

**Final Report**  
**Investigation - *Ombudsman Act 1972***

<b>Complainant</b>	<b>Mr and Ms A</b>
<b>Government Department</b>	<b>Department for Education &amp; Child Development</b>
<b>Ombudsman reference</b>	<b>2015/04666</b>
<b>Department reference</b>	<b>2015/03603</b>
<b>Date complaint received</b>	<b>19 June 2015</b>
<b>Issues</b>	<b>Whether the department acted unreasonably in investigating a complaint</b>

#### **Jurisdiction**

The complaint is within the jurisdiction of the Ombudsman under the *Ombudsman Act 1972*.

#### **Investigation**

My investigation has involved:

- assessing the information provided by the complainants and meeting with the complainants to seek further particulars
- seeking a response from the department
- considering the *Children's Protection Act 1993* (the **Children's Protection Act**), and relevant policies and procedures
- providing the complainant and the department with my provisional report for comment, and considering their responses
- preparing this report.

#### **Standard of proof**

The standard of proof I have applied in my investigation and report is on the balance of probabilities. However, in determining whether that standard has been met, in accordance with the High Court's decision in *Briginshaw v Briginshaw* (1938) 60 CLR 336, I have considered the nature of the assertions made and the consequences if they were to be upheld. That decision recognises that greater care is needed in considering the evidence in some cases.<sup>1</sup> It is best summed up in the decision as follows:

The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are

---

<sup>1</sup> This decision was applied more recently in *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 110 ALR 449 at pp449-450, per Mason CJ, Brennan, Deane and Gaudron JJ.

considerations which must affect the answer to the question whether the issue has been proved  
 ...<sup>2</sup>

## Response to my provisional report

1. In response to my provisional report, the complainants responded:
  - querying:
    - why Anglicare, their support agency, called the case conference
    - why it was decided at such an early stage that child B would not be coming home
    - whether there was any argument in their defence from Anglicare at the case conference
    - querying whether the 'lack of follow up' of previous care concerns related to child B, and noting that the few minor care concerns raised in relation to child B in 2012 were all followed up
  - noting:
    - that the complainants were not aware of any previous physical, emotional or sexual abuse concerns in the past made against them
    - that where there had been care concerns in the past, the complainants had worked with Families SA and Anglicare and resolved issues upon those agencies' advice
    - that the complainants have been re-registered each year after their annual review
    - that being told that child B would not be returning home with no evidence of abuse and not being told what the allegations were, made the complainants 'feel guilty'
    - the allegation by Mr E that 'it was an unsafe house and they couldn't keep him safe' was unproven and hypothetical
    - information regarding access arrangements was discussed by Mr E over the phone or during access visits; communication was 'very casual' and most of the time was told only to Mr A, or something different to Ms A
  - raising concerns about the 'controlled' nature of the current unsupervised access arrangements, including the fact that child B is missing out on certain family occasions and that access is organised for periods when D is at work.
  - noting that the current unsupervised access arrangements will be reviewed in three months.
2. The department responded:
  - noting that the CCIU is a 'stand-alone' unit located within the Office for Resources, Operations and Assurance in the department and is not part of Families SA (which is a division within the Office for Child Safety in the department)
  - noting that:
    - Families SA's primary area of concern is the protection of children, under the direction of the Deputy Chief Executive, Child Safety
    - Families SA manages and supports children and young people under the guardianship of the Minister
    - Families SA (and not the CCIU) has responsibility for custody, access and other such issues pertaining to the welfare and care of a child under the guardianship of the Minister pursuant to the Children's Protection Act.
3. The department responded that it had considered my foreshadowed recommendation that an early meeting be held before a police investigation is instigated in light of recommendation 20 of the Mullighan Inquiry.<sup>3</sup> In particular, the department highlighted

<sup>2</sup> *Briginshaw v Briginshaw* at pp361-362, per Dixon J.

<sup>3</sup> Children in State Care Commission of Inquiry, 31 March 2008 p413

the recommendation of the Mullighan Inquiry that the Special Investigations Unit (SIU) (the former name of the CCIU) take no action that would prejudice a police investigation or potential prosecution and that the SIU must not speak to the child, alleged perpetrator, potential witnesses or other potential complainants without seeking, and then gaining, approval in writing from SAPOL. The department noted that the CCIU's standard practice was based on that recommendation, such that no CCIU investigation is commenced until after SAPOL has been informed and completed its investigation.

