



JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr MC Berkman MP
Mr RD Field MP
Ms ND Marr MP
Ms MAJ Scanlon MP
Mr PS Russo MP

Staff present:

Ms K O'Sullivan—Committee Secretary
Ms E Lewis—Assistant Committee Secretary

PUBLIC HEARING—OVERSIGHT OF THE QUEENSLAND OMBUDSMAN AND INSPECTOR OF DETENTION SERVICES

TRANSCRIPT OF PROCEEDINGS

Wednesday, 19 February 2025

Brisbane

WEDNESDAY, 19 FEBRUARY 2025

The committee met at 9.32 am.

CHAIR: Good morning everyone. I declare open this public hearing for the committee's oversight responsibilities for the Queensland Ombudsman. My name is Marty Hunt, member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me today are Peter Russo MP, member for Toohey and deputy chair; Russell Field MP, member for Capalaba; Natalie Marr MP, member for Thuringowa; Michael Berkman MP, member for Maiwar; and Megan Scanlon MP, member for Gaven, who is substituting for Melissa McMahon MP, member for Macalister.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please remember to press your microphone on before you start speaking and off when you are finished and please turn your mobile phones off or to silent mode.

PYKE, Ms Angela, Deputy Ombudsman, Queensland Ombudsman

REILLY, Mr Anthony, Queensland Ombudsman and Inspector of Detention Services, Queensland Ombudsman

ROBERTSON, Ms Leanne, Executive Director, Corporate Services, Queensland Ombudsman

CHAIR: Would you like to make an opening statement before we start our questions?

Mr Reilly: Thank you for the opportunity to make an opening statement. I welcome the new members to the committee and I look forward to working with you and welcome the important oversight role that you provide to our office. Our office strives to be an agent of positive change for fair and accountable public administration in Queensland. We do this under three acts: under the Ombudsman Act we investigate the administrative actions of agencies and help agencies to improve their administrative practices; under the Inspector of Detention Services Act we inspect and review detention services with the aim of promoting the humane containment of detainees; and under the Public Interest Disclosure Act we oversight the administration of public interest disclosures. I will now provide information about our performance of each of these functions over the past year.

I turning first to our Ombudsman Act functions. Under the act we have jurisdiction to investigate complaints about Queensland government departments and public authorities, local councils and public universities. In 2023-24, the office responded to 11,479 contacts, received 6,295 complaints and finalised 1,047 investigations into those complaints. We are committed to ensuring that all Queenslanders are able to access our complaints investigation services. Importantly, for a big decentralised state like Queensland, 37 per cent of complaints were brought to us by people from outside South-East Queensland.

To support access, we provide a range of ways for people to contact our office, including telephone, email, internet and post. As you know, complaints are also forwarded to our office by members of parliament. On Monday I briefed new members of parliament about how to refer complaints to us. Our website has extensive information about how to make a complaint and includes accessibility tools and animated videos about our services. In 2023-24, our website recorded more than 227,000 visits. To enhance our website information, in 2023-24 we also released new easy to read guides that aim to better help people understand and access our offices.

Our complaints investigation jurisdiction has changed in two ways over the past year. First, in September 2024, following the commencement of the new section 12A of our act, the office's jurisdiction has been enhanced to enable us to initiate investigations of government services provided by non-government entities—that is, outsourced services. This change implemented a recommendation of the 2022 Coaldrake review. Another change to our Ombudsman Act functions is the recent commencement of the new National Student Ombudsman, which is an Australian government service. In the future, some complaints about public universities that might have been investigated by our office may instead be referred to the new National Student Ombudsman.

I will turn now to our Ombudsman Act administrative improvement program. Our improvement program is built on a multilayered strategy. In addition to providing advice and recommendations to agencies following investigations, we also provide a range of proactive supports and resources for improving administrative processes. Through our investigations we made 178 recommendations for improvement last year, of which 177 were accepted. Some of our investigations result in public reports to parliament. In February 2024, we published a report on prison overcrowding. In August 2024, we published a report on the Forensic Disability Service. Each report made recommendations for improvement. We also share information with the community and the public sector about the outcomes of other investigations through our annual investigation case book. We released a case book in 2024 and our 2025 case book will be released soon. Our 2023-24 annual report also highlighted our important work in proactively supporting agencies to improve their programs. Given the terrible impact of flooding in North Queensland, I note the discussion in the report of our support to Queensland government agencies regarding the administration of the disaster resilience program.

