fitzharris, a new question.

MS FITZHARRIS: I wanted to ask a question about the timeliness discussion in the

annual report. Mr Prentice, you mentioned complexity, and it seems like things are getting more complex in general accounting standards. We struggle, I think, to understand some of the things in front of us, and they are explained by others and accounting treatments that everyone is trying to keep up with. In terms of the timeliness of the reports, the complexities and the need to consult extensively, do you think there is a new normal that is emerging, so that will change?

Dr Cooper: I think I will defer to my colleagues on the left here, definitely in terms of the financial side. When I go to the six-monthly Auditor-General's meeting it is often a topic of conversation because how do you know what you do not know under all these complexities? It means that on the financial side—and my colleagues can add more—on some issues we will simply never have staff who can deal with a particular issue. Taxation is an example where it interfaces valuation.

Mr Prentice: Actuaries was a major issue in the current audit cycle just finished. There was a new entity created, the lifetime care and support fund, for people who suffer catastrophic injuries. Just having a new entity and trying to determine what is the appropriate provision to start up with, when a lot of that is actuarial based, can become quite complex.

Dr Cooper: My colleagues to the left have been through this with the loose-fill asbestos eradication scheme. It is not black and white as to exactly how you would handle something. You have got to think of every intricacy of how you are first going to deal with it right through to the very end.

Mr Prentice: Yes. With that particular scheme—normally being a small jurisdiction in the ACT we tend to follow because the bigger states do things before they come to us, but this was not done anywhere else before—we had to basically develop the accounting treatment for that from scratch and agree it with the directorate and then work with the private sector advisers as well. That was a time-consuming and difficult issue to get through. In the end, I think the disclosures for that scheme were quite good.

Mr Sheville: To handle the increasing complexity it has meant for our small team that we need to be very switched on to what the changes are going to be and what the likely impacts will be early in the audit process. As part of that we hold an annual financial audit seminar where we identify what we see as the major changes from the previous years. For many of our CFOs, who are on the accounts preparation side of things, the annual statutory reporting process is something they do once a year and it is not their full-time job to be across the accounting standards.

We help where we can in two ways. When we meet early in the audit process we discuss any major changes to their arrangements and any issues that they see on the horizon—for example, Mr Fluffy and obvious ones like that will come up—and also identify whether there have been any changes in the accounting standards. We also review a model set of financial statements or examples of financial statements that are prepared by Treasury each year to assist CFOs in preparing their financial statements. As part of that process we are asked to contribute by reviewing it to see whether new requirements—for example, the new requirements in relation to budgetary reporting—are picked up in the model financial statements.

Once the financial process starts, it is a little late to be trying to roll out the whole-of-government guidance. We are trying to get on the front foot and work with the CFOs and Treasury, particularly Treasury's accounting branch who looks after the whole-of-government policy setting, to see if we can jointly identify the issues that are likely to have a major impact on our agencies. This year it will be critical. The territory's financial statements are due to be finished—the audit—by 30 September. Normally you have till the end of October. That is going to bring forward a lot of things, so early identification is the key for next year's audit program.

Dr Cooper: Sometimes within an agency the accounting team may actually be unaware of some policy changes that affect the accounts, and that is always a tricky one.

MS FITZHARRIS: Policy changes by—

Dr Cooper: What I am particularly thinking of is if you are going to take on some new adventure. The team working on some negotiation over something needs to actually tell the accounting team so they can treat it. There is sometimes a timing lag there. We come in and we are dealing with the accounting team, and they do not know what is happening in another area that will have an impact on the financials.

MS FITZHARRIS: And in terms of performance audits?

Mr Stanton: Just in terms of performance audits, I think there is some complexity in a number of different ways. One is in relation to the relationships between the agencies. I think we are doing more audits that have more agencies involved. We certainly have selected cross-government audits in relation to debt and credit cards and it is our own choosing to do those. Otherwise, most of the audits last year have involved multiple agencies, including input from CMTEDD.

Secondly, in relation to complexity, we have done some audits that are very technical. The Bulk Water Alliance springs to mind, as well as the sale of ACTTAB process and the like. In the performance audit space I think more often than not we have actually got subject matter expertise on board with the team to provide input to the team.

Dr Cooper: I think that gives us the right challenge in that, when we write the conclusion up in the performance audit, it is very accessible for intelligent people—as Assembly members are—but not technical people, and that is where we spend quite a lot of time just clarifying: is that right and is that the key message? We then need to have the report backed with all the technical material, but you as a reader should be able to grab it and say, “Got it.”

Mr Sharma: The audit reports are subject to quality reviews as well. The audit team can get too close to the reports so there is an independent process of looking at those reports to see whether we have actually looked at and addressed the matters that we report to.

MS FITZHARRIS: Your approach is to deal with the complexity rather than to limit the scope of a future audit?

Dr Cooper: Yes. I think you get better value as the Assembly and the community, even though it is agonising at times. I think that is the right approach.

MS FITZHARRIS: Is it a reflection of the complexity of service delivery, the whole-of-government approach—

Dr Cooper: It is the different issues, like the Bulk Water Alliance. Anyone would say that arrangement was complex. Understanding some of the nuances of some of the financials in Mr Fluffy, I think, will be a challenge when we are doing that performance audit. Also, if we are dealing with human behaviour, that can be a complexity away from the technical. A lot of times people will say, “Why did so and so do that?” Audit cannot actually ever identify a clear motive, unless we are told. We do try to say, “This happened by this person or that person.” So there is even a human behaviour complexity.

THE CHAIR: Ms Lawder, a new question.

MS LAWDER: Just looking at pages 172 and 173, the summary of financial audit fees for territories and directorates, that kind of area—

Dr Cooper: Ms Lawder, could you just speak up just a bit? I just cannot hear, sorry.

MS LAWDER: Sure. Looking at pages 171 to 174, one of the notes—No 27—says that an audit of compliance by the Public Trustee was performed for the first time. I know I am shortening that. It is not the Public Trustee for the first time but under a particular act. Can you explain why that was done for the first time? Was there any involvement of the audit office in the recent financial impropriety that was discovered?

Mr Sheville: In relation to the Public Trustee, the requirements and the public ancillary fund guidelines, the audit was performed for the first time as it was only required for the first time in that year. We were only requested; we were asked by the Public Trustee could we do this audit of compliance. We acceded to that request. We have now completed that audit of compliance twice. It is unrelated to the audits that we have been doing in relation to the financial statements of the Public Trustee.

Our role, I guess more behind the scenes in relation to that, has been that when the irregularities first came out our primary concern was to make sure that there was proper disclosure in the financial statements of the Public Trustee of the fact there had been irregularities and to encourage management to come up with their best estimate of what they thought the size of the irregularities was in dollar terms.

In the current year, as I understand it, there has been plenty of public reporting on it. It has been good that there has been such clear and transparent disclosure in the financial statements of the Public Trustee about the amounts that were involved in relation to the fraud.

Those two issues were quite separate. The ancillary guidelines was a fairly straightforward compliance audit and in the audit of the financial statements the

primary issue for us was to get a figure in the financial statements that would estimate the fraud, inform the reader about the fact there was a fraud and have a reasonable basis for the estimates that were made. As I understand it, the amounts that were estimated for the first time last year did not turn out to be too far out from what was estimated in the first place, so that was good.

