



# JAMES COOK UNIVERSITY

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## Registrar

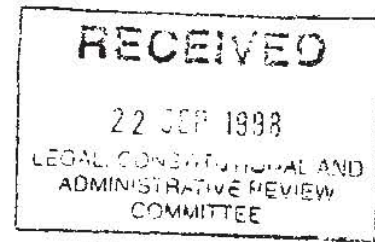
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Spec 14.1

18 September 1998

The Research Director  
Legal, Constitutional and Administrative Review Committee  
Parliament House  
Cnr George and Alice Streets  
BRISBANE QLD 4000

Dear Ms Newton

### STRATEGIC REVIEW OF THE OMBUDSMAN

The Chancellor, Mr John Williams, has been sent by the Minister for Education, the Hon. Dean Wells, a copy of the letter of 13 August 1998 by Mr Gary Fenlon seeking responses to the review conducted by Professor Ken Wiltshire of the Queensland Ombudsman. I am responding on his behalf.

The University would like to be in a position where none of its staff or students felt that recourse to the Ombudsman was needed. Unfortunately this is not so and several cases involving students and staff have been investigated by the Ombudsman's office in recent years.

I have had to deal with almost all of these and I have been very impressed with the thoroughness with which the Ombudsman's staff have analysed the complaints and their grasp of the issues. The Ombudsman's staff, from the Deputy Ombudsman down, have at all times been courteous and approachable.

The only recommendation of the Review which I would wish to comment on specifically is R.29, and, related to that, paragraph 12 of the Executive Summary. There are now a number of avenues by which an aggrieved member of the public, or in our case a staff member or student, can seek redress from a decision they do not wish to accept. Those encountered by the University in recent years have included complaints to the Ombudsman's office, to the Criminal Justice Commission, and challenges by way of the *Judicial Review Act*, the *Anti-Discrimination Act*, *Disability Services Act* and so on. As well, there is the *Freedom of Information Act* to contend with. All can involve the University in very significant workloads pursuing complaints, some of which may be ill-founded or politically motivated.

There is, I feel, a real need to reduce the overlap and to clarify the most appropriate route that should be taken by a person with a grievance. At the same time, it would be helpful if mechanisms were available to reduce opportunities for the aggrieved citizen to explore each appeal avenue in turn, ever hopeful of getting the desired decision eventually.

Yours sincerely

*R. E. Gilliver*