

# Fact Sheet - Review Process

## Jurisdiction Assessment Review Process

If part or all of your report of abuse is out of the Ombudsman's jurisdiction to take further action, you can request a review of the decision.

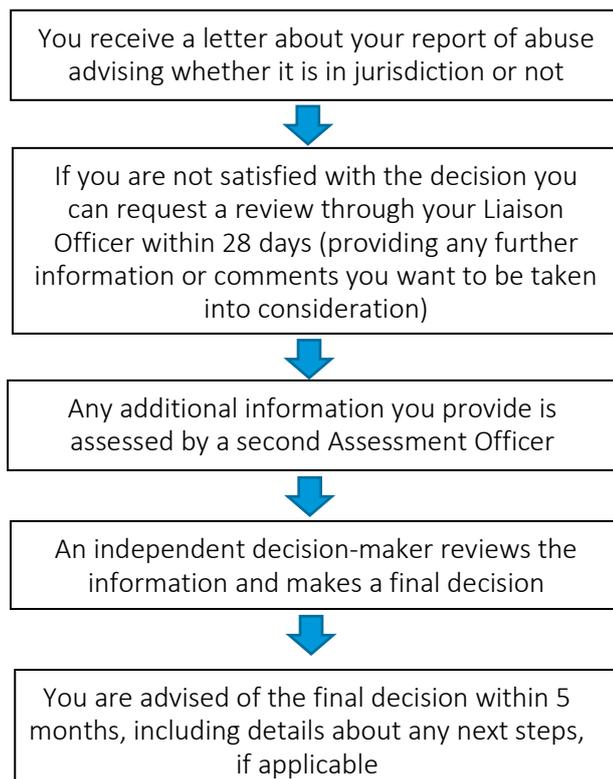
A request for a review should be submitted within 28 days of the Ombudsman's decision being made. This should include additional information about the abuse you experienced. Should you require more time you are able to request an extension past 28 days.

The information you provide is assessed by a second Assessment Officer, and the final decision is made by an independent decision-maker in our Office.

The independent decision-maker may make a more favourable decision on any aspects of your report of abuse, or may uphold the original decision.

A review can take up to 5 months. You will be notified of the final decision and the supporting reasons.

There is no opportunity for further internal review after this process has been completed.



### Contact us

[ombudsman.gov.au](http://ombudsman.gov.au)