Mr Prentice: In relation to that compliance audit, the capital region foundation has a gift recipient status with the Australian Taxation Office. The requirement to do that audit is to maintain that gift recipient status. They have to spend so much money out of that capital region fund each year to beneficiaries to maintain that status. That was a change to the charities act that came in in about 2013. So that is the reason for that new audit.

Dr Cooper: Just while we are focused on the Public Trustee, you will notice that one of our public interest disclosures refers to the Public Trustee. They are two unrelated issues. The PID we received was to do with an individual person and nothing to do with what has been in the media.

Mr Stanton: I would just draw your attention to page 57. Towards very late in 2014-15 we received a communication in relation to potential activities or actions of a person. We communicated with the Public Trustee's office. They asked us to take responsibility or be the investigating entity. We investigated that. We concluded that investigation in this financial year, so it is not recorded as being complete for 2014-15, but it was concluded in July. There are no issues and no further action.

MS LAWDER: If I can just check my understanding: you only conduct the audits under particular acts that you are asked to do?

Dr Cooper: And if we have the legislative mandate to do so. We recently—and I think Mr Prentice was managing this—had a request to audit the veterinary surgeons.

Mr Prentice: Yes, the ACT Veterinary Surgeons Board.

Dr Cooper: So we check our legislation: is it appropriate or not for us to do that? We look at the appropriateness. We just do not do what people ask us.

MS LAWDER: So, for example, next year they might not ask you to do one under the public ancillary fund guidelines?

Mr Sheville: In the vast majority of our audits we are required to be the auditor. For the territory's financial statements, the auditing of all of the authorities and all of the directorates, we are required to be the auditor. For some of our companies we are required to be appointed as the auditor. For some of the grant acquittals—for example, commonwealth grant funding acquittals—as part of our audit role out there with a particular agency we will be requested by the agency. Generally, there is an agreement or legislation that says you need to have a registered statutory auditor or you need to have an auditor do it. It may not specify who the auditor needs to be. If we are asked to undertake that activity, generally we will.

Mr Prentice: If the tax office no longer required that compliance audit to be done

then we would not do it.

THE CHAIR: Ms Porter had a supplementary unless Ms Lawder has any more.

MS PORTER: My supplementary is in relation to the chart on page 149 which talks about the satisfaction level of agencies with financial audits. It seems to be fairly high, I would think, from looking at the chart. Generally, do you think that that satisfaction level has been maintained over time, will you expect it to continue in that way, and what do you put it down to? Just how well you do your job, I suppose.

Mr Sheville: Generally there is a good acceptance across agencies and a good understanding of the audit process across agencies. Being subject to an audit, whether it is a financial audit or a performance audit, can be a distressing experience for people who are not familiar with it but, for most of our agencies, particularly in the financial audit area, the CFOs have a good understanding of the audit process, enough for them to appreciate why we are there and what we are doing. They generally have a good appreciation that the audit process assists them, because at the end of the day their agency needs to have a set of financial statements and statements of performance that are well prepared and reliable.

Our communication on site with teams is generally constructive, so agencies see value in our assisting them with their financial statements. We receive draft sets of statements early in the audit process and provide comments to improve them—improve their clarity. In that sense I think that this hidden work that we do helps with the satisfaction that we see at the end of the audit process. Where we get comments on the audit process, we typically go back to agencies. Even if they are satisfied, except for these areas we would like them to work on, we will generally meet them either in person or over the phone. I will contact them and then we will have a conversation about what the issue is and see if we cannot attend to that issue for future years.

I see no reason why it would change from high levels. Ideally, in a perfect world, everyone would see us as very good, but it seems to me that what we are doing seems to strike a chord with the agencies and how we are going about our business.

Dr Cooper: I think communication is paramount. An audit will often find things that were not obvious to an agency, and it is how we communicate and then the receptiveness, or not, being willing to look at it from their perspective to see what we can or cannot do. In particular, we have fewer issues in the financial area because it is an annual event and everybody knows what to expect. Every time we do a performance audit we are new in an area, so sometimes in those we have some tension, and we will work really hard on the communication.

MS PORTER: So it is being constructive with communication, being constructive—

Dr Cooper: Yes. My philosophy is that it is not what we say but the way we communicate, and it is the approach of no shocks up front. With some of the audits that we have done, even the agency, I think, has been surprised at what has come out. We try, but sometimes there may be issues for some; when it involves individuals, it can be taken quite personally and we try not to make it personal.

Mr Prentice: Because there is such a short timetable between when statements are prepared and when they need to be audited and finished, there is a lot of working together to get the job done. Also, one of our other performance indicators, which is on page 155, is about the acceptance of audit recommendations in financial audits. The number that is completely disagreed with is fairly low. Because we raise issues as they come up rather than lob them on at the end, there is a reasonable acceptance of where we find something, so there are not long, drawn-out debates about audit findings, which I think helps the process run smoothly.

Dr Cooper: And in the PA area where we have disagreements, providing it is factually correct, we will often say, “All right; we will quote you if you do not agree with that.” There was a very good example of that—we had a few last year in performance audits, I think nearly every one, where there was a disagreement and the agencies would try to respect that there was a counterview.

Mr Prentice: I think the sale of ACTTAB audit is probably the most prominent where there was quite a disagreement on the application of the legislation and some other matters so, for transparency, we put all of that into the report.

Dr Cooper: We try to do that. We ended up agreeing that we did not agree, so then the next issue became “How do we have respect in the communication?”

MS FITZHARRIS: Could I just go back to page 30, the acceptance of recommendations in the financial audits and constructive communication. You would like to think that that is just the way everyone operates, but I know that it is not. I commend you for that. With the recommendations accepted in the financial audits, it has dropped to 71 per cent, but you were looking at 95 per cent. I think we were at 86 per cent the previous year and had a high target, and then there was quite a significant drop from that. What might explain that gap between what you were hoping to achieve and what you actually achieved?

Mr Prentice: If you go to page 155, the box there breaks down the recommendations. We counted where it is fully agreed, but often we get “agreed in principle”, “partly agreed”, “noted” or “not agreed” in some certain circumstances. There has been a bit of an increase in “agreed in principle” type responses back to us. And last year we issued for the first time a management report on some whole-of-government IT findings. There were four of those in total. All of them had quite significant budget implications. The Chief Minister, Treasury and Economic Development Directorate did not want to agree to them up front; they just noted them and said that they would look at them as part of the budget process in ongoing years. We have some of those findings also for the whole-of-government audit, where they have either noted them or disagreed with them. Whilst the target is quite high, at 95 per cent, there are some findings that achieve only slightly less than a fully agreed position.

Mr Sheville: I might point out, too, that the 95 per cent target is ambitious in some ways, because we have not been prepared, and would not be prepared, to, say, give a recommendation because it is palatable and not recommend something that we know might be a little unpopular on the basis that we would get a “not agreed” or partial agreement. We have to be resilient in providing recommendations, and we stick to our guns if we need to in relation to particular issues.