4. The department also responded to my foreshadowed recommendation in relation to an access regime during investigation, noting that this is an issue for Families SA rather than the CCIU. The department referred to the objects and principles of the Children's Protection Act, noting that access arrangements occur in order to meet the needs of the child and only in such instances where relationships can be maintained without risk of harm to the child.
5. The department also advised that:
  - the complainants were invited and agreed to attend interviews with the CCIU on 29 September 2015
  - after those interviews, the CCIU investigator will need to review the Anglicare files, assess all information and draft a report
  - it is anticipated that the draft report will be sent to relevant persons, including the complainants, on or about 12 October 2015 and that relevant persons will be asked to provide a response to the draft report within two weeks
  - following receipt of any submissions from relevant persons, a draft report will be sent to executive for its consideration
  - if the draft report is endorsed, it is anticipated that the CCIU investigation should be finalised by mid-November 2015
  - obviously, this timetable could be subject to change (if, for example, the complainants were unable to attend an interview on the scheduled date or requested an extension of time to make submissions on the draft report, those requests would be accommodated).
6. I have considered both of the parties' submissions, and my view remains as set out in my provisional report.
7. I acknowledge that Families SA and the CCIU are two distinct units under the control and direction of the Chief Executive of the department. While I have distinguished between the administrative acts of the respective units in this report, the acts of both units are acts of the department. The department is the agency to which the Ombudsman Act applies, not Families SA or the CCIU.
8. I also do not consider that my recommendations are necessarily inconsistent with recommendation 20 of the Mullighan enquiry, assuming that the approach recommended is undertaken in close collaboration and agreement with SAPOL. I note that recommendation 20 does not in itself prevent such collaboration.

## **Background**

### *Notification of the allegations*

9. In order that the parties to this investigation shall remain anonymous, principally to avoid inadvertent breaches of the Children's Protection Act, fictitious initials have been ascribed to the parties.

10. In March 2004 Mr and Ms A commenced as foster carers for child B. Between May 2001 and July 2013, Mr and Ms A were also foster carers for child C. Mr and Ms A have two biological sons and a daughter, D (an adult).
11. On 27 October 2014 a serious care concern (**the care concern**) was raised with the department by child C (who was not residing with Mr and Ms A at that stage).
12. In November 2014 Ms A and D travelled overseas for a holiday. During that period, child B was placed with a respite program. Ms A and D returned home on 30 November 2014. Ms A had arranged to collect child B from school on 2 December 2014.
13. On 27 November 2014 a case conference was called by Anglicare involving staff from Anglicare and Families SA (**the 27 November meeting**). The purpose of that meeting was to determine whether child B should be returned to Mr and Ms A's care when Ms A returned from an overseas holiday. It was resolved at that meeting that child B would not be returned to Mr and Ms A's care.
14. The department has stated that:

Due to the very serious nature of the disclosure and a lack of follow up by [Mr and Ms A] of the previous care concerns, [child B] was removed from the care of [Mr and Ms A] under Section 51(1)(b) of the *Children's Protection Act, 1993* and in accordance with Practice Guide 131 'Consultation required for removal of children placed on a Guardianship Order from foster care or relative/kinship care placements.' Delegations of the Minister's powers under the Children's Protection Act may only be exercised to remove a child from placement if they are in accordance with this procedure.
15. On the morning of 1 December 2014 Ms A received a phone call from Anglicare advising that she and her husband Mr A were under the care concern and that child B would not be returning to their home.
16. On 2 December 2014 an officer from Families SA and an Anglicare worker attended Mr and Ms A's house for a meeting (**the 2 December meeting**). According to Mr and Ms A, they were told at that meeting by the Families SA officer that:
  - they were under investigation for the care concern
  - they could not be told what the investigation was about
  - child B could not return to their house as it was 'unsafe'
  - they should not 'blame' child B
  - they would be updated on how child B was the next day.
17. According to Mr and Ms A, they were not updated on how child B was on the following day.
18. The department has acknowledged that no details of the allegations were provided to Mr and Ms A at the 2 December meeting.
19. On 14 December 2014 and 23 December 2014, child B's Families SA worker, Mr E attended at Mr and Ms A's house to collect child B's belongings. According to Mr and Ms A, they were not provided any further information at that point other than to be told that child B was 'devastated' and did not know the reason why he was not coming home.
20. On 16 December 2014 the care concern was allocated to an investigator within the Care Concern Investigations Unit (**CCIU**) of the department. The department told my investigation that the matter was unable to be allocated sooner due to 'other higher priority work'.