I turn now to our new Inspector of Detention Services Act functions. The act fully commenced on 1 July 2023. Since that time we have achieved a number of significant milestones, including: establishing the Detention Services Inspection Unit within the office of the Queensland Ombudsman; developing and publishing inspection standards for prisons and youth detention centres; undertaking many inspections of places of detention; establishing an online presence and publications to inform the community about our work; undertaking extensive engagement with detainees, community organisations and government agencies; and tabling our first annual report. Our inspections to date have included all three of Queensland's youth detention centres. We have also completed inspections of three prisons and two watch houses, and other inspections are currently underway. We have reported to the Legislative Assembly on two inspections: the Cleveland Youth Detention Centre report with a focus on separation due to staff shortages; and the Cairns and Murgon watch houses inspection report with a focus on the detention of children.

I will turn now to public interest disclosures, PIDs, or whistleblowers as they are sometimes known. As the oversight agency for the Public Interest Disclosure Act we support agencies in managing PIDs. We do so in various ways such as information, advice, training and publishing standards. Our annual public interest disclosure report for 2023-24, which is attached to our ombudsman office annual report, provides detailed statistical information about the number of PIDS reported, broken down into various categories, and makes observations about the program.

Before I conclude, I would like to provide the committee with some brief information about our workforce and funding. In relation to our workforce, the results of our 2024 Working for Queensland survey were very positive and improved on the results of our 2023 survey. For example, the key indicator, which is the employment engagement outcome, was 16 per cent higher in our office than for the public sector as a whole, and I was very pleased to see that it was three per cent higher than the 2023 result. In relation to finances, I am pleased to report that our expenditure remained within budget in 2023-24. Based on our financial performance year to date, I am confident that our office will also remain within budget in 2024-25. Looking forward, I also consider that our budgeted funding for 2025-26 will be sufficient to support us to continue to fill our current statutory functions. Accordingly, I confirm that I have not submitted a proposal to the committee pursuant to section 85C of the Ombudsman Act for additional funding for 2025-26.

Looking forward, I note that the strategic review of the office under the Ombudsman Act is due to be conducted in 2025. I look forward to working with the committee and the Attorney-General to support the review. I take this opportunity to thank the office's staff for their hard work over the past year and for the contribution that they make every day to improving public administration in Queensland.

CHAIR: You mentioned that earlier this week—on Monday—you addressed some new MPs in relation to your role. I was fortunate to be in that session. I asked you a question in that session that I intend to ask publicly today because I think it is worth putting on the public record. I asked about the inspection standards, how they were developed and what they were guided by. In that process when you are inspecting detention centres to certain standards, where did those standards come from?

Mr Reilly: The Inspector of Detention Services Act required me as the inspector to develop standards. It is a statutory function. It was important that I went ahead and fulfilled that in the early part of the role. To develop the standards we did a number of things. First of all, we identified standards from other jurisdictions that we thought were good standards that had been tested over the course of time through their rollout in other jurisdictions. There are independent inspectorates that have been in place for some time in Western Australia and New South Wales, and they are quite well regarded and their reports are of a high quality. We took those as a starting point for developing the Queensland standards.

We then engaged in consultation with the relevant agencies—corrective services, youth justice and so on—to talk about how those standards might apply in Queensland and any changes that were needed. We assessed them against relevant Queensland legislation to see where they fitted or did not fit. Importantly, we also reviewed them against international human rights benchmarks. For example there is a very important set of benchmarks called the Mandela Rules, the minimum rules for detention, which are well accepted as setting out a good set of rules for human rights in prisons. There are a number of other international instruments as well. Once we had done the analysis of all of those things, we did some community consultation and we sought feedback. We got quite a lot of feedback, which was very good, we incorporated that into the standards and we finalised them based on that—that was the process.

CHAIR: Was there any parliamentary feedback on that?

