



MEDIA RELEASE - FOR IMMEDIATE RELEASE

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South Australian Ombudsman releases Annual Report

The Ombudsman tabled his 2016/2017 Annual Report in Parliament today.

The Report highlights that complaints about state and local government continue to rise significantly; there has been an increase of 14% in complaints made to the Ombudsman's Office this financial year. Further, applications for external reviews of determinations made under the *Freedom of Information Act 1991* went up 44%.

This increase in demand has been met by the Office, in part by resolving complaints at an early stage. 'Facilitating the early resolution of complaints is a vital complement to the formal investigations undertaken by my Office', said the Ombudsman, Mr Wayne Lines. 'Agencies are given the opportunity to re-consider decisions, issue apologies and amend policies in a timely manner, and vulnerable people are assisted in accessing fair and reasonable services from government agencies.'

Of the 4040 complaints that were resolved by the Office, 89 resulted in investigation reports. Some examples of significant issues that were investigated by the Ombudsman in 2016/2017 include the:

- failure to pay contractors, inappropriately applying grant money and other mismanagement of public resources (**District Council of Coober Pedy**)
- failure to act in relation to a company's ongoing non-compliance with the Development Act (**Mid Murray Council**)
- unlawful shackling of a prisoner in hospital (**Department for Correctional Services**)
- unreasonable management of a client's funds (**Public Trustee**).

Where investigations resulted in recommendations by the Ombudsman, 94% were accepted by agencies. 'Many of these recommendations are directed to policy reform, highlighting the important role my Office plays in ensuring that fairer and more reasonable administrative decisions are made by government going forward' said Mr Lines.

The Ombudsman also tabled two audit reports in November 2016, the first concerning the Department for Education and Child Development's complaint handling practices and the second being an audit of Local Government Internal Review of Council Decisions Procedures. A total of 12 recommendations were made as a result of those audits.

CONCERNS ABOUT NEW DATA SHARING LEGISLATION

The Report raises significant concerns about the effect of the new *Public Sector (Data Sharing) Act 2016*, which commenced operation on 30 May 2017, on the Ombudsman's independence.

'Whilst I am not opposed to sharing information where it is in the public interest to do so, I am concerned that the Minister may now direct me to share information with other parts of government,' says Mr Lines.

'Independence is the very foundation of a Parliamentary Ombudsman, and it is alarming that my independence has been compromised by this new legislation. The Ombudsman is a crucial component in a healthy integrity system, and any compromise to my Office's foundational principles is a threat to that system itself.'

Other agencies, including the Independent Commissioner Against Corruption (ICAC), are exempt from the Data Sharing Regulations.

'I strongly urge that the government reconsider amending the Regulations to protect the independence of my Office, and to align the expectations on my Office with those placed on other independent watchdogs such as ICAC,' says Mr Lines.

The full Annual Report can be accessed online at www.ombudsman.sa.gov.au.

For Media enquiries, please contact the Office on 08 8226 8699.