21. On 9 January 2015 a multi-agency initial planning meeting (**the IPM**) was held which included officers from CCIU, Families SA, Anglicare and SAPOL. At that meeting, SAPOL advised that they did not intend to pursue a criminal investigation in relation to the care concern. It was agreed that Anglicare would deliver a letter to Mr and Ms A advising them of the allegations.
22. On 15 January 2015 Ms Crystal Stephens, an investigations officer in the CCIU, drafted a letter to Mr A and Ms A (**the 15 January letter**) which notified them that the CCIU had received a care concern referral alleging that they had breached several Standards of Alternative Care<sup>4</sup> (**the Standards of Care**) while caring for child C (i.e. between 2001 and 2013). In particular, the 15 January letter included:
- allegations that child C was sexually, emotionally and physically abused by an unnamed member of the A's household (excluding Mr and Ms A)
  - nine alleged failures of Mr and Ms A to adhere to Standards of Care: *Care Provision*<sup>5</sup> in relation to child C.
23. The 15 January letter also stated:
- Due to the nature of the Care Concern Referral, the Manager of the Care Concern Investigations Unit has determined that a Serious Care Concern Investigation (SCCI) should be conducted,
- This matter was referred to South Australian Police (SAPOL) for consideration on 5 November 2014. SAPOL recently advised the CCIU that Police inquiries have concluded. The CCIU will now commence the SCCI process.
- During the course of the SCCI, you will be afforded an opportunity to participate in a voluntary interview with the CCIU. This interview provides you an opportunity where you can hear the allegations in full and provide a response. Additionally, you may have other information which you believe is important to the investigation.
- ...
- If you wish to discuss this letter, I am able to be contacted on [phone number]. I will contact you as the investigation proceeds to propose an interview time however investigations of this nature may take some time. We will ensure that you are provided with regular updates as to the progress of the investigation.
- I have enclosed a CCIU Information Sheet: *Care Concern Investigations Unit*. I encourage you to read this information sheet and contact the Care Concern Investigations Unit if you require further information.
- We acknowledge that this can be a difficult process and encourage you to maintain contact with a suitable support person.
24. It should be noted at this point that the 15 January letter did not contain any allegations involving child B, who had been removed as a result of the allegations involving child C.
25. The 15 January letter was not posted to Mr and Ms A. Instead, on 10 February 2015 the 15 January letter was hand delivered to Mr and Mrs A by two Anglicare workers. According to Mr and Ms A, very little was said by the Anglicare workers at that meeting.
26. On 18 March 2015 Mr and Ms A lodged a complaint about the department with the Health & Community Services Complaints Commissioner (**HCSCC**). That complaint was subsequently referred to my Office on 17 June 2015 pursuant to section 86(a) and/or (b) of the *Health and Community Services Complaints Act 2004* (**the HCSC Act**).

<sup>4</sup> Families SA, Standards of Alternative Care in South Australia: An Alternative Partnership (2008)

<sup>5</sup> Core Standard 3: Care Provision, the Standards of Care

27. On 26 March 2015 (**the 26 March letter**) Ms Stephens wrote to Mr and Ms A advising:

Whilst the matter remains allocated to me, Investigating Officer Crystal Stephens, I am unable to progress the investigation at this time. Please contact me on [phone number] if you have any questions in relation to the Serious Care Concern Investigation process. Alternatively you can speak with the Principal Investigation Officer Angie Dimusevska on [phone number] if I am unavailable.

I understand that this is a difficult time for you and I encourage you to maintain contact with a suitable support person.

28. On 13 April 2015 Mr A telephoned the CCIU and spoke with Ms Stephens. According to the department:

He was informed of the Serious Care Concern Investigation process and also that an opportunity to respond would occur when the investigation was active.

The Investigations Officer informed [Mr A] that the matter, although allocated, was on hold due to the workloads of the Investigations Officer, but that file reviews were occurring and planning had commenced.

29. On 15 May 2015 Ms Stephens wrote to Mr and Ms A advising that the investigation was currently on hold and offering that they could contact Ms Stephens or Ms Angie Dimusevska if they had any questions about the process.

30. On 14 July 2015 Ms Stephens wrote to Mr and Ms A advising that the investigation was currently on hold and offering that they could contact Ms Stephens or Ms Angie Dimusevska if they had any questions about the process.