Mr Reilly: I cannot recall specifically if we sent it to the committee. I am not sure; I cannot recall specifically. I would have to double-check that, but I would be happy to brief the committee on that. I expect we would have but I just do not want to say we did because I do not have those specifics.

CHAIR: If you could take that on notice.

Mr Reilly: Yes, sure. We will get back to you on that. The standards were publicly advertised and made available. We do tend to send most stuff through to the committee.

Ms SCANLON: Are you aware of any modelling undertaken in relation to the Making Queensland Safer Laws? If not, would you expect this to have been undertaken to ensure there is sufficient capacity and safety in detention facilities and watch houses?

Mr Reilly: I am not aware of any modelling. I am not privy to that information. I believe it would be useful to have done that modelling but, other than that, I cannot say much more about it. It is probably the responsibility of the agencies that administer those programs—the Queensland Police Service and youth justice through its support role.

Mr FIELD: You said you carry out inspections in the youth detention centres; is the view to do the same ones every year?

Mr Reilly: Yes.

Mr FIELD: And that those findings are published at a particular point in time of that year?

Mr Reilly: Yes. The act requires us to inspect each youth detention centre annually; so far we have met that timetable. In terms of the report, the first report we published about Cleveland was released because there was a particular issue in the Townsville centre about staffing and we thought that the public needed to know about. We have since completed inspections of the three youth detention centres—Cleveland, West Moreton and Brisbane. We have checked for four issues, which are use of force, searches, use of separation and health services. We focused on those four because we thought they were four really important issues in terms of humane containment and they had been the subject of discussion in royal commissions and other inquiries over the years. We are compiling the results of those into a single report for all three centres across the state. We thought it would be useful to have a single report that looked at how things are going across the state for the three centres so we could compare and contrast and point out where one centre might have been doing well but another centre was struggling—that sort of thing. We are currently pulling that report together.

Mr FIELD: I know that entering all of the complaints is probably an issue but is there any separation of where those complaints come from—whether there is a percentage of Indigenous or non-Indigenous prisoners who make those complaints—or are they just across the board?

Mr Reilly: I wear two hats. One is as the Ombudsman and the other is as the Inspector of Detention Services. As the Ombudsman, I have responsibility for complaints that come from detainees in youth detention centres and prisons but not watch houses because I do not have responsibility as the Ombudsman for the police operational matters. So there are those complaints. We get some complaints from young people about detention but not a huge number. We get more complaints from adult prisoners, actually. We get quite a few complaints from adult prisoners about prisons, and there could be a range of reasons for that. One is that there is, for example, a good community visitor program that is in the youth detention centres and the kids can talk to the community visitor pretty easily.

The other hat I wear is as the Inspector of Detention Services. The way in which we engage with detainees through that is we go out to the centres and try and talk to detainees—young people and adults in the adult system—with our engagement officers and our inspectors. I sometimes talk to them myself. It can be hard, for example, if they are in their cell because you have to try and talk through the little screens in the door and so on but sometimes you get to have a chat. That is a good way for us to hear what the concerns are and then have a look at which ones of those are relevant to the report and need to be followed up with further investigation.

In terms of the proportion, up in Cleveland Youth Detention Centre, as you know, pretty much every single detainee is an Aboriginal and Torres Strait Islander child. When I was up there, I think there were two children out of close to 100 who were not Aboriginal and Torres Strait Islander. I must admit, I have been reading the statistics for years but it was quite confronting to see what is going on there. Down here in the south-east, the proportion of Aboriginal and Torres Strait Islander children is lower but still very, very high. I guess you could say that because we engage with all the children, the proportion of children we engage with and listen to who are Aboriginal and Torres Strait Islander would be pretty proportional to how many are there. Sorry, that is a complex answer, but I can have a look at the stats I get as the Ombudsman, if you like.

Mr FIELD: I wanted to get an insight on each detention centre whether there is a majority of any particular youth in one place compared to what it is in the other?

Mr Reilly: Yes. In North Queensland it is very high. I think I would misquote the percentage but I think it is more than half down here.