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Canberra ACT 2601

### The Ombudsman has offices in:

- » Adelaide
- » Brisbane
- » Canberra
- » Melbourne
- » Perth
- » Sydney

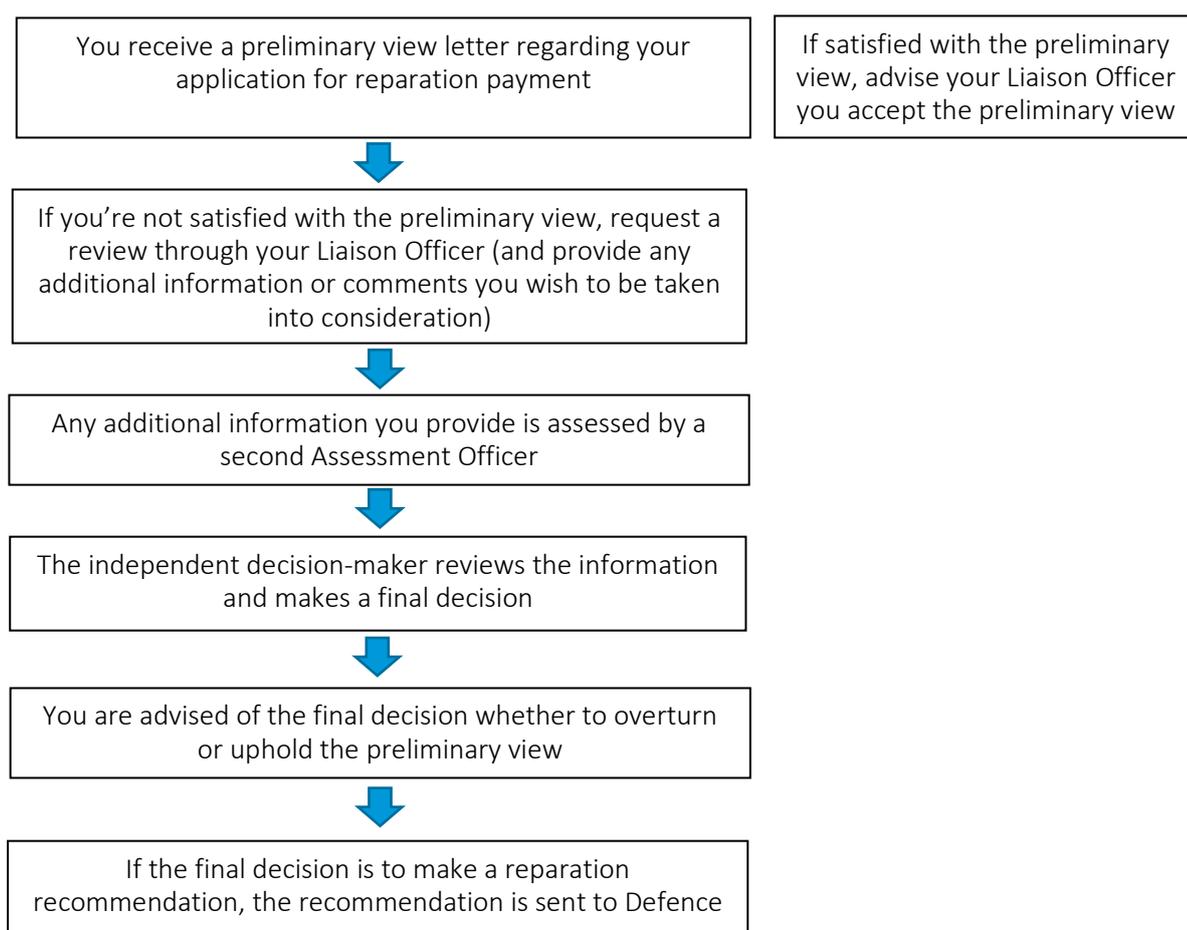
You can request a review of a decision made in relation to your report of abuse, including a jurisdiction decision or a preliminary view regarding a reparation payment recommendation.

## Reparation Payment Assessment Review Process

If you are provided with a preliminary view regarding a reparation payment recommendation that is under the maximum payment of \$50,000 (that is, a recommendation for nil payment, \$20,000, \$25,000 or \$45,000) and you wish to contest this, you are able to request a review. For information about when the Ombudsman may recommend a reparation payment see [Reparation Payments](#).

A request for your matter to be reviewed should be made within 28 days of the date of our preliminary view letter, unless you have requested an extension. The request should include additional information about the abuse you experienced. If you are providing significant additional information or an additional description about the abuse you experienced, we may ask you to provide this in a statutory declaration. If the additional information you provide relates to a significant new incident of abuse not previously disclosed or assessed by this Office, you may be required to submit a new report of abuse. The information you provide is assessed by a second Assessment Officer and a final decision is made by an independent decision-maker in our Office.

The independent decision-maker may decide to uphold the preliminary view or overturn the preliminary view decision and recommend a higher payment. A reparation payment review can take up to 5 months. You will be notified of the final decision, including the supporting reasons. If the result of the review is to recommend Defence make a reparation payment to you, the recommendation is sent to Defence after you have been notified of the outcome.



### Further review or appeal

If after internal review you remain unsatisfied with the outcome of your report of abuse to the Ombudsman, you can apply to the Federal Circuit Court or the Federal Court. Please note the courts do not provide merits review of our decisions. An application for review by the courts is not an opportunity for a fresh look at whether a reparation payment should be recommended, but only whether we acted lawfully and with due process in making our recommendation.

If you choose this option you may wish to seek legal advice. The Ombudsman's Office is not able to provide advice on this process.

### Need more information?

If you have any questions or concerns about the review process, please contact our Liaison Team via email at [defenceforce.ombudsman@ombudsman.gov.au](mailto:defenceforce.ombudsman@ombudsman.gov.au)

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More information is available at [ombudsman.gov.au](http://ombudsman.gov.au).

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Commonwealth Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to the [Federal Register of Legislation](#).