The other two touched on the whole of government; there are some issues there. We do get a concentration of disagreements also in the audit of the university, where we have some disagreements in relation to accounting treatments. They do not have a material impact on the accounts. The university has gone and sought advice in relation to these treatments. However, we have looked at the advice, we have looked at the accounting treatments, and part of our role is still to point out where we have a difference of opinion in relation to those. We have not qualified the financial statements of the university, because the amounts in question are immaterial, but the auditing standards require us to bring them to the attention of management and make recommendations. Obviously, in those cases where there is a difference of opinion, the university is quite right to disagree, because they have to form an opinion on their financial statements independently of anything the office might have a view on.

Dr Cooper: And if we do not keep putting forward our perspective, if there is an issue in the future, either due to the cumulative impact or because the substance of the issue changes, the first comment made will be: where was audit? Well, audit is there. To be consistent, we still think they should change. If they choose not to, the risk is theirs, not ours.

THE CHAIR: Just on the whole nature of the auditing, on page 45 you have got your own fraud prevention. Again I note that there is no fraudulent activity or lack of compliance inside the audit office, and I do not think I can recall an occasion where there has been, but where do you get involved where, for instance, there is fraud inside a directorate or an agency? Are you ever called on to assist with that? For instance, when the Public Trustee issue came to light, were you asked to be involved?

Dr Cooper: We were not involved in the actual issue, but we were certainly involved in the accounting implication.

Mr Sheville: In relation to the Public Trustee, the Public Trustee engaged its own forensic “frauditors”, if you like, to go through and determine—

MS FITZHARRIS: Is that a word?

THE CHAIR: It is now.

MS PORTER: It is now. It is in *Hansard*.

THE CHAIR: So you are never called on as the official ACT government “frauditor” then?

Dr Cooper: Because fraud mostly is a police matter.

THE CHAIR: Yes.

Dr Cooper: We would respect that it would go to the police. In the performance audit area, we may pick things up that we would then bring to the attention of somebody else and say, “This needs further examination.” Or we might refer it to the police ourselves if we really thought it happened.

Mr Stanton: Within the PID legislation, one of the sections—I do not know if I recall it offhand—is that if there is reasonable suspicion that relates to fraud it should be referred to the Chief Police Officer.

MS PORTER: Yes.

Mr Stanton: In relation to the PID in relation to the Public Trustee last year, no, we did not have that reasonable belief.

Mr Sheville: In relation to fraud, our role, primarily, with the Public Trustee was making sure the report was well prepared so that the community were informed of the fraud and what the financial impact was. That was essentially where our focus was. It was a proper estimate, a considered estimate, of what the cost would be.

With quite a few of our audit recommendations and findings, when we identify weaknesses in the IT environment, weaknesses in controls over payments or whatever, they often have a risk of fraud. We generally very clearly identify in those recommendations that “The weakness that you have in your control structure not only presents a risk of misstatement of your financial results”—for example—“but might actually lead to a fraud being perpetrated.” In our management reports we have a separate category where we identify fraud risk and that is clearly communicated in an audit finding.

THE CHAIR: So apart from inside the audit office itself, your remit in regard to fraud in the ACT office is not something—

Dr Cooper: Really it is a police matter, and with the PID issues, if they come through that, of course, we would refer it to the police.

THE CHAIR: Members, any final questions? Ms Lawder?

MS LAWDER: I want to go to the tables near the end, 162 and 163. There are a couple of qualified audit reports of authorities and other audits, a lot of them relating to cemeteries.

Dr Cooper: Yes.

MS LAWDER: Did that occur last year as well? And can you give us the big picture as to what were the issues—a risk of trading insolvent?

Mr Sheville: The ACT Public Cemeteries Authority received four or five qualified audit reports. They all related to one issue. The issue was that under the perpetual care trust arrangements, the authority has to transfer some of the revenue that it earns to a perpetual care trust that has been set up to provide for the future maintenance of the cemeteries. The authority is also entitled to be reimbursed for the maintenance cost back from the perpetual care trust. What we discovered in last year’s audit was that some of the costs that were being clawed back were not costs that were anticipated to be clawed back in the original model.

We took that to the board and said, “How can you be certain that the only costs that you claim back from the trust are appropriate and consistent with the model?” They could not. So, essentially, the board qualified its own financial statements to say that they could not be certain about that, about the charging arrangements for the maintenance costs. As a result of that, there has been work done in the current year to clarify what may or may not be charged. The cemetery has changed its financial statements, corrected its financial statements in the current year, and they have addressed the issue by making sure that what they are charging now has been based on a clear model about what they are allowed to charge.

MS LAWDER: So basically your findings were accepted.

Mr Sheville: The issues that were identified—yes. These qualified reports relate to the previous financial year, but in relation to the one we have just completed now, those issues have been attended to.

Dr Cooper: They had a complete systems issue that they really needed to tighten up.

MS LAWDER: I think the other one was about reports of factual findings about the ACT third-party insurance regulator. Do you recall that?

Mr Prentice: Yes. That was qualified on one measure which they did not measure.

MS LAWDER: Fair enough.

Mr Prentice: It was to do with privacy information. That measure has been replaced by a different one in the audit cycle just completed, and there was no qualification issue.

THE CHAIR: Members, our time has come to a close. Auditor, thank you to you and your staff for your attendance here today. I do not think you have taken any questions on notice. Members, if you have any supplementary questions, they should be presented within three working days of the proof transcript becoming available. When the proof is available, it will be forwarded to witnesses to provide an opportunity for you to check it and suggest any corrections.

Sitting suspended from 11.31 am to 12.30 pm.

Appearances:

ACT Ombudsman's Office

Neave, Mr Colin, ACT Ombudsman

Glenn, Mr Richard, Deputy Ombudsman

Lee Walsh, Mr Rodney, Senior Assistant Ombudsman

THE CHAIR: Good afternoon and welcome. I now formally declare open this public hearing of the Standing Committee on Public Accounts inquiring into the 2014-15 annual reports. On behalf of the committee, I would like to thank you, Mr Neave, the ACT Ombudsman, and your accompanying officials, for attending today. We will be looking at the annual report of the Ombudsman and other documents, and the hearing is scheduled to finish at approximately 1.30.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement on the pink card on the table before you. Could you please confirm that you have read and understood the implications of privilege?

Mr Neave: Yes. I so confirm.

THE CHAIR: Thank you very much. Can I also remind witnesses that the proceedings are being recorded by Hansard for transcription as well as being webstreamed and broadcast. Mr Neave, would you like to make an opening statement to the committee?

Mr Neave: Thank you. By way of introduction, I thought it was appropriate to remind the committee of the purpose of the ACT Ombudsman, which is generally expressed to be, first of all, to provide assurance that organisations we oversight act with integrity and that they treat people fairly. We also seek to influence systemic improvement in public administration. When we are talking about what the Ombudsman does, we are talking about it in that context.

You will have seen our annual report, which reflects our functions and performance for the 2014-15 year. In summary, first of all in relation to complaints, as you are aware we investigate complaints from members of the public about the administrative actions of government agencies and we also consider complaints about ACT Policing.