31. In its response to my investigation on 12 August 2015, the department stated:

The Investigations Officer will offer Mr and Ms A an interview in early to mid-September 2015, after which the matter will be finalised.

32. The department subsequently advised that Mr and Ms A agreed to attend interviews with the CCIU on 29 September 2015.

33. On the information provided, it does not appear that the family member to which the allegations of sexual, emotional and physical abuse relate has been interviewed.

#### *Access arrangements*

34. Mr and Ms A have continued to have access visits with child B. They have complained about the 'ad hoc' nature of the access arrangements, the fact that ongoing arrangements were not initially communicated in writing and that the initial requirement for supervision of access was unreasonable.

35. At the 27 November meeting, Families SA and Anglicare determined that access would be offered to Mr and Ms A on the basis that it would be supervised by Mr E.

36. The department has noted that that decision was made taking into account:

- the fact that there was a serious care concern that needed to be addressed
- the alleged perpetrator of the serious care concern remained in the household
- there was a 'significant history' of care concerns involving physical, emotional, sexual abuse and neglect
- Families SA and Anglicare had formally addressed the previous Care Concerns with Mr and Ms A and they had not implemented required changes.

37. On 16 April 2015 a meeting of Families SA officers was held to review child B's current behaviours, placement and access arrangements. According to the department:

The outcome and rationale in regards to ongoing access was that supervision of access between [child B] and [Mr and Ms A] was to continue to support [child B's] emotional needs and; [sic] to ensure [Mr and Ms A] did not impose any of their views upon [child B] in relation to the serious care concern. There was also an agreement that a review of the access would be held in three months [sic] time (late July early August 2015).

Information regarding the review of the access after three months, including whether ongoing supervision of the access was still required, was verbally provided to [Mr and Mrs A] during face to face meetings.

38. On 4 August 2015 a further meeting of Families SA determined that access no longer needed to be supervised (subject to certain conditions). That decision was communicated to Mr and Ms A on 6 August 2015 via telephone and confirmed in writing on the same date.

### Relevant law/policies

39. Various provisions of the Children's Protection Act referred to in this report as well as the following policy documents:
- Management of Care Concerns Manual of Practice (Draft) November 2010
  - Management of Care Concerns Manual of Practice Policy December 2010
  - Care Concern Investigations Unit - Serious Care Concern Investigation Initial Planning meeting - Plan
  - Care Concern Investigations Unit - Interview Plan
  - Care Concern Investigations Unit - Serious Care Concern Investigations Initial Planning Meeting - Agreed Response Plan
  - Care Concern Investigations Unit - Serious Care Concern Investigation - Report
  - Standards of Alternative Care - An Alternative Partnership - reprinted in 2009 with minor revisions
  - Interagency Code of Practice - Investigation of Suspected Child Abuse or Neglect - August 2013.

### Whether the department acted unreasonably in investigating a complaint

40. It is important to note that my investigation is limited to ascertaining whether there has been an administrative error in the department's investigation of the serious care concern and my role is not to investigate the merits of the decision to remove child B from Mr and Ms A.
41. In assessing the course of the department's investigation, the guiding principle is that the interests of the child are paramount. Relevant principles are set out in section 4 of the Children's Protection Act. The first object of the Act is to ensure that all children are safe from harm (section 3(a)). However, that overarching principle does not mean that child carers, including foster carers, are not to be treated fairly and with respect in any investigation.
42. In the document, 'Management of Care Concerns: Manual of Practice' (**the Practice Manual**) under the heading '1.5 A fair and just process for Carers Staff members and Volunteers' the following requirements are set out:

*Carers, Staff members and Volunteers must be adequately supported in their role of providing quality care and protection for children and young people.*

*The raising of a Care Concern Referral can be a stressful, even traumatic, experience for the Carer, Staff Member or Volunteer.*

*They have a right to natural justice in the assessment of the concern and the management of the response. A process which provides procedural fairness will ensure:*

- *a response commensurate with the concerns*
- *an open minded approach*
- *a fair analysis that includes the contribution of other individuals, as well as the contribution of wider systemic factors to the situation*
- *protection of their privacy and information being kept confidential*
- *being informed about the Care Concern and the processes to be followed.*
- *support throughout the process*
- *being given an opportunity to reply to the Care Concerns*
- *a competent and objective assessment of the concerns and a prompt resolution*
- *a clear and trustworthy avenue of complaint and appeal, and*
- *debriefing and follow up support as required.*

43. Section 5.5 of the Practice Manual specifically addresses management of serious care concerns and relevantly provides:

- an initial planning meeting (IPM) will be held with relevant key agencies (convened by the 'Special Investigation Unit' (which I have taken to be a reference to the CCIU)
- a strategy discussion will be held between the CCIU and SAPOL with regard to alleged sexual abuse before the start of any CCIU investigation.