Mr BERKMAN: My question is similar to the one we have just had from the member for Capalaba. In the course of the debate at the end of last year about the Making Queensland Safer Laws, there was some suggestion and then a subsequent question on notice that compared the rates of reoffending for young people in the 12 months after they leave detention. I think it tended to reveal some stark differences between the rehabilitative function of Cleveland Youth Detention Centre and the Brisbane Youth Detention Centre. Can you offer any insight to the committee in terms of the differences that you have observed in CYDC and BYDC for example and particular shortcomings in Cleveland compared to Brisbane or West Moreton?

Mr Reilly: So we have not inspected the quality of those programs in those two centres yet because we focused on those four issues I referred to earlier for the first round of inspections, but it is something we will look at in the future. One of the reasons we did not look at those initially was that the Queensland Audit Office has done an audit of rehabilitation programs in the youth justice system, including the centres, and we felt the Audit Office had already looked at that. Under our act, we are not supposed to duplicate what other people are doing. It is important that we operate efficiently, as it were. That audit had been done and there were some recommendations made. We thought we would give that time to flow through and then have a look at it to see how it is going.

I will make one observation. Each centre has a very good school. The difference between Brisbane and Cleveland Youth Detention Centre is it is often harder for the children to access the school and other programs at Cleveland because the staffing problems mean they cannot get out of their cells as often as the young people in Brisbane do. That staff shortage issue is not just about the very important issue of children staying in their cells for long periods of time, it also means that because they are in their cells they are not getting out to access those good services that are available in the centre so it is a sort of a double whammy. There is more access in Brisbane because the level of separation is lower.

Mr BERKMAN: Obviously, the staffing shortages in Cleveland have been well publicised and are well recognised. In either your Ombudsman's role or your IDS role, are you making forecasts or dealing with potential future issues around the staffing of new youth detention centres and whether those same staffing issues will be amplified or duplicated?

Mr Reilly: I am aware of that problem. I have not engaged in formal modelling about it. There will be a challenge for the system as it builds new youth detention centres to recruit sufficient staff to ensure they are all fully staffed. The new detention centre they are building at the moment is at Woodford, which is in South-East Queensland, and so the South-East Queensland labour market may be big enough to find enough people to staff it fully. I think there is an issue in Townsville about the size of the labour market and the pressures on the Townsville labour market for skilled people and the ability to get enough people to work in that particular centre. I think there is a comment on that in our report. I recall that the director-general of the Department of Youth Justice acknowledged that it is up there to get enough people to fill that roster every day to make sure there is enough people so the staff shortage separations do not occur. I should say that the Department of Youth Justice does make a genuine and consistent effort to recruit staff. In North Queensland, in particular, it is a struggle to get enough staff. There is high turnover, high leave levels and so on as well, which mean it is an extra challenge.

Ms MARR: We know staffing is a historical issue at Cleveland; it has been for a while. I have engaged with some of the staff who are there, or have left there. You have spoken about staff shortages and I am led to believe that the reason we are struggling to get people to work there is due to the risk of their safety. It is not just because of low numbers but because of behaviour. I think part of that is probably because they are in their cells for a little bit longer than we would like to see them. Besides staff shortage, what was the other risk to staff that we have to improve on to encourage some of these workers to come back, or to encourage people to want to apply for these positions, because if we do not fix that problem we are never going to fix the staffing issues?

Mr Reilly: The focus of the inspector role is the humane containment of detainees. Both I, and our team of inspectors, talk to staff a lot and we do look at their training, health and safety and so on, but our focus is on the containment of the detainees rather than, if you like, the industrial settings for workers. In terms of challenges—we refer to this in our report—there was improved remuneration under a new industrial agreement which I hope will assist in attracting more people to work. I think the department has advised us about various strategies they have utilised to address workplace health and safety concerns. They are very real concerns in that environment and I am absolutely very aware of that; I am very realistic about it. They are challenging environments to work in. I think remuneration and workplace health and safety are key issues. I probably do not feel able to talk with confidence about other things that would attract people to work there or stay there—that is probably a key issue as well.

Ms SCANLON: Mr Reilly, do you have any views about whether the Making Queenslander Safer Laws should have been delayed until new facilities like the Wacol Youth Remand Centre and the Lockyer Valley Correctional Centre were open?