Complaints received, compared to the previous year, are up by 26 per cent to 590. This follows a record low number of complaints last year. We have dedicated resources to supporting and encouraging ACT public servants to be aware of our role and to improve their skills in complaint handling. As well as the dedicated resources, as you can see from the numbers with us today we have a variety of people within the rest of the office who assist when required in relation to ACT complaints.

During the year we provided what we call a series of 20-minute bite-sized seminars to ACT public servants which explain the role of the Ombudsman. We have held a complaint handlers forum, at least one, offering support in complaint handling to those who are responsible for complaint handling within the ACT directorates. We use complaints to encourage agencies to improve their administration and we also

provide agencies feedback on complaint policy or service delivery.

We believe that our ongoing liaison with agencies, sharing our expertise and insights, makes agencies more alert to the importance of good complaint resolution. We intend to use the feedback from a recent forum that we held of peak body community and professional organisations, who shared their experience and expectations of the ACT public service with us, and we are going to use what they have said to us, to inform ourselves and also agencies who are subject to our jurisdiction about the complaints that we are not seeing—because not all complaints come to us; they might be made to some of the organisations who represent community organisations—and they can share then information with us about what they think about the performance of the ACT public administration.

A very important and developing role that we have, which has been developing over the past year, is what we call our inspections function and also our jurisdiction in relation to ACT Policing. First of all, what are we doing in this regard? Our office monitors ACT Policing's compliance with covert crime related legislation. We also monitor ACT Policing's management of the ACT child sex offenders register and, thirdly, we monitor the Australian Federal Police's management of complaints, including complaints about ACT Policing under the Australian Federal Police Act 1979.

We do this by conducting on-site inspections of the physical and electronic records maintained by ACT Policing. We have also increased our focus on the procedures and controls that ACT Policing have in place. Our inspection activities include reviewing internal guidance documents and other instructional materials. We also interview relevant operational and governance areas to be walked through their processes, so that we have a good understanding of the processes that they have adopted.

In addition, we seek to influence best practice at ACT Policing through a program of outreach and engagement. For example, we participate in AFP training forums and speak at inductions for new recruits, really about the expectations of the Ombudsman. Collectively, this work increases the level of assurance we can provide to the ACT Legislative Assembly, given, as I said at the beginning of this introductory statement, that our job is to assure a variety of organisations, including the ACT Assembly, that the organisations we oversight are acting with integrity.

In 2014-15, first of all concerning our role in the inspections area and also in relation to ACT Policing, the result has been that ACT Policing have been receptive to our more in-depth approach to our responsibilities, and they have continued to be open and cooperative during inspections. ACT Policing have also been responsive to our inspection findings for 2014-15. The Chief Police Officer has noted our positive working relationships. Overall, our inspections have found that ACT Policing's records relating to controlled operations and their use of surveillance devices are comprehensive and adequate. We are also confident that ACT Policing have sound processes in place to manage the exercise of these powers.

We have noted instances of legislative non-compliance, but they were few in number and generally administrative in nature. Going forward, during 2014-15 our inspections workload increased, largely due to the overall increase in ACT Policing's use of

covert powers, and one can expect this trend to continue in the future. We are also preparing for an additional inspections function in relation to entry and search powers under the amended Crimes (Child Sex Offenders) Act 2005. Thank you, Chair, for the opportunity of making an opening statement.

THE CHAIR: Thank you for that, and perhaps we might start with the change in arrangements. You are now an officer of the Assembly and you report through the Speaker. Has the change in arrangements made any differences to or affected the way you operate?

Mr Neave: I certainly have not changed the way we operate, but we have appreciated the support of the Speaker's office when we have made contact and briefed the Speaker from time to time about the manner in which we were operating.

THE CHAIR: All right, so the new arrangements are working well and you have no suggestions for things we might change?

Mr Neave: No. We are very happy with those working arrangements, thank you.

THE CHAIR: The act says that the Ombudsman is one of those officials that can receive public interest disclosures. How many public interest disclosures did you receive this year?

Mr Neave: I will call on my colleagues, whom I should have introduced before—Richard Glenn, who is the deputy Ombudsman, and Rodney Lee Walsh, who is the senior assistant Ombudsman responsible for ACT matters—to respond to a number of questions as we go through. It is up to whoever wishes to answer that question.

Mr Glenn: I believe we received during the reporting period one public interest disclosure, which we investigated. I think that is the correct number for the reporting period. Yes, Mr Walsh is nodding in agreement.

THE CHAIR: Where would we find that in the annual report?

Mr Glenn: Page 7, section O, O.2 talks about our role as a “disclosure officer”.

MR CHAIR: Section O is actually entitled “Public sector standards and workforce profile”. While I appreciate it is mainly about the public interest disclosure, the heading is perhaps a bit misleading in that regard.

Mr Glenn: Yes, I think we can have a look at that. Those headings, I think, are set by the general standards for annual reports and we may have found the most appropriate place for the public interest disclosures. We can have a think about where that sits for future years.

THE CHAIR: No, that is fine. What was the result of the one complaint?

Mr Glenn: You will appreciate I need to be relatively cautious about talking about the complaint. I think the ultimate result was that we considered that the ACT administration's handling of the disclosure was reasonable in the circumstances.

There perhaps were some areas where strict compliance with some of the obligations in the Public Interest Disclosure Act, particularly around keeping the discloser informed about the progress of the matter, could have been improved. But overall we had no basis to impugn the result of the investigation of the disclosure.

THE CHAIR: Thank you. Ms Porter, a new question.

MS PORTER: In relation to that, I think you said, Mr Glenn, that a better explanation may have been provided. Page 4 talks about finalising investigated complaints and the comment is made that the leading remedy for a lot of the complaints is “Better explanation provided”. Does this suggest to you that there needs to be better communication from the directorates and/or ACT Policing in relation to what the complainant is talking to them about in the first instance; that some of these issues would not actually come to you if the communication could be improved? Is that what this is indicating?

Mr Glenn: I think it is probably indicating a couple of things. One is that there are occasions where communication could be better; a more expansive explanation or better expression could convey the message better to the citizen. There are other situations where what we are capturing under that heading is that an explanation provided by our office, as opposed to the agency, is enough to satisfy the individual. Often we are not saying anything different; we are just confirming the information that had been provided by the agency, and that provides a degree of comfort to a number of people. I cannot break down those figures further—

MS PORTER: No, no, I am not asking you to.

Mr Glenn: They are the two general situations.

MS PORTER: So it may be the case, therefore, that, when people receive the information from you, they find it more acceptable in that they think that you have investigated and therefore this must be so?

Mr Glenn: Yes, or, if we have an investigator, that we are representing our view that the decision was lawful or whatever the situation might be. Hearing it from an independent party, hearing the same message consistently, often brings people a greater degree of comfort.

MS PORTER: In the former case, though, when the explanation has been that communication has been not satisfactory, is that because of the language that was used? Often we talk in jargon—acronyms and things. Would it be the case that sometimes it is just a matter of expecting the person to understand what is being said rather than them not trying to give information?

