

CHAPTER 12

statistics

TABLE 1—Complaints received, and complaints and issues finalised, 2003–04, *Ombudsman Act 1976* (including Freedom of Information)

TABLE 2—AFP complaint issues finalised, 2003–04, *Complaints (Australian Federal Police) Act 1981*

TABLE 3—AFP method of handling complaint issues finalised, 2003–04, *Complaints (Australian Federal Police) Act 1981*

LEGEND FOR TABLES

Advised to pursue elsewhere—complainant advised to pursue complaint directly with agency, court or tribunal, industry or subject specialist, Member of Parliament or Minister.

AFP investigation—AFP investigation of complaints against AFP members and review by the Ombudsman.

AFP workplace resolution—complaints managed by the AFP in the workplace.

Agency defect—defective administration determined where an agency has not acted fairly, reasonably or in accordance with its legislation, policies and procedures.

Complaint not pursued—withdrawn by complainant, or written complaint requested but not received.

Complaints finalised—complaints finalised in 2003–04, including some complaints carried over from previous years.

Complaints received—complaints received in 2003–04.

Conciliated—complaint conciliated through the AFP’s workplace resolution process.

Incapable of determination—sufficient evidence was not available to support a clear conclusion.

Issues—complaints can contain a number of issues, each requiring a separate decision as to whether to investigate. Each issue may result in a separate outcome.

Ombudsman decision not to investigate—the Ombudsman may decide not to investigate where a person has not tried to resolve their problem directly with the relevant agency or there is a more appropriate avenue of review available.

Ombudsman investigation—further investigation, following preliminary inquiries stage, asking more questions and reviewing the agency’s files, policies and procedures.

Ombudsman investigation not warranted—complaint not warranted for one of the following reasons: over 12 months old, frivolous or not in good faith, insufficient interest, related to commercial activity, or ‘not warranted’ having regard to all the circumstances.

Ombudsman preliminary inquiries—initial inquiry to determine whether a complaint is within jurisdiction, an investigation is required or the complaint can be resolved by informal inquiries.

Out of jurisdiction—lacks legal authority to investigate complaint.

Resolved without determination—complaint issues resolved before the office reached a view as to whether or not there was any defective administration.

Special investigation—investigations conducted under s 46 of Complaints Act may be conducted solely by the Ombudsman or jointly with the AFP.

Substantiated/unsubstantiated—complaint issue established to Ombudsman’s satisfaction/was insufficient evidence to support complaint.

TABLE 1 Complaints received, and complaints and issues finalised, 2003–04, *Ombudsman Act 1976* (including Freedom of Information)

Agency	Complaints		Outcomes of issues finalised							Total issues finalised
	Received	Finalised	Agency defect	No agency defect	Resolved without determination	Ombudsman investigation not warranted	Advised to pursue elsewhere	Complaint not pursued	Out of jurisdiction	
Agriculture, Fisheries and Forestry										
Australian Fisheries Management Authority	5	5				1	2	1	1	5
Australian Quarantine and Inspection Service	23	24	2	4	3	5	11	1		26
Australian Wine and Brandy Corporation	1	1					1			1
Department of Agriculture, Fisheries and Forestry	9	9	1			2	6		1	10
Murray Darling Basin Commission	1	1							1	1
Attorney-General's										
Administrative Appeals Tribunal	11	10		1		2	3		4	10
Attorney-General's Department	24	20	1	4	2	5	6		3	21
Australian Crime Commission	6	7				7	5			12
Australian Customs Service	73	73	3	6	3	9	51	5	6	83
Australian Protective Service	7	10				7	1	2	2	12
Director of Public Prosecutions	11	12		2		1	8		1	12
Family Court of Australia	90	91	1	4	2	17	33	10	28	95
Federal Court of Australia	8	7	1				4		2	7
Federal Magistrates Court	1	1	1							1
High Court of Australia	6	5				2	1	1	1	5
Insolvency and Trustee Service, Australia	78	78	4	15	7	13	36	14	1	90
Privacy Commissioner	8	8		1		5	2			8
Commonwealth Parliamentary										
Senate	2	2	1						1	2
Communications, Information Technology and the Arts										
Australian Broadcasting Authority	11	10		1		3	5	1	1	11
Australian Broadcasting Corporation	9	9				1	5	3		9
Australian Communications Authority	12	10		3	1	3	2	1		10
Australian Film, Television and Radio School	1	1							1	1
Australian Postal Corporation	1,079	1,082	143	161	149	175	457	50	15	1,150
Australian Sports Commission	3	4				1	1	2		4
Department of Communications, Information Technology and the Arts	5	6			2	1	2	1		6
National Archives of Australia	1	1	1							1
National Gallery of Australia	1	1							1	1
Special Broadcasting Service Corporation	1	1				1				1
Telstra Corporation	101	105		4	1	11	76	5	13	110

