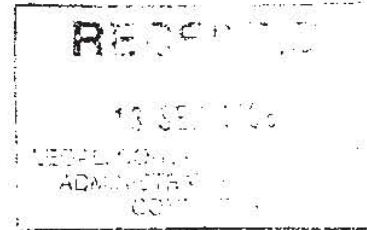




DEPARTMENT OF EQUITY AND FAIR TRADING

18 September 1998

Ms Kerryn Newton
 Research Director
 Legal, Constitutional and Administrative Review Committee
 Parliament House
 George Street
 BRISBANE QLD 4000



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Dear Ms Newton

Thank you for the opportunity to respond to the recommendations contained in the review by Professor Wiltshire, of the Queensland Ombudsman.

Proactivity: I would comment initially on the Recommendations which encourage proactivity on the part of the Ombudsman's Office. I agree that the public sector has become increasingly complex since the inception of the Queensland Ombudsman's Office, and the office has consistently had a low profile.

I believe that not only is the general public in need of information and education about the role of the Ombudsman, but also public sector employees are largely unclear about the office's functions and processes.

Therefore, I would wholeheartedly support the proposed initiatives to make both the community and government agencies aware of the role, the powers, and the limitations on powers of the Ombudsman.

Title of Ombudsman: I would not support recommendation No.28 which suggests that government should cease using the word "Ombudsman" in titles of other bodies.

This seems to take the issue of ownership of the title to extremes, and on a practical level would be difficult to implement.

There are existing positions titled "Ombudsman" in a number of areas. Examples exist in telecommunications, banking, and the insurance and electricity industries. There are also Commonwealth ombudsmen, and the position I held in Victoria before returning to Queensland was that of Legal Ombudsman.

It may be an additional requirement when educating and informing the public that the specific role of the Parliamentary Commissioner for Administrative Investigations be made clear.

Performance Indicators: Finally I wish to comment on the matter of Performance Indicators. Professor Wiltshire's review states that the main performance indicator at present is the number of files being closed. He also notes this is a very inappropriate measure. I must emphatically agree. The number of cases closed gives no indication of the relative complexity of cases, of the level of consumer satisfaction with the outcome, or of how the process and the outcome reflect the aims of the organisation.

In terms of the overall accountability of the office, it is essential that performance indicators be developed which provide a true measure of, and accurately reflect, the stated aims of the organisation. Such indicators would most appropriately be generated as part of a comprehensive strategic planning process.

Some of the information which could usefully be measured, and included as performance indicators might include:

The number of prosecutions during a year

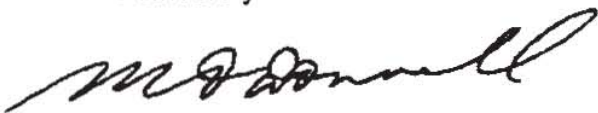
The number of reprimands, or occasions where an agency is censured

Occasions on which praise or endorsement is the result of an investigation.

It is most important that the performance indicators provide a true picture of the nature and complexity of the work involved and to what extent the work done is meeting the aims of the organisation.

I trust these comments will be helpful.

Yours sincerely



MARG O'DONNELL
Director-General