Mr Neave: I think that is right. My experience with complaints over a long period of time in different fora has convinced me that there are a couple of major problems in written communication; first of all, the use of standard letters and an unwillingness at times for organisations—I am not necessarily saying this particularly about directorates here—to modify either the form of a letter, content of a letter or the language of a letter to take account of the person who is actually receiving it. It is the

fault, I am afraid, of a lot of large organisations that they are not really geared up to deal with matters in that way.

Having, in a sense, learnt from your question, one of the issues that I think we need to stress when we are dealing with the directorates with whom we have a lot of contact, particularly the complaint handlers, is perhaps to be very much alive to the need to take a slightly more flexible approach to correspondence where it is necessary, particularly when it is pretty clear that the person with whom the directorate is dealing is particularly vulnerable—perhaps English as a second language. A whole lot of issues I think can be relevant. Your question has raised a good thought in our corporate mind about how we might start thinking about those communication issues and assisting directorates to be alive to some of those issues.

Mr Walsh: Could I volunteer that, also in looking at those statistics, the better explanation provided may be in addition to another remedy someone has obtained. So that number will be sometimes also picking up. There might be a multiple outcome of which better explanation would be also something that the person is satisfied with having received.

MS FITZHARRIS: If I could follow up on that discussion about written communication—and you mentioned form letters—now the community expects that officials communicate through email. Very frequently they have a conversation with someone—it might be through social media—which is of a more interactive nature. Is it your observation that it is in all forms of written communication or more form letters that are a bit more official?

Mr Neave: I think you are right. I think we have to, again, think more broadly about it. I think all the work that I have seen done in relation to the way in which complaint handling organisations operate suggests that a lot of complainants very much appreciate being contacted by telephone, either by the equivalent of the directorate or other organisations as well as complaint handling organisations, in order to explain a particular attitude which always comes with great clarity in written communications. We all find writing quite hard. There is a lot of work required in almost every letter you write about a complex series of issues.

However, even in relation to those oral communications one has to choose one's words very carefully because of course sometimes people hear things in the way in which they want to hear them rather than the way in which one is trying to communicate to them. So I think the points that you both made are underlining that importance of communication on the part of public officials and also on the part of our organisation as well.

MS FITZHARRIS: Do you collect demographic data on the people making complaints to you?

Mr Glenn: No. We have a range of data about the people who make complaints to us that come as a result of them having to explain their circumstances but we do not have a separate collection around the demographics.

MS FITZHARRIS: Could you provide any anecdotal views about whether generally

they are people, for example, who have English as a second language, older people, younger people, men, women?

Mr Glenn: I do not think so and interestingly not in the ACT jurisdiction. Of course the numbers are relatively small. So it is a bit hard to work out but it is a fairly even spread in the ACT across what you expect to be the normal distribution across the community. I think that has something to do with the nature of the ACT community and people who make complaints to government.

MS FITZHARRIS: I have a couple of questions about the discussion in the annual report about the public service environment over the last year. You mentioned the asbestos response task force at page 2. Your observation was that the task force has carefully and effectively delivered the scheme, given the scale of the scheme itself. Are you able to expand on that and, given the nature of the scheme—it was quickly rolled out—would you have expected more complaints?

Mr Glenn: I am not sure we had an expectation but certainly the results that we have had show that over the year we had 22 complaints about the asbestos task force, most of which were actually about the parameters of the scheme itself as opposed to the administration of the arrangements. We looked at six of those complaints. Four of those were about eligibility, and they were people at the margins of the scheme—either people falling just inside or just outside, which are the places where you would expect people to have challenging situations—and two were related to FOI. They were about information handling. For a large scheme, that is not a huge number of complaints and it is, I think, telling that the bulk of those were about policy as opposed to administration, obviously in which we do not play a role.

MS FITZHARRIS: Secondly, on Access Canberra you note that the nature of unifying these functions might result in less frustration for customers. Has that been your experience in the past, that there have been complaints about the administration because one part of government is not talking to another or getting contradictory advice?

Mr Glenn: In all of our jurisdictions a fairly steady theme is: “I have been handballed from one agency to another.” By the time people get to us, having done that six or seven times, the frustration levels are quite high. Any effort to be able to eliminate that or reduce that, I think, is a useful initiative.

MS FITZHARRIS: I know that this reporting period finished a few months ago. Can you make any observations about whether you have seen over the past few months any material change as a result of Access Canberra, about maybe getting fewer complaints of that sort?

Mr Glenn: I do not think we have data on that. Anecdotally I do not know.

Mr Walsh: I was going to say that it may be too early to tell but we did a briefing of their executive team last week to try to get a better sense of: “We want open engagement; we want to understand any issues and frustrations.” Certainly some of this may have come about as our community peak bodies forum was also making commentary about the use of centralised numbers and services.

MS LAWDER: Appendix 1 breaks down the complaints received by portfolio and then further into areas within the directorate. It would seem that generally Housing ACT has one of the higher rates or numbers of complaints and those investigated is also one of the higher numbers. Are they complaints from people in public housing, people waiting or wanting to get into public housing? Are they from neighbours? Can you break that down any further? Are you able to provide more detail?

Mr Glenn: I do not have numbers on that but generally across the board it is people who are in public housing. Perhaps less frequently it is somebody waiting to get into public housing and other times it is neighbours who are complaining about responses to issues with public housing.

MS LAWDER: When you say less frequently that does not mean never?

Mr Glenn: I would hesitate to say never but I do not have the data.

MS LAWDER: Of the reasonably high level of decisions changed or reconsidered—I might have asked this last week and sorry if I am asking the same question again—does the Ombudsman’s Office have a role to play in recommending potential policy or changes in the department to try to stop the same types of issues arising again and again? You mentioned the form letters approach and that sort of thing.

Mr Neave: My colleagues can talk specifically about any issues that they would like to raise, but certainly the role of the Ombudsman is to point out where something is going wrong and where steps should be taken at the administrative level to deal with an issue. Indeed when asked so to do we will comment on policy expressed in legislation where we think it might have an effect on us or an effect on complaints in the future as well. We do not actually comment on the policy per se but if it is likely to have an adverse effect as far as administration is concerned we will certainly tell someone about that because it is obviously not going to be a good initiative as far as the community is concerned if we can see that there are going to be problems with it. That is the sort of general comment that we would make.

MS LAWDER: The Auditor-General obviously makes recommendations and then the government responds and says yes or no or to a degree, whatever. Do you have that process back from those directorates as well? Yes, they agree and they will change it?

Mr Neave: Have we got any examples of that?

Mr Walsh: I was going to say that if it were a formal report then you would put recommendations if they were warranted and the agency would make the response. Perhaps in the case of Housing we could even suggest that they are actually very keen to hear on an ongoing basis, “Is there anything systemic? Are you seeing any trends? Is there anything we are doing? We put this remedy in place, has there been any improvement there?” It is quite an interactive process.

All agencies in the ACT are quite keen to understand if there is something there that they can forestall in terms of complaints or address by better communication. They

will often pick those things up quite voluntarily. It is less a case of having to wrestle them over the line as opposed to saying, "These are a number of issues that we have been jointly dealing with. There might be a solution over here." They are quite proactive on those fronts.