Agency	Complaints		Outcomes of issues finalised							Total issues finalised
	Received	Finalised	Agency defect	No agency defect	Resolved without determination	Ombudsman investigation not warranted	Advised to pursue elsewhere	Complaint not pursued	Out of jurisdiction	
Defence										
Australian Army	205	202	14	9	16	49	105	30	6	229
Australian Defence Force Academy	2	1					1			1
Defence Force Retirement and Death Benefits Authority	5	5					4	1		5
Defence Housing Authority	23	21			2	3	12	4	1	22
Defence Service Homes	1	1					1			1
Department of Defence	135	128	11	7	6	21	63	16	15	139
Department of Veterans' Affairs	172	171	12	26	16	44	73	15	9	195
Frontline Defence Services		1	1	2						3
Royal Australian Air Force	79	74	4	10	7	17	37	8	4	87
Royal Australian Navy	68	68		9	4	17	30	8	2	70
Education, Science and Training										
Australian National Training Authority	3	2			1				1	2
Australian National University	11	14	1	3	2	5	2	4	2	19
Australian Nuclear Science and Technology Organisation	3	2					1		1	2
Commonwealth Scientific and Industrial Research Organisation	1	1	1							1
Department of Education, Science and Training	22	23		6	1	5	5	5	2	24
Employment and Workplace Relations										
Australian Industrial Registry	3	3		1		1			3	5
Comcare	116	107	5	14	12	34	53	11	4	133
Department of Employment and Workplace Relations	295	283	11	56	26	37	134	33	9	306
Office of the Employment Advocate		1		1						1
Environment and Heritage										
Australian Antarctic Division	1	1					1			1
Australian Heritage Council	1	1					1			1
Bureau of Meteorology	1	1		1						1
Department of the Environment and Heritage	15	13		1		2	9		4	16
Great Barrier Reef Marine Park Authority	5	3		1		2	1			4
Family and Community Services										
Centrelink	8,084	8,075	620	1,045	674	890	5,352	198	58	8,837
Child Support Agency	1,951	1,931	164	463	216	355	1,014	85	14	2,311
Department of Family and Community Services	16	13	1			4	7		2	14
Social Security Appeals Tribunal	15	15				6	7	2		15