CHAIR: Member, I do not believe that is within the role of the Ombudsman. I will allow you to comment if that is the case.

Mr Reilly: There are actually restrictions in the Ombudsman Act about commenting on matters of public policy or matters of cabinet decisions, if you like. There were significant cabinet decisions made about a significant public issue. However, I did make a submission to the committee when they were considering the bill. I did point out that it was important to ensure that if there was a risk that more children were going to need to be detained as a result of the laws then we had a concern about more children having to stay in watch houses for longer. We raised that concern.

The Wacol remand facility will help to ease some of those pressures. The timing of it is a matter for government. I am not privy to the way in which they considered those issues within government and took account of them. I cannot really comment on it. It might have been that decision-makers were confident that the issue could be appropriately managed in the meantime. I am not sure.

Ms SCANLON: Following on from the member for Thuringowa's question around remuneration and workplace health and safety for staff, Mr Reilly, will you or your organisation be requesting powers or an opportunity to inspect the Crisafulli government's reset camps particularly given some of the concerns that have been raised in respect of the private operation of these facilities and the former CCC report, the Taskforce Flaxton report, which outlined some of the concerns about outsourcing these sorts of programs and facilities?

Mr Reilly: There will be two ways in which the office can look at those issues. One is that if a complaint is made to us by a child, as the Ombudsman, I could look at that complaint. I could also initiate an own-initiative investigation. Under section 12A, which I referred to in my opening statement, that may give me the ability to look at those facilities if they are outsourced. I will have those capacities as the Ombudsman.

In terms of the Inspector of Detention Services, when those facilities become more settled in terms of the model and how they are going to be set up, we will need to have a look at whether they are covered by the jurisdiction of the Inspector of Detention Services, such as do they come within the definition of detention services or detention facilities? If they do, then, yes, we will have the capacity to inspect them. In relation to facilities like that, we currently have the capacity to inspect prison work camps, for example. As part of our inspection of Palen Creek Correctional Centre, which is a big prison farm near Beaudesert—they run a couple of prison camps at Charleville and other places—we went out to visit those and had a look at how they were going. They are going really well. Those prison farms are very good.

CHAIR: In the last financial year there were 20 fewer training sessions and approximately 400 fewer people attending those training sessions. Is there any reason for the reduction or is there an expectation that that will increase in the next year? Would you like to comment on that?

Mr Reilly: We have a couple of training programs. One training program is about public interest disclosures. Those classes are still running. The other training program we have historically had is on good decision-making. We have not run those for a little while. One reason is having the capacity in our office to deliver that training. That has been a bit of an issue for us in recent times. Also, we have taken the step of having a look at our training to see whether we need to modernise it.

We got a reviewer to come in and have a look at how to modernise our training services. One of the issues I had was that the model we had was based on small classes of people. There are tens of thousands of public servants. We are only getting through a small number each year. What we explored through the review was how we could use technology to support us to enable improved access to our training.

The model we are working towards is one where we have, if you like, a base layer of training where people do a self-paced learning module to learn about the basics of good decision-making. Once they have done that we then can provide more tailored options—if you like, more advanced levels of training. We have started to build that new approach. We have a project underway to build the self-paced learning module. I hope that is out there by later this year. That project is going well. Once we have that in place, public servants will be able to access that and we will see how it goes. Then we will rebuild our more advanced training options over the top of it. We are in a period of change with our training. My hope is that we can improve the access to training and the volume of training in time through those processes.

Mr RUSSO: I understand you may have already expanded on this in answer to a previous question. Are you able to inform the committee—and I apologise if you have already done this—what detention centres and watch houses you anticipate visiting in the 2024-25 financial year?

Mr Reilly: In 2024-25, there will be the three current youth detention centres—that is, Cleveland, West Moreton and Brisbane. We also intend to visit the Wacol remand facility. We will probably give it a few months to get up and running before we go and have a look just to let it get going. We are having a look at which watch houses to inspect in the year ahead. The only two watch houses we need to inspect over the five-year cycle, which is in the act, are Southport and Brisbane. I think that the issue of children in watch houses is still one that is very important to keep looking at, so we may do another focused inspection of a watch house in relation to that issue.

