



Speech By
Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 2 December 2021

LEGAL AFFAIRS AND SAFETY COMMITTEE

Report, Motion to Take Note

 **Mr POWELL** (Glass House—LNP) (3.50 pm): As another member of the Legal Affairs and Safety Committee, I too rise to address report No. 17, 57th Parliament, *Oversight of the Office of the Queensland Ombudsman*. At the outset, I thank and acknowledge: Mr Anthony Reilly, the Queensland Ombudsman; Mrs Angela Pyke, the Deputy Ombudsman; Mrs Leanne Robertson, Director, Corporate Services Unit; and Ms Louise Rosemann, Principal Adviser, Public Interest Disclosures, for appearing before us in June in a public hearing where we were able to hear of the operations of the Queensland Ombudsman as well as ask them a range of questions.

As others on the committee have already mentioned, our committee's role in oversight of the Ombudsman is partly conferred by the Legislative Assembly through standing orders but also through the Ombudsman Act. As the preceding speaker mentioned, that has an element of monitoring, reviewing and reporting as well as examining annual reports and the like. What is not mentioned there, and I think what is important for the people of Queensland to understand, is that as a committee we do not have the ability to undertake our own investigations into matters brought before us which have been raised about the operations of the Ombudsman. Our role is more to look at systemic matters that may require addressing more broadly within the legislation under which the Ombudsman operates.

True to that form, a matter came up during the reporting period—as referenced on page 3 of this report—that there is no formally established procedure for dealing with service delivery complaints that are made to the Ombudsman's office about the Ombudsman and the Deputy Ombudsman directly. We sought advice as to the best practice procedure for handling such complaints by clients of the office who are dissatisfied with the handling of their matters. Having considered that advice, we wrote to the Ombudsman outlining our view as a committee as to the best practice model for addressing such complaints made against senior staff of the office. As the member for Noosa mentioned, we will revisit that in 2022 as part of that systemic oversight role I mentioned.

As other committee members have also pointed out, it is interesting to see the numbers of complaints or matters raised with the office over the term. In 2019-20 there were: 11,074 contacts received, 7,207 of which were complaints—interestingly, that is nearly a 10 per cent decrease on the previous year; 2,677 were matters outside of their jurisdiction, again, about a six per cent decrease on the previous year; just over a thousand were general inquiries seeking information and/or assistance—that was up 20 per cent on the previous year; and 150 were requests for a review of a previous decision by the Ombudsman, and that too was up by 14 per cent.

Not surprising to Queenslanders would be where a lot of these issues arise. In terms of state agencies, Queensland Corrective Services made up 981 complaints. I think that is now 982, isn't it, member for Kawana, after your—

Mr Bleijie: About the Caloundra jail.

Mr POWELL: Thank you. The Department of Child Safety, Youth and Women made up 609 complaints; the Department of Housing and Public Works, 516 complaints; and the Department of Education, 512 complaints. On top of that—again this is not surprising, given what has been going on in this chamber this year—the Queensland Building and Construction Commission received 196 complaints; and the Public Trustee, 183. What is clear is that these are the agencies that have a lot of face-to-face contact with the broader population. They are also the ones where there is potentially the greatest conflict, and they are the ones that make up the bulk of what the Ombudsman is considering.

They also have a role in looking at local councils. I thought it was of interest that the vast majority of those related to development and building controls and environmental management, with fewer complaints around laws and enforcement, the conduct of the councils themselves, fewer again around rates and valuations and even fewer around roads. The Ombudsman also looks at universities. As others have mentioned, there was actually an improvement in the time the Ombudsman has been taking to address the matters being raised with them.

In conclusion, I do again reiterate that we take our role of oversight of the Ombudsman very seriously but stress that it is one of systemic change, not one of investigating outcomes where the complainant is not happy with the outcome.