Agency	Complaints		Outcomes of issues finalised							Total issues finalised
	Received	Finalised	Agency defect	No agency defect	Resolved without determination	Ombudsman investigation not warranted	Advised to pursue elsewhere	Complaint not pursued	Out of jurisdiction	
Finance and Administration										
Australian Electoral Commission	8	7	1	1		2	3	1		8
Commissioner for Superannuation (ComSuper)	39	41	2	4	4	12	19	2		43
Department of Finance and Administration	4	4	1				3			4
Foreign Affairs and Trade										
Australian Agency for International Development (AusAID)	3	2		1			1			2
Australian Trade Commission	4	4		1			1	2		4
Department of Foreign Affairs and Trade	99	101	4	21	12	31	40	7	3	118
Export Finance and Insurance Corporation		1				1				1
Health and Ageing										
Department of Health and Ageing	101	97	3	14	5	17	46	8	9	102
Health Insurance Commission	137	131	3	28	20	28	52	7	7	145
Health Services Australia	3	4		1		1	2			4
Office of Hearing Services	4	4	1	1	1	2				5
National Health and Medical Research Council		3		1		2				3
Immigration and Multicultural and Indigenous Affairs										
Aboriginal and Torres Strait Islander Commission	44	42	1		5	7	21	8	1	43
Aboriginal and Torres Strait Islander Services	24	17	4	1	2		7	4		18
Aboriginal Hostels Limited	1	1					1			1
ATSIC Regional Council Zones	2	2					1	1		2
Australian Institute of Aboriginal and Torres Strait Islander Studies	1	1				1				1
Central Land Council	2	3					1	2		3
Department of Immigration and Multicultural and Indigenous Affairs	865	908	76	176	181	265	269	73	11	1,051
Indigenous Land Corporation	2	2			1		1			2
Migration Review Tribunal	20	18	1	2		7	4	2	2	18
Northern Land Council	2	2			1		1			2
Refugee Review Tribunal	6	4					4			4
Registrar of Aboriginal Corporations	2	2		1				1		2
Torres Strait Regional Authority		1						1		1

Agency	Complaints		Outcomes of issues finalised							Total issues finalised
	Received	Finalised	Agency defect	No agency defect	Resolved without determination	Ombudsman investigation not warranted	Advised to pursue elsewhere	Complaint not pursued	Out of jurisdiction	
Industry, Tourism and Resources										
Australian Tourist Commission	1	1					1			1
Department of Industry, Tourism and Resources	10	8		1		1	4	1	1	8
IP Australia	8	8				1	6	1		8
Prime Minister and Cabinet										
Australian Public Service Commission	1	2				6	1			7
Department of the Prime Minister and Cabinet	6	6				2		3	1	6
Governor-General and Commander-in-Chief		1				1				1
National Australia Day Council	1	1					1			1
Transport and Regional Services										
Airservices Australia	7	7		2		3	2		2	9
Australian Maritime Safety Authority	3	3		1		1	2			4
Civil Aviation Safety Authority	13	10	1			3	5	1	1	11
Department of Transport and Regional Services	104	107	3	14	7	64	15	10	2	115
National Capital Authority	5	2		1	1	1				3
Sydney Airports Corporation Limited	1	1							1	1
Treasury										
Australian Bureau of Statistics	58	58	1	4	2	14	38	1	1	61
Australian Competition and Consumer Commission	22	20	1	4	2	6	6	6		25
Australian Prudential Regulation Authority	52	51	2	2	1	22	17	5	2	51
Australian Securities and Investments Commission	114	104		26	3	37	33	17	2	118
Australian Taxation Office	1,711	1,730	76	256	80	309	1,024	122	37	1,904
Department of the Treasury	4	4				1	1	2		4
Superannuation Complaints Tribunal	17	16	2	4	2	1	4	3	1	17
TOTAL	16,332	16,297	1,187	2,429	1,483	2,613	9,268	808	304	18,092

TABLE 2 AFP complaint issues finalised, 2003–04, *Complaints (Australian Federal Police) Act 1981*

Complaints	Received	712
	Finalised	664
Outcome of complaint issues finalised	Conciliated	331
	Incapable of determination	11
	Substantiated	16
	Unsubstantiated	86
	Ombudsman investigation not warranted	357
	Advised to pursue elsewhere	17
	Complaint not pursued	76
	Out of jurisdiction	14
	Total issues finalised	908

TABLE 3 AFP method of handling complaint issues finalised, 2003–04, *Complaints (Australian Federal Police) Act 1981*

Method of handling complaints	Ombudsman decision not to investigate	138
	Ombudsman preliminary inquiries	84
	Ombudsman investigation	8
	AFP workplace resolution	539
	AFP investigation	136
	Special investigation	3
		Total issues finalised

Note: The office continually reviews and audits its statistical data. Minor adjustments to statistics used in this report may occur as a result of such reviews.