Strategically, looking at how our inspection program can contribute to humane containment, the Wacol remand facility, when it comes online, will significantly alter the way in which children are held in watch houses because it will provide a new option for where children are detained. I think the facilities that will be available to children in the Wacol remand facility will be better than those available in some watch houses—for example, health services and so on. However, the problem is that, because there is only one Wacol remand facility and we live in this massive state—this massive decentralised state that is so big—there is a risk that children will be having to leave their communities to come down here.

When we do our next round—if we choose to do an inspection of watch houses focusing on children—once again, we will probably let the Wacol remand facility settle in for a bit and then see what impact it is having and what new issues it is creating, if any, for the system.

Mr RUSSO: Could you advise the committee what centres your officers visited in the last three months?

Mr Reilly: I might turn to Helen to help with this just to make sure I get it right. They are: Cleveland Youth Detention Centre; Brisbane Correctional Centre, which is the big centre out at Wacol, and I have been doing some engagement to start our inspection of Capricornia Correctional Centre as well. There are three on the go. Technically speaking, there is a distinction between our engagement phase and our inspection phase, but we have been to the Capricornia Correctional Centre meeting with people and talking about things.

Mr RUSSO: Are there any reflections so far on what you have seen?

Mr Reilly: Yes. A key issue for Queensland's high-security prisons is that they are overcrowded. What is happening in the men's high-security prisons is that they are so overcrowded that the men are only getting out of their cells for three or four hours a day. They use a system called modified unit routines, where basically one half of each accommodation unit comes out in the morning and then they go back in and the other half come out in the afternoon. That is a very low number of hours for prisoners to be out each day in those secure facilities. That is a real concern in the adult prison environment.

Overcrowding is something that we pointed out as a problem in the prison overcrowding report that we tabled in parliament early last year. The issues that were identified in that report about overcrowding and the use of modified unit routines continue. I cannot say this universally but they do not appear to be improving. There is a new prison coming online—the Lockyer Valley Correctional Centre—which will ease some pressure in the south-east which will be welcome.

Another impression is that the low-security prison farm option that we inspected at Palen Creek is a really impressive facility and the work camps that they operate are excellent as well. When I visited regional communities that have a work camp I was really impressed with the amount of support in the local community for the work camps and the contribution that the prisoners make to those communities through the regular maintenance work they do in the community and lots of other things. There is something too, I think, about the dignity of work in helping prisoners prepare for heading back out into the community. I believe that those low-security facilities with that prison farm approach and the work camp approach can make a really good contribution to Queensland's prison system being a humane one. They are very important.

In youth detention centres, a key issue that was identified is the issue of staff shortages and how that drives children having to stay in their rooms for long periods with all the problems that creates. My understanding is that that is still a problem in Cleveland from our most recent inspection, which is the second inspection of Cleveland. That is still a problem. There are other issues in youth detention centres. That is probably one of the main ones that I think I can comment on at this stage.

CHAIR: I think that highlights some of the failures in the long-term planning, so thank you for those comments.

Mr FIELD: You were talking about the Wacol Youth Remand Centre coming online and waiting for it to ramp up. What is the capacity of that facility?

Mr Reilly: The numbers have changed a bit. I am not quite sure where they have settled at the moment. Helen Gabriel, who is here with us, is the manager of the Detention Services Inspection Unit. We had some advice that it might be 76, but because they are still finalising the operationalisation of that facility the numbers might change a bit.

Mr FIELD: It was just to get a rough idea, whether it was 20 or 200. That is fair enough.

Mr BERKMAN: Mr Reilly, I am sure you recall back in 2022 when the UN subcommittee on the prevention of torture was denied access. That was considered—by them, at the very least—and much of the international community to be a breach of Australia's obligations under OPCAT. In the time since you took on the role of IDS have you gained a clearer picture of why exactly access was denied and what, if any, issues or obligations under OPCAT might have been obscured from view by that denial of access?

Mr Reilly: The short answer is no. I was not involved in those processes and I am not aware of the reasons why. I understand there were some shortcomings in the legislation in terms of who could go in and out of some facilities. That is my recollection. I probably cannot comment on that. I do not have a lot of information about it and it was a while ago now.