44. Section 5.6 of the Practice Manual provides:

At the completion of an IPM the Carer, Staff Member or Volunteer (and their Manager, as appropriate) must be informed verbally (and followed up in writing) within 14 days (or at a later time agreed to during the IPM) that concerns have been raised.

Where appropriate, this should occur in the presence of an appropriate support person. Discussions during the IPM will determine how the Carer, Staff Member or Volunteer will be informed.

If a decision has been made at the IPM that the specific details of the concerns will not be provided to the Carer, Staff Member or Volunteer the reasons for this will be explained, as appropriate.

If a criminal investigation or proceedings are indicated or in process, the SIU will not provide any details of the concerns to the Carer, Staff Member or Volunteer unless negotiation has occurred with SAPOL.

45. Mr and Ms A's concerns with the investigation by the department can be summarised as follows:

- they were initially notified of a serious care concern without being told what it was
- there was an unreasonable delay of over two months before they were provided with the allegations
- there had not, at the time of their complaint, been an opportunity for them to respond to the allegations
- there has been a presumption of guilt
- the investigation has been placed on hold without any reason provided
- the basis for ongoing access arrangements was not made clear in writing
- it was unreasonable in the circumstances for FamiliesSA to insist on their access to be supervised.



46. I address the first two concerns together and the other concerns separately below.

***Alleged notification of a serious care concern without detail as to its nature and unreasonable delay in provision of the allegations***

47. While Mr and Ms A were notified of the fact of the serious care concern on 2 December 2014, they were not provided with any details of the allegations until 10 February 2015, over two months later.

48. At the 27 November meeting, it was resolved that Anglicare staff would contact Mr and Mrs A and:

[i]nform them that [child B] would not be returning to their care as a result of a Serious Care Concern raised in their absence.

From the minutes of that meeting, it does not appear that the issue of the extent to which Mr and Ms A should be informed of the allegations was discussed in any detail.

49. Mr and Ms A were not provided with details of the allegations until they were hand delivered a letter by Anglicare on 10 February 2015 (in accordance with the decision made at the IPM on 9 January 2015).

50. I acknowledge that the extent to which the allegations are provided is a matter for investigators to determine taking into account all relevant circumstances. I also acknowledge that it may have been thought prudent to wait until the IPM before providing details of the allegations. I note, however, section 5.6 of the Practice Manual provides that if a decision is made at an IPM not to provide details to a carer, the reasons should be explained, as appropriate. I also note that at this stage SAPOL had already indicated that they would not investigate the matter further.

51. Generally speaking, on the information before my investigation, there does not appear to have been much consideration given upfront as to what should be communicated to Mr and Ms A about the allegations. In my view, at the very least, some explanation for the delay in communicating the allegations and the ongoing process should have been provided to Mr and Ms A at the time they were notified of the serious care concern.

52. I am satisfied that the department did not provide Mr and Ms A with any appropriate explanation for the delay. In my view, the delay and the failure to explain both the delay and the ongoing progress of the investigation to Mr and Ms A were unreasonable.

***Alleged lack of opportunity to respond***

53. The department's initial response in relation to this issue was as follows:

- A letter dated 26 March 2015 was sent to [Mr A] advising him that the investigation was unable to be further progressed at that time.
- [Mr A] telephoned the CCIU on 13 April 2015 and spoke with Investigations Officer Crystal Stephens. He was informed of the Serious Care Concern Investigation process and also that an opportunity to respond would occur when the investigation was active.
- The Investigations Officer informed [Mr A] that the matter, although allocated, was on hold due to the workloads of the Investigations Officer, but that file reviews were occurring and planning had commenced.

54. I understand that Mr and Ms A have now been offered an interview and will be provided with an opportunity to respond to the CCIU's draft report shortly (barring unforeseen delays, later this month).
55. I note the department's response that the delays in commencing the investigation were due to higher priorities elsewhere. I also acknowledge the steps that have now been taken to progress the matter. In my view, however, the fact that there was a delay of at least ten months from the time the care concern was first raised before Mr and Ms A were given an opportunity to respond to the allegations was unreasonable in all of the circumstances.

