

statistics

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—administrative deficiency 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Complaint not pursued—withdrawn by complainant, or written complaint requested but not received.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 2004–05, including some complaints carried over from previous years.

Complaints received—complaints received in 2004–05.

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—investigation not warranted for one of the following reasons: complaint issue is 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—complaint not within the Ombudsman's legal powers.

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

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

Substantiated—complaint issue was found to be true.

Unsubstantiated—there were no grounds for the complaint.

TABLE 1 COMPLAINTS RECEIVED, AND COMPLAINTS AND ISSUES FINALISED, 2004–05, OMBUDSMAN ACT 1976 (INCLUDING FREEDOM OF INFORMATION)

Agency	Complaints		Outcome of issues finalised							Total issues finalised
	Received	Finalised	Agency defect	No agency defect	Ombudsman investigation not warranted	Advised to pursue elsewhere	Resolved without determination	Complaint not pursued	Out of jurisdiction	
Agriculture, Fisheries and Forestry										
Australian Fisheries Management Authority	2	2	1					1		2
Australian Quarantine and Inspection Service	31	29	1	2	3	12	1	6	4	29
Australian Wine and Brandy Corporation	2	2	1			1				2
Department of Agriculture, Fisheries and Forestry	6	5	1			3			1	5
Australian Pesticides and Veterinary Medicines Authority	1	1	1							1
Attorney-General's										
Administrative Appeals Tribunal	11	12		3	2	3	1	1	2	12
Attorney-General's Department	21	26		5	8	9	1	2	3	28
Australian Crime Commission	12	11	1		6	2		1	1	11
Australian Customs Service	84	85	1	9	11	57	1	8	5	92
CrimTrac	2	1				1				1
Director of Public Prosecutions	9	11			2	2	2	1	5	12
Family Court of Australia	79	80	2	5	11	24	2	4	32	80
Federal Court of Australia	6	7		2	3	1			1	7
Federal Magistrates Court	7	7			2	3		1	1	7
High Court of Australia	4	5				2		1	3	6
Insolvency and Trustee Service, Australia	67	64	1	20	24	31	7	4		87
Office of Film and Literature Classification	1	1				1				1
Privacy Commissioner	31	29	2	4	8	12	2	3	1	32
Commonwealth Parliament										
Department of Parliamentary Services	1									
Communications, Information Technology and the Arts										
Australia Council	2	2				2				2
Australia Post	1,190	1,188	114	189	252	413	210	50	22	1,250
Australian Broadcasting Authority	18	14		2	5	3		4		14
Australian Broadcasting Corporation	7	8		1	1	4			5	11
Australian Communications Authority	15	16		4	7	5				16
Australian Film Commission	1	1				1				1
Australian Sports Commission	3	1			1					1
Australian Sports Drug Agency	3	3			3				1	4

Agency	Complaints		Outcome of issues finalised							Total issues finalised
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Department of Communications, Information Technology and the Arts	7	6		1		2		3		6
National Archives of Australia	2	2			1	1				2
National Gallery of Australia	1	2			2					2
Special Broadcasting Service Corporation	1	1				1				1
Telstra Corporation	115	113	1		4	96	2	1	10	114
Defence										
Australian Army	170	182	4	15	56	75	18	29	1	198
Australian Army Cadet Corps	2	2				1		1		2
Australian Defence Force Academy	1	2		1		1				2
Defence Force Retirement and Death Benefits Authority	7	7		2	2	2		1		7
Defence Housing Authority	24	22		4	4	11		2	1	22
Department of Defence	125	125	5	9	32	56	3	14	13	132
Department of Veterans' Affairs	203	201	11	28	37	90	16	25	5	212
Royal Australian Air Force	61	64	1	6	21	33	5	6	3	75
Royal Australian Navy	67	75	1	9	27	29	13	7	1	87
Veterans' Review Board	2	2					1	1		2
Education, Science and Training										
Australian National Training Authority	1	2		1			1			2
Australian National University	4	4			2	1			1	4
Australian Nuclear Science and Technology Organisation	-	1				1				1
Commonwealth Scientific and Industrial Research Organisation	2	2			1	1			1	3
Department of Education, Science and Training	34	36	2	4	5	13	4	5	4	37
Employment and Workplace Relations										
Australian Industrial Registry	2	2			1	1				2
Comcare	94	98	7	12	13	47	11	13	2	105
Department of Employment and Workplace Relations	352	354	9	55	67	164	27	32	16	370
Office of the Employment Advocate	4	3			1	1		1		3
Environment and Heritage										
Department of the Environment and Heritage	16	14	3	3		2	3	3	1	15
Great Barrier Reef Marine Park Authority	2	5			2	5		1		8