Mr BERKMAN: Yes, it was a couple of years. I appreciate that predated your time in the role.

CHAIR: Mr Reilly, the report has 55 per cent of people commenting on the services of the Ombudsman being either neutral, satisfied or very satisfied, which leaves us mathematically with 45 per cent the other way. Are there any key issues you have identified with the 45 per cent who think your services might be improved?

Mr Reilly: We monitor client satisfaction feedback carefully. We have a look at the results each quarter. I will ask Angela to talk about this in one second, but I will just say one thing. One of the issues about the Ombudsman's office is that we have to say to people quite a lot 'we can't help you' for a number of reasons. We might say, 'There's a better place you can go that can help you,' for example, a more specialised independent reviewer. We might say, 'We would like you to go to the agency that you're complaining about first to see if you can fix up your problem there.' We might investigate the matter and say, 'We think the decision by the agency was reasonable.' In all of those situations people may not be happy with the service because of that, and that does affect satisfaction levels. That does not mean we do not take it seriously and look into it carefully, but there is that built-in issue, if you like, with some of it. Angela, do you have anything to add?

Ms Pyke: As Anthony said, we monitor the feedback quite closely because it is important that we continuously improve our services. We have done a number of initiatives as a result of information that has come out of those surveys. We have improved our online complaint form quite significantly. We have also improved the messaging and information available on our website. We continue to monitor and improve where we can. We have also done a lot of work on our decision letters in transforming them into plain language. They were quite legalistic and sometimes a bit hard for some people to understand, so we have put a plain language lens over all of our outgoing correspondence from our intake area. The other thing I will just highlight, as Anthony said, is that client satisfaction is difficult to measure when we are saying no. It is hard for people to separate our service from their outcome because quite often the outcome we are giving them is not what they want or have asked for. In saying that, we do get people, even though they have not got the outcome they wanted, who have been quite positive in their feedback, so that is encouraging as well.

CHAIR: Is it fair to say it is about managing expectations? People say 'I'm going to the Ombudsman' to get action, investigations and people charged et cetera. Is it about managing expectations of the service you provide?

Mr Reilly: Yes, that is part of it, but we also need to be vigilant in ensuring our services are being delivered really well. We do do that. We monitor our services carefully. We have an intake team and some investigators. We provide them with lots of training about how to work with people, good customer service and so on to assist people.

Ms Pyke: We have identified managing expectations as an issue. That is becoming more prevalent as complaints come in. They are becoming more complex and more difficult to deal with. In the office we are developing quick guides through various stages of the complaint process. That will go out to all complainants depending on where they are. We are currently developing one for our intake area. As soon as they get an acknowledgment from our intake area, they will get an easy-to-read quick guide to manage their expectations about what will happen next and what they can expect from us. When their complaint moves to the investigations area, there is another quick guide to easily explain what to expect, timeframes, what we can do for them and when. Also in our internal review area we are trying to manage those expectations because that is becoming difficult at times.

CHAIR: I have one more question on follow-up statistics. Is that just the people who decided to take part in the survey as well—because obviously a lot of people who are dissatisfied may be more likely to give feedback—or do 100 per cent of clients take part in that?

Ms Pyke: No, not 100 per cent take part. Of all files that are closed in the office, all of those complainants will receive the survey and they are encouraged to participate. There is a timeframe for participation and we will send out reminders during that period. It is optional; it is not mandatory.

CHAIR: Do you know the uptake offhand?

Ms Pyke: I could not tell you offhand.

CHAIR: I would be interested in that on notice, if that is all right; the percentage of people who actually take part.

Ms SCANLON: Mr Reilly, media reports have revealed that between 2 and 10 February at the Southport watch house they had capacity issues at least nine times. Logan watch house was overcrowded four times and had capacity issues as well as at Coolangatta. Has there been an inspection during that period of time, and when do you expect to inspect those facilities in the future given some of those reports?

Mr Reilly: No, there has not been an inspection. We are still developing our plan for inspections of watch houses. There are many dozens of watch houses in Queensland, each with complex service delivery issues. Also of relevance is that the Queensland Police Service is currently doing a review of watch houses. I think it was announced last year by Commissioner Gollsheckski. We have had a briefing about that and are looking forward to the final outcomes of the review. That review will assist us think about where we should focus our limited resources in terms of inspections because it might identify certain issues or act on certain things.

