



NSW Ombudsman

annual report 2006-2007



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responsive administrative practice
service delivery in NSW in our own
organisation and those we oversee
work to **promote good conduct**
decision making protection of r

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Letter to the legislative council and assembly

October 2007

The Hon Peter Primrose MLC
President Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

The Hon Richard Torbay MP
Speaker Legislative Assembly
Parliament House
Macquarie Street
Sydney NSW 2000

Dear President and Mr Speaker

I am pleased to present our 32nd annual report to the NSW Parliament.

This report contains an account of our work for the twelve months ending 30 June 2007 and is made pursuant to ss. 30 and 31 of the *Ombudsman Act 1974*.

The report also provides information about my office's functions under the *Police Act 1990* and information that is required pursuant to the *Annual Reports (Departments) Act 1985*, *Freedom of Information Act 1989* and *Disability Services Act 1993*.

The report includes updated material on developments and issues current at the time of writing (July — September 2007).

Yours sincerely



Bruce Barbour
Ombudsman

OMBUDSMAN'S MESSAGE



Any organisation — if it is to remain relevant and effective — must be willing to reflect on its role, how it does its work, the quality of its performance and the outcomes it achieves.

This annual report details how the role of our office is continuing to grow and change, along with the way we do our work.

While complaint-handling will always be a central and important part of what we do, it is our proactive work that is best suited to bringing about systemic and lasting change. For example, we work closely with agencies providing community services in NSW to help them improve the services they offer. In the past year, we have started to review the complaint-handling systems of more than 370 local councils and public sector agencies. We continue to use an extensive audit program to ensure best practice by agencies — such as our extremely successful audit of the NSW Police Force's implementation of their *Aboriginal Strategic Direction*. We bring important community issues to the attention of Parliament including, this year, the policing of domestic violence and six legislative review reports about new police powers. We are providing more training and resources to both agencies and the community than ever before, as well as joining other Ombudsman and government agencies in national and international projects designed to improve complaint-handling practices and oversight systems.

In previous annual reports, I have highlighted the importance of a coordinated approach to issues that involve different agencies. This year I have created a cross agency team within our office, aimed at monitoring and managing our work affecting multiple agencies. This team will also coordinate our expanding work with Aboriginal communities and young people.

I am pleased to note that most of our contact with agencies continues to be positive. The majority of agencies recognise that effective outcomes, for them and for the public, are best achieved by having a constructive working relationship with us. I encourage regular meetings between my staff and agencies within our jurisdiction, and we always try to find the swiftest and most informal solution to matters brought to our attention. It is, however, disappointing to note that — despite our efforts and after 32 years of being in operation — some agencies continue to be combative, inappropriately defensive and legalistic in their dealings with us. Such conduct reduces the likelihood of issues being resolved quickly. It also generally leads to a more formal investigation and an unnecessary use of resources — for both us and the agency concerned. It will certainly not deter us from taking appropriate action.

Given the broad powers we have to hold other agencies to account, it would be inappropriate for us not to lead by example. We work hard to apply best practice in our processes and we regularly review and update our performance measures and business plans. We also recognise that productive criticism can inform and improve what we do, so we regularly seek feedback from agencies and complainants about the quality of our work. This report sets out two significant surveys undertaken this year into our inquiries and community services work.

I am also pleased that my office continues to offer support and assistance both nationally and internationally to other similar agencies. Over the years we have developed an enviable reputation and close connections with other Ombudsman offices. We are able to provide assistance to these bodies, as well as learn from them. As regional vice president of the International Ombudsman Institute, it will be my pleasure to welcome Ombudsman from 17 countries to Sydney in November for the Institute's annual board meeting.

The challenging and varied nature of our work is one of the main reasons we continue to attract such a talented and dedicated group of staff. It is also why I sought reappointment this year. I take this opportunity to thank my staff for their outstanding contributions and I look forward to working with them in the coming years.

A handwritten signature in black ink that reads "B. A. Barbour". The signature is written in a cursive, flowing style.

Bruce Barbour
Ombudsman