MS LAWDER: And of the Community Services Directorate and Housing ACT more specifically, do you have a feel today of how the numbers compare to last year or even historically?

Mr Walsh: Traditionally, because they are public facing services, they will always have quite high numbers in that sense but I think as years go by the changes in what they are doing and the way they are going about doing things raises slightly different issues. But there are going to be the perennial ones: neighbours complaining about one another, changing circumstances and those things.

MR HANSON: When you look at page 3 of the annual report you can see the trend over time in terms of the complaints received about directorates. I am trying to get an understanding of why in 2012-13 there seems to have been that drop-off of about 150 to 200 and then that seems to be maintained. I note that in your introductory part you talk about the strategic engagement and your three-year refresh program. Does that reflect actions that you have taken to try to work more collaboratively with the directorates; is it a change in something the ACT government has done; is it people making fewer complaints; is it that you have got fewer staff; or is it a combination of everything?

Mr Neave: Probably the short answer is that it is a combination of everything because it is really hard to predict complaints. It is a mystery. As I said before, having been around complaints for 15 or 16 years, it is very hard to predict the way in which the complaint levels are going to go. For example, with the energy and water ombudsman, telecommunications ombudsman, finance ombudsman, the number of complaints that they receive has gone down dramatically in the past two years, by a 40 per cent reduction. That is generally as a result of the same sort of work that we have been doing in assisting directorates to handle their own complaints more effectively and also a recognition on the part of some of those industries that complaints are something they should be handling themselves in their own commercial interests.

As far as the ACT is concerned, in some ways I am not particularly concerned about the kick-up of complaints this year because I think what has happened is that, as part of our education of directorates about how to handle complaints, we have also educated them about the fact that if they would like to refer complainants to us then we are happy to take responsibility. Whilst we have not got any data that shows that the level of referral to us by directorates have gone up compared to a couple of years ago, my feel about it is that that is probably what has happened. Also, our engagement with community organisations, particularly over the past 12 months, has led to some of the community organisations having confidence in the Ombudsman and therefore being able to refer people to the Ombudsman.

Whilst it is an extraordinarily dangerous thing to try to predict complaints for next year, my guess is that it will be steady now for a couple of years. But that is just based on the education of directorates and the, I think, greater level of community

engagement with which we have been involved in the past 12 months.

MR HANSON: If any of us are re-elected we will be able to come back and test that theory.

Mr Neave: I look forward to the discussion. I know there is a record being made here.

MR HANSON: There you go.

Mr Neave: Perhaps I will talk to the chairman after the meeting about this. It is something we might engage in to inspire greater activity.

THE CHAIR: On page 8 of appendix 1, I note that you received two complaints about the Gambling and Racing Commission and you investigated two. Then you investigated 18 and made 20 finalisations. Were they a carryover from the previous financial year? And you actually got 17 remedies. That was a great outcome.

Mr Glenn: Yes that would be correct. The total received and investigated are 2014-15 figures. They are coming through. Investigated total finalised will be carried over from previous years. It is activity that occurred in the reporting period but the complaint may have been made in the period before.

THE CHAIR: A couple of lines down, under the Community Services Directorate, 18 complaints were received but 18 were not investigated. How is it that all of the complaints in one area were determined not to be worthy of investigation?

Mr Glenn: On the standard basis on which we would make that determination, the first question is whether the individual has complained to the directorate first. Then it is analysis of whether there is an issue in which we could achieve a better remedy or a better outcome for the individual. There is a cascading series of decision points. I do not know the circumstances of those 18 but it is not at all uncommon for us to receive relatively large numbers of complaints from people who have not yet visited the agency to make their complaint first, and we would refer them on.

THE CHAIR: If we went down another couple of lines then to Education and Training, would that be the same? There were 21 complaints but none was investigated, or were they investigated by some other authority?

MS LAWDER: I think it is broken down below.

Mr Glenn: It could well be that that is the same case. I cannot say that for certain off the data that we have here.

THE CHAIR: The investigation into the child who was restrained in a cage at an ACT school, were you involved in that in any way?

Mr Glenn: No we were not.

THE CHAIR: There were no referrals or any complaints made to the office?

Mr Glenn: Certainly no referrals and I am not aware of any complaints, no.

MS PORTER: You mentioned before the different kinds of forums that you have hosted at different times. It talks about those on page 2. It talks about the first ever attendance of ACT directorates at the commonwealth complaint handling forums. Were they satisfactorily attended? Were the numbers that you had what you expected and what was the feedback from those who attended?

Mr Neave: I know that we have a waiting list for attendees for those, which is really good, but Rodney will be able to tell us more about that.

Mr Walsh: The ACT was well represented. I think there were a few directorates that could not make it but some also sent several representatives. But this was the first opportunity to bring them into the pool where we have had an established forum with commonwealth agencies to try to bring a bit of best practice sharing between them, and we found that was a very good opportunity.

At the commonwealth level you will have very large agencies like Defence or the Australian Federal Police, very sophisticated operations, very large numbers of matters they are dealing with and you will have some of the smaller organisations within the ACT that we still found great opportunities to be sharing and learning. If nothing else it probably indicates that people are people and there are important lessons to pick up whether you are a large agency or a small one—but very good representation.

The feedback I received was that they were very keen to continue to attend. We are doing that again. In fact, the next forum is tomorrow; again, a good representation indicated at this stage.

MS PORTER: When you said you had a waiting list what do you do about that? Do people just have to wait until next time you run those, tomorrow for instance, or do you run extra courses if there is a high demand?

Mr Walsh: We will create a waitlist. If anyone is unable to attend we will offer the additional places to anyone who then wants to waitlist. So you might get one agency that says, “Can we send 20 people?” You say, “No. Can you send one?” And then if extra spaces become available we try to do it that way, just to allow equity to occur. Otherwise you will have one agency dominating the proceedings disproportionately.

MS PORTER: One presumes agencies do not ask for their own individual forums at which they would lose that cross-fertilisation you were talking about?

Mr Walsh: We meet with them separately as well. We will be liaising with all of the agencies separately, one on one, to talk about agency-specific issues. They need to talk to us about issues they might want to feed into a general forum, and then we bring them together in the ACT to the complaints managers forum, which brings the managers of complaint handling practices in all the directorates and agencies together. Then we have the commonwealth and ACT forum, which is the one bringing much more senior representation to attend. But we try to meet on several levels to better understand both new initiatives and things in the past that may have led to complaints.

We are seeing trends and suggestions on how they might improve practice, based on things that we are hearing.

MS FITZHARRIS: I want to ask about the ACT Policing relationship in general. Your authority is all legislated and your responsibility to that is legislated through various covert powers, various pieces of legislation, as well as the sex offenders register. You are mandated to do that through—

Mr Glenn: The inspections regimes are all statutory obligations on our office under those different pieces of legislation. The oversight of complaint handling by the AFP actually comes to us through our commonwealth jurisdiction, but ACT Policing is included as part of that arrangement.

MS FITZHARRIS: It would be a service contract facility at the head of that. With the child sex offenders register, are you able to say much about the nature of the inspection that you do? What is the nature of a complaint around the child sex offenders register?