### ***Alleged presumption of guilt***

56. While I acknowledge that the circumstances of child B's removal may have led to a perception by Mr and Ms A that they had been presumed 'guilty' by the department, on balance, I do not consider that the evidence before my investigation shows that the department has made such a presumption. I note the department's response in that regard:

Accompanying the letters to Mr and Mrs [A] dated 15 January 2015 was an information sheet. This states that during an investigation "the Investigations Officer will make decisions based on whether, on the balance of probabilities, it is more probable than not that abuse or neglect has occurred, or whether deficit in the quality of care has been identified."

This decision has not yet been made by the CCIU.

57. I simply note that more timely communication about the process to Mr and Ms A may have alleviated their concerns about a presumption of guilt.

### ***Allegation that the investigation has been placed on hold without reason***

58. Ms Stephens sent letters to Mr and Ms A on 26 March 2015, 15 May 2015 and 14 July 2015 advising that the investigation had been placed on hold without any reason provided.
59. I note that Mr A was advised by Ms Stephens by telephone on 13 April 2015 that the investigation was on hold 'due to the workloads of the Investigations Officer'.
60. In my view it was unreasonable that the investigation was placed on hold and no reason provided other than 'workload.'

### ***Access arrangements***

61. As the department has pointed out, the issue of access is matter for Families SA rather than the CCIU.
62. I note that the only written outline of access arrangements provided to Mr and Ms A was provided on 6 August 2015, some nine months after child B was first removed.
63. The department has responded:
  - Information regarding the basis of the decision regarding the access arrangements with [child B] was verbally provided to both [Mr A] and [Ms A] on several occasions when they questioned the case manager during access.
  - All future decisions in regards to contact with [child B] will be provided to [Mr and Mrs A] in writing with explanations of the rationale behind the decision.

64. While it is clear from documents provided that the department was carefully weighing up the issue of access during the period of investigation, and that there was telephone and face to face discussion about those arrangements, in my view the department should have clearly communicated those access arrangements to Mr and Ms A in writing.
65. That said, the department has since reviewed the decision to require supervised access (as originally planned) and I understand that supervised access is no longer required. In those circumstances, I do not consider it necessary to investigate this issue further.

## Conclusion

In light of the above, I consider that the department acted in a manner that was unreasonable within the meaning of section 25(1) of the Ombudsman Act.

To remedy this error, I recommend under section 25(2) of the Ombudsman Act:

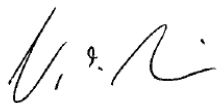
- as soon as practicable after an allegation of sexual abuse or other abuse is reported and before a police investigation is instigated, a meeting is convened with the subject(s), representatives of Families SA and the CCIU, with the approval and possible participation of SAPOL, outlining the allegation(s) and the process to be followed. In particular, a clear prohibition should be articulated about contact prior to the finalisation of any police investigation, with unambiguous consequences or sanctions, including the possibility of a direction under Division 2 of the Children's Protection Act, or alternatively, a child protection restraining order under section 99AAC of the *Summary Procedure Act 1921*
- subject to a police investigation being completed with no recommended criminal consequences, and while any internal investigation is continuing, an agreed regime of supervised access (subject to circumstances) is enlivened in consultation with FSA and CCIU, monitored against the child's progress in NGO respite or other care until a determination is made. Protocols about any other forms of access/communication should also be agreed. This includes a reasonable period within which the subject(s) should be invited to respond to preliminary findings and his, her or their submissions are received and considered
- the matters agreed at the meeting described above should be recorded and form the basis of a letter forwarded to the subject(s) for his, her or their written acknowledgement, as with any subsequent meetings about, for instance, changes in supervised or other access, and/or other forms of communication
- that the investigation in relation to the complainants be finalised by mid November 2015 and a report on the outcome provided to the complainants and this office by no later than 30 November 2015.

## Final comment

In accordance with section 25(4) of the Ombudsman Act the department should report to the Ombudsman by 30 November 2015 on what steps have been taken to give effect to the recommendations above; including:

- details of the actions that have been commenced or completed
- relevant dates of the actions taken to implement the recommendation.

In the event that no action has been taken, reason(s) for the inaction should be provided to the Ombudsman.

A handwritten signature in black ink, appearing to read 'W. Lines'.

Wayne Lines  
**SA OMBUDSMAN**

7 October 2015