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Family and Community Services										
Department of Family and Community Services	26	28	2	2	9	7	1	2	6	29
Social Security Appeals Tribunal	11	11		2	4	2	2	2	1	13
Finance and Administration										
Australian Electoral Commission	29	30		8	5	12	3	3	3	34
Commissioner for Superannuation (ComSuper)	36	31		5	8	15	3			31
Department of Finance and Administration	8	9		2	1	1			7	11
Department of Human Services										
Australian Hearing	2	1							1	1
Centrelink	7,699	7,719	416	1,084	1,168	4,595	681	247	41	8,232
Child Support Agency	2,094	2,105	130	550	418	977	188	115	16	2,394
CRS Australia	27	28	2	3	4	15	1	3	1	29
Health Insurance Commission	179	185	7	39	40	60	28	12	2	188
Health Services Australia	9	9			2	4		1	2	9
Foreign Affairs and Trade										
Australian Agency for International Development (AusAID)	1	1	1							1
Australian Trade Commission	4	3			2				2	4
Department of Foreign Affairs and Trade	82	79	3	19	19	32	2	5	2	82
Health and Ageing										
Department of Health and Ageing	93	93	3	12	18	39	5	11	7	95
Food Standards Australia New Zealand	1	2		1					1	2
Immigration and Multicultural and Indigenous Affairs										
Aboriginal and Torres Strait Islander Commission	13	16	1	1	4	5		4	1	16
Aboriginal and Torres Strait Islander Services	13	17	1	1	3	4	6	3	1	19
Aboriginal Hostels Limited	3	3				1	1		1	3
ATSIC Regional Council Zones	4	3			2			1		3
Central Land Council	1	1		1						1
Department of Immigration and Multicultural and Indigenous Affairs	873	885	41	181	237	322	125	73	7	986
Migration Agents Registration Authority	6	4		1	1	2		2		6
Migration Review Tribunal	28	30	1	6	10	8		3	3	31
National Accreditation Authority for Translators and Interpreters	1	1							1	1
Northern Land Council	6	6	1		2	3				6

Agency	Complaints		Outcome of issues finalised						Total issues finalised	
	Received	Finalised	Agency defect	No agency defect	Ombudsman Investigation not warranted	Advised to pursue elsewhere	Resolved without determination	Complaint not pursued		Out of jurisdiction
Refugee Review Tribunal	6	6			1	4			1	6
Torres Strait Regional Authority	1	1				1				1
Industry, Tourism and Resources										
Department of Industry, Tourism and Resources	3	4			5	2				7
Industry Research and Development Board	1	1			1					1
IP Australia	7	7			1	6				7
Prime Minister and Cabinet										
Australian National Audit Office	1	1					1			1
Australian Public Service Commission	3	2				1			1	2
Transport and Regional Services										
Airservices Australia	2	3		2		1				3
Australian Maritime College	1	1							1	1
Australian Maritime Safety Authority	-	1					1			1
Civil Aviation Safety Authority	16	18		3	1	8		6	1	19
Department of Transport and Regional Services	35	39		6	5	17	3	5	6	42
National Capital Authority	1	3	4	1	2					7
Treasury										
Australian Bureau of Statistics	47	46		5	12	25	2	2		46
Australian Competition and Consumer Commission	38	34		4	9	14		8		35
Australian Prudential Regulation Authority	44	44		4	18	15	1	3	3	44
Australian Securities and Investments Commission	129	126	2	26	29	41	11	23	1	133
Australian Taxation Office	1,633	1,591	40	244	299	877	82	118	29	1,689
Department of the Treasury	5	5	1	1	1	1			1	5
Productivity Commission	1	1			1					1
Reserve Bank of Australia	2	2			1			1		2
Royal Australian Mint	2	2			2					2
Superannuation Complaints Tribunal	13	16	1	4	4	2	1	6	1	19
ACT Government agencies										
	459	498	28	52	253	181	25	36	21	596
Australian Federal Police										
	696	751			386	6	1	123	14	914
TOTAL	17,310	17,441	851	2,670	3,615	8,532	1,505	1,051	331	18,939

Note: Table 2 provides a breakdown of outcome of complaint issues finalised for the AFP. Detailed information on complaints about ACT Government agencies and AFP ACT Policing is in the ACT Ombudsman Annual Report 2004–05 (see www.ombudsman.act.gov.au).

TABLE 2 AFP COMPLAINT ISSUES FINALISED, 2004–05, *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981*

Complaints	Received	696
	Finalised	751
Outcome of complaint issues finalised	Conciliated	325
	Incapable of determination	2
	Substantiated	8
	Unsubstantiated	49
	Ombudsman investigation not warranted	386
	Advised to pursue elsewhere	6
	Resolved without determination	1
	Complaint not pursued	123
	Out of jurisdiction	14
	Total issues finalised	914

TABLE 3 AFP METHOD OF HANDLING COMPLAINT ISSUES FINALISED, 2004–05, *COMPLAINTS (AUSTRALIAN FEDERAL POLICE) ACT 1981*

Method of handling complaint issues finalised	Ombudsman decision not to investigate	170
	Ombudsman preliminary inquiries	88
	Ombudsman investigation	1
	AFP workplace resolution	577
	AFP investigation	77
	Special investigation	1
	Total issues finalised	914

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.