CHAIR: In 2022-23, the average time to finalise the preliminary assessment of a complaint was 4.6 days; in 2023-24, it was 7.8 days. While this is within the 10-day target, what do you attribute this increase to? Is it an increase in your role's capacity, and has the addition of the Inspector of Detention Services impacted on that or other services you provide?

Mr Reilly: I will ask Angela to provide some detail about that issue. I can say no, it is not about the Inspector of Detention Services. Complaints come through an intake team that is part of the Office of the Ombudsman. Its resourcing is not affected by the Inspector of Detention Services. It does not receive additional phone calls or web inquiries and so on. The Inspector of Detention Services is a separate team that is separately funded and operates separate from that. I will just ask Angela to talk to you a bit about the stats.

Ms Pyke: In the last financial year, in quarters 1 and 2 we had fairly moderate complaints. Quarter 3 was a real crux quarter for us in our intake team. We had some planned leave but also unplanned leave of staff. It is a small team, so unplanned leave can have a significant impact on our resourcing as well as coupled with that the numbers of inquiries coming in. Interestingly, in the last financial year, although the numbers of complaints were down slightly, we had a 29 per cent increase in inquiries, which is quite significant. There was nearly a 10 per cent increase in our out-of-jurisdiction contacts. Although they are not translating into complaints, they are an impost on our staff in terms of processing. They are an avenue of getting people to the right place in a timely way to resolve their complaint, so that did have a significant impact on our ability to finalise complaints in a more timely way. That was the increase in the preliminary assessment days.

Mr BERKMAN: Mr Reilly, you mentioned before that watch houses do fall within your remit as the Inspector of Detention Services but outside your Ombudsman's work because they fall within police operational work. That is obviously a fairly significant gap in terms of civilian oversight and accountability for QPS. Do you have any views on the importance and potential benefits of an independent police oversight body as was recommended by the royal commission into police responses to domestic and family violence?

Mr Reilly: The reason that the Ombudsman's office does not look at police operational matters is that the view is that the Crime and Corruption Commission is in place to do that, so it is the place where police misconduct is looked at. My understanding is that is still the view. Police disciplinary matters are done between the police and the Crime and Corruption Commission, I do not really feel I am able to comment on that. I do not think that is a matter I can comment on with any knowledge.

Mr BERKMAN: I appreciate that was a stretch.

CHAIR: What do you see as the biggest challenges and risks ahead for the office in the next 12 months, and are there any other matters you would like to be brought before the committee before we close the hearing?

Mr Reilly: Thank you for that question. I raised those two jurisdictional changes in my opening statement. We will see how those changes roll out over the next year, so that will be interesting. The charter letters include a proposal to review the Public Interest Disclosure Act, so we look forward to working with government on that and providing advice as needed. That may lead to some changes in how public interest disclosures are overseen within Queensland government. We are very happy as an organisation to keep performing that role if that is government's policy preference, and that is entirely a matter for government. There may be some changes to our role there. If some of the recommendations of the Wilson review of the Public Interest Disclosure Act were implemented, because he recommended, in effect, an enhanced monitoring and oversight role, there is that issue in the year ahead.

The other big one is the strategic review, as I also mentioned in our opening statement. That is a really important process for our office. Ensuring that gets kicked off and moves forward in a timely way is another important issue. The other issue for our office is that we are only a little office, but we are technically a department from a financial perspective. We have a lot of accountability requirements

to meet and we have to run a lot of servers and computers and all those sorts of things. It is always an issue making sure that we have good, solid funding going forward to make sure our business support services are sustainable in the future. While I will not be seeking funding for 2025-26, it may be that I will come back and talk to you about that down the track. We are okay for the year ahead financially.

CHAIR: Thank you very much. That concludes this hearing. Thank you to everyone who has participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. If any questions have been taken on notice, which they have, your responses are required by close of business on Wednesday, 26 February 2025. I declare this public hearing closed.

The committee adjourned at 10.31 am.