Mr Glenn: It is not complaint based. Essentially it is a compliance audit. There is a range of obligations on the AFP and ACT Policing to manage that register in a particular way, to have the correct information placed on it, to have security arrangements concerning who can access it—those sorts of arrangements. Our inspections are about compliance with those requirements.

MS FITZHARRIS: I note that the number of complaints about ACT Policing has gone up slightly. Can you share any observations about what might be behind that?

Mr Glenn: No. Yes there is a bit of an increase. It is on such a small base, the statistics, that I do not think we can really read very much into it at all.

MS FITZHARRIS: And do you have any sense of the number of complaints in the ACT, compared to other jurisdictions? Do we perform? Is the number of complaints any kind of measure in the first place? Secondly how do we stack up compared to other jurisdictions?

Mr Glenn: The number of complaints is not really a fabulous measure. It is determined by a whole range of factors and there are some push factors that you could put in place if you wanted to change those figures. As to how the jurisdiction stacks up, I think it is roughly comparable to other small jurisdictions. If you think of the Northern Territory Ombudsman or the Tasmanian Ombudsman, both of those officers have slightly different jurisdictions because of the nature of the places that they are working in. But if you eliminate those you end up with roughly the same sort of size.

MS FITZHARRIS: The figures on page 3 go from 2003-04 to 2014-15. The ACT population was 310,000 in 2003-04 and our budget was \$2.4 billion. Last year our population was 380,000 and our budget had almost doubled to \$4.6 billion. Is there a better way to provide that sense of scale than just sheer numbers that do not have any population or activities of government comparison, do you think?

Mr Glenn: It is one of the things that we think about quite deeply because

ombudsman-style services are notoriously difficult to measure. They are predominantly demand driven in the complaints environment but the environment which generates those complaints is radically different, depending on activities of government and particularly controversial matters. There is some work going on amongst the parliamentary ombudsman community to be able to achieve some benchmarking across the way ombudsmen work. It has long been a goal to try to achieve that. There is a renewed push to do that, which is probably 12 months away. But that is a potential, I suppose, to move away from just the gross numbers which, as you say, do not reflect what is going on in the wider community.

THE CHAIR: Ms Lawder, a new question.

MS LAWDER: A couple of years ago the public accounts committee in their report on the annual and financial reports for 2011-12 made some recommendations about whole-of-government policy on the management of feedback and complaints and the government agreed to those recommendations, including consultation with the Ombudsman. Has that now taken place or is any further work happening to progress that?

Mr Walsh: I would probably have to refresh myself on the terms of those recommendations but our office certainly has been working with ACT agencies on improving complaint handling. Some of this does come out of the community peak bodies forum where peak bodies have been saying, “These aren’t complaints that have actually gone to either the agency or the Ombudsman but we have a concern that the different policies and processes across the different agencies are confusing for someone who has to multi-list a matter across several agencies. Is there something that you guys can do on those kinds of fronts?”

We are working with agencies to try to assist in ensuring there is at least a core set of standard principles that are fairly similar across the agencies because they would reflect the general nature of complaints being put to them. Leaving aside the recommendations, this is stuff that we are probably doing, relatively self-initiating with agencies in cooperation with them. So work is definitely proceeding.

MS LAWDER: So technically speaking that recommendation from the PAC has not been implemented but you are progressing some similar work?

Mr Neave: As far as we know, it has never been formally communicated to us that we needed to do something in relation to that specific recommendation. However if we look at 2012-13 the number of complaints went down quite dramatically. That was in the following year. I think 2011-12 was the big year for the ACT at 625. It went down a lot. I certainly was not involved as ombudsman. Richard was not involved as deputy. You might have been there, Rod?

Mr Walsh: I can pick up the period where it started.

MS LAWDER: The committee made the recommendation to the government. The government then agreed to the recommendation, I believe, noting that work was still underway including consultation with the Ombudsman with finalisation initially expected in June 2014. It may be time to revisit that.

Mr Neave: We certainly had regard to that but there is not a lot we can say other than the fact that we have certainly implemented in the Ombudsman's office a range of initiatives.

MS LAWDER: The whole-of-government feedback and complaints policy and system were to be trialled. I guess that was the crux of the recommendation from the public accounts committee as agreed by the government at that time. You have got no more information on that?

Mr Neave: No. That is not something we could respond to.

MR HANSON: Are the staff numbers stable or have you grown, have you shrunk, in terms of FTE, and how are you going in terms of recruitment and retention?

Mr Neave: We still have the same number of people looking after the ACT Ombudsman work. The rest of the office has been trending down over the past few years. However we have received additional resources to deal with what is known as the metadata initiative of the commonwealth government but we are confident that the level of resources that we have to deal with ACT matters is adequate.

MR HANSON: How do you make sure that, if you are under pressure federally, you are not using ACT resources to cover the gaps federally?

Mr Neave: I would not say that there is a gap federally as far as we are concerned because, as I said, for additional jurisdictions which we have—

MR HANSON: I suppose it applies both ways. If you have got joint responsibility how is it monitored? Are ACT staff always doing ACT and feds always doing fed or is there a crossover?

Mr Neave: There are some officers who do nothing but ACT and then they are also free to bring in expertise from other areas in the office. So it is fair to say that in regard to all things in the public sector in general at the moment the management of human resources is one of the most taxing matters that any of us has to cope with in the current economic environment. We are confident that the way in which we are managing the human resources side is fair to all the interested parties.

Mr Walsh: I also note too that there have been amendments to things like the Crimes (Child Sex Offenders) Act which have imported slightly additional duties to the Ombudsman as well and those things are taken in that swings and roundabouts approach.

THE CHAIR: From the chart on page 3, 2012-13 and 2013-14 were particularly low but, as you said in your opening address, there is a 25 per cent increase in complaints for the 2014-15 year. Was there a trend inside that that was noticeable? Was there something driving the additional complaints?

Mr Glenn: No, nothing that we could really put our fingers on. It is just a general increase across the board.

THE CHAIR: With the 465 complaints you had, what seems to be the standard complaint across the various areas? Is it poor process? Is it lack of explanation? What are the things that need to be improved in the way they deliver their services that this committee might make as a recommendation back to the government?

Mr Glenn: I am not sure we are able to break it down quite so far. Of the complaints that come to us from particular areas, about 21 per cent are from ACT policing. Within that you will have a range of matters that people are raising. About 17 per cent come from Housing; we have talked about the range of complaints that come from there. The next few highest are Corrective Services, TAMS and Environment and Planning, under the 10 per cent threshold. Being able to extract broad themes from that is quite difficult because of the small samples.

Mr Walsh: Mr Smyth, you probably could look at table 1 on page 4 and almost interpret that from the remedies. However the person has raised their concern, sometimes you find they do fall into categories. It could be a misunderstanding that is remedied by a better explanation. It could be, “I am not quite sure if the review process that was afforded to me has actually taken into account the issues that I think need to be considered.” In one sense you can probably almost reverse engineer from the remedy the types of matters that pop up—things like delay, so action expedited would be code for delay, which people do not understand That can sometimes be a function of communication; complex matters taking longer and people not quite knowing where it is at.

THE CHAIR: I accept that but I have you here and I thought you might be able to make it easy for somebody like me. Let us go to ACT Policing; 125 complaints were received. Is there a breakdown on the nature of those complaints? The majority, you did not investigate.

Mr Glenn: I am sorry. I think the quick answer is no. We do not have a breakdown of what is inside those just with us at the moment.

Mr Neave: But I think it would be fair to say that if you are interested we could take that question on notice and provide you with some more information. We are quite happy to do that.

THE CHAIR: That would be kind, where you can. Do not go to a great deal of trouble.

Mr Neave: It might be a little bit on the anecdotal side, but it would then give you a picture of the sorts of things that are being said about ACT Policing. That is basically what it is about.

THE CHAIR: Thank you and that is very kind. If we go to the table on page 4 and reverse engineer it, clearly “Better explanation provided” falls into the largest category. Is there any indication of what could have been done better in the first place to avoid that? Is it lack of training on the part of the staff? Was it indifference? Is it just lack of clarity in the law? Is it lack of understanding by the person complaining?

Mr Walsh: It can be all those things. It can even come down to the person receiving an outcome they were not particularly predisposed to receiving and therefore needing an explanation as to how the public service arrived at an outcome. Once they believe it has been dealt with fairly and they have not been unreasonably disadvantaged, that sometimes is the satisfaction point. Sometimes even very sophisticated people can find challenging a matter that involves them personally quite confronting and they do not necessarily return to the agency with all the questions that are on their mind. Sometimes coming through and saying, “The questions you might need to put are these” or “There are processes you can follow” are beneficial.

Mr Neave: I think it comes down to what we were talking about at the very beginning on this communication issue; quite often a letter will be just a little bit too dismissive of a complaint. We are all doing tough jobs at the moment so one needs to understand how people in directorates might feel under pressure, but sometimes it is sort of a two-line letter, when a half-page letter going into a little bit more detail could satisfy the complainant.

I have seen a number of matters come across my desk where a complainant has made direct contact with me, when if someone within a department—I am talking not so much about the ACT jurisdiction but the broader jurisdiction—had added another paragraph explaining, “This is happening because”, of a regulation or something else, there would in fact be no real need for us to investigate something, because it would have been all disposed of in that way. It very often comes back to just, in a sense, running that extra mile at the right moment in order to avoid something becoming much bigger than it need be.

THE CHAIR: All right and then the second one, “Decision changed or reconsidered”: how many were changed? If you appeal something, surely they are all reconsidered, so how many were actually changed?

Mr Neave: I think we had better take that one on notice.

THE CHAIR: That is lovely. Thank you. Members, we are rapidly running out of time. Does anybody have a pressing question? Ms Porter?

MS PORTER: I would not really call it pressing, but page 7 talks about focusing on community engagement. I take your point that these headings are given to you—I gather from that discussion before. There are a few lines about engagement with community members on an individual basis. Is that just the general work that you are talking about? There are no other additional forums or something that you might hold for the public generally about how to make complaints or what they should do in relation to complaints?

Mr Neave: No. We do not have any public forums but we do have, as we said before, forums where we bring community group representatives along and those are a very useful way of engagement with the community through the community groups. It is the old networking principle, which I am sure I must have mentioned once before; if you give information to those community representatives, they spread it around for you.

MS PORTER: And do you review your web presence and your IT presence in relation to the messaging that you are giving in that regard, because obviously the world is changing and more and more people are accessing information that way?

Mr Neave: Yes. That is right. We have just been going through that process and it is always one of those processes which present their own challenges. In short, we have livened up our website and we are in the process of reviewing all the information on our website just at the moment. That will make quite a difference to the way in which we project things. A terrible thing about websites is that they get out of date terribly quickly. You are absolutely right that you need to be looking at them all the time. It is very good for people from my generation, because it keeps the brain going in a different sort of way. I find it, first of all, challenging but, secondly, very satisfying when you get on top of it.

MS FITZHARRIS: This is a related question around awareness in the community. Do you find that when people come to you they have sought or got advice from, for example, a community group that says, “Why do you not try the Ombudsman?” or are there people out there who just know that if they have a complaint to make they will ring you as the first port of call?

Mr Glenn: Again it is a mixture. A characteristic of the ACT community is that there are more people who are aware of government mechanisms and bodies like ours. I am sure you receive some of this kind of correspondence. That is a feature here that perhaps is not in some other jurisdictions. Often people could have been pointed in our direction by a community group; often by the agency themselves. We do a lot of work with directorates to say, “Make complainants aware that if they are dissatisfied with your decision they have the ability to come to us”.

MS LAWDER: On page 4 you have your financial reporting—how much the ACT government pays for the Ombudsman services—but I wonder if there is a national or an international metric about how much an average complaint costs the community, including the time or effort of the complainant and the government department, not just the Ombudsman’s office.

Mr Neave: I think Richard was alluding to the fact a few moments ago that ombudsman offices have been wrestling with the notion of setting some benchmarks and setting some process by which such a comparison could be made. We are working on that because it is the sort of question that, quite properly, governments raise with us. I have to say it is a worldwide problem. I am mixed up with the International Ombudsman Institute and exactly the same discussions were taking place in Windhoek in Namibia about three weeks ago, about comparing the international cost of dealing with ombudsman offices.

One of the problems about comparisons is that a lot of the ombudsmen, even in Australia, have got different sorts of roles, and of course worldwide it is even worse in one sense because a lot of ombudsmen have got human rights type responsibilities, so comparing those sorts of offices with traditional ombudsman offices like the UK’s and ours is hard as well. It is certainly something which we are very alive to. Particularly we feel that at the commonwealth level it is important for us to provide leadership in all sorts of ways and this is another way in which we are cooperating

with some of the projects, which are in their infancy at the moment, to start working towards having good comparative data available.

I do not want to make any promises about next year, particularly not about that, because it has been around for a long time. The Productivity Commission referred in its report about a year ago to the importance of that data being available, mainly in the context of access to justice and the cost of providing services to the community by legal aid, ombudsman offices, courts and tribunals and other bodies. So it is certainly something which we are very alive to. In short, to go back to answering your question, we cannot really give you that at this moment, but it is very much in the minds of the ombudsman community.

THE CHAIR: Mr Hanson, about 37 seconds.

MR HANSON: I will give it a miss then.

MS FITZHARRIS: Can I just ask a quick one? What was the Productivity Commission report you mentioned specifically on?

Mr Neave: That was in relation to legal aid. It was really access to justice. It is an excellent report, if I might say so, and well worth having a look at—like all Productivity Commission reports.

THE CHAIR: We might draw it to a close there. Thank you for your attendance here this afternoon. You have taken a couple of questions on notice. If the committee could have a response by, say, close of business on 19 November we would be most appreciative. If members have any additional questions once the transcript has arrived, if they could get them to the secretariat, we will forward those to you. On behalf of the committee, I would like to thank you and your officials for your attendance today. A proof transcript will be forwarded, when it is available, for you to check and if you have got any corrections you wish to offer they will be received gratefully. With that, I now formally declare this public hearing closed and we will meet again on Tuesday at 9.30 to see the office of the Legislative Assembly.

The committee adjourned at 1.29 pm.