

# Strategic Review of the Office of the Queensland Ombudsman

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**Prof John McMillan AO**

May 2026

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# Letter of transmission

14 May 2026

Mr Martin Hunt MP  
Chair  
Justice, Integrity and Community  
Safety Committee

The Honourable Deborah Frecklington MP  
Attorney-General and  
Minister for Justice and  
Minister for Integrity

Dear Chair and Attorney-General

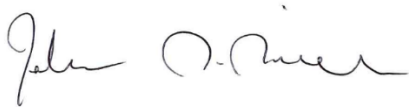
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## Strategic Review of the Office of the Queensland Ombudsman

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I am pleased to provide you with my report on the Strategic Review of the Office of the Queensland Ombudsman under section 85(4) of the *Ombudsman Act 2001*.

Yours sincerely



**Professor John McMillan AO**  
Reviewer

# Acknowledgements

The heart of this Review was consultation with many people in and outside the Ombudsman office. Their participation was voluntary and their contribution was valuable. A special thanks to all who contributed to this Review through consultations and submissions.

The staff of the Ombudsman office were especially helpful and engaging. Their enthusiastic and friendly participation in the Review made it easy to gauge the positive and strong culture within the Ombudsman office.

A special thanks is owing to three officers from the Department of Justice – Mardi Sheraton, Sareeta Clarke and Jack Longley. They ably assisted at every stage – planning the Review, arranging and participating in consultations, liaising with participants, conducting research and checking and formatting the Report. The quality of the assistance they provided was inspiring.

## The Reviewer

This Review was conducted by Professor John McMillan AO, who is an Emeritus Professor at the Australian National University. John has held the statutory positions of Commonwealth Ombudsman, Integrity Commissioner (Acting) for the Australian Commission for Law Enforcement Integrity, Australian Information Commissioner, NSW Ombudsman (Acting), member of the Australian Copyright Tribunal, and ACT Integrity Commissioner (Acting). He was formerly an Executive Member of the Australian and New Zealand Ombudsman Association.

# Acronyms and abbreviations

**Table 1 | Abbreviation definitions**

Abbreviation:	Term:
AI	generative artificial intelligence
CC Act	<i>Crime and Corruption Act 2001</i>
CCC	Crime and Corruption Commission
CCH	Complaints Clearing House
CCMO	Complaints Clearing House Management Office
CMS	complaints management system
Coaldrake Report	<i>Let the sunshine in: Review and culture and accountability in the Queensland Public Sector (2022)</i>
DSIU	Detention Services Inspection Unit
ELT	Executive Leadership Team
FTE	full-time equivalent
FWC	Fair Work Commission
IBAC	Independent Broad-based Anti-corruption Commission (Victoria)
IDS Act	<i>Inspector of Detention Services Act 2022</i>
Inspector	Inspector of Detention Services
ICT	information and communications technology
IOV	Integrity Oversight Victoria
IP Act	<i>Information Privacy Act 2009</i>
IRU	Investigation and Resolution Unit
IT	information technology
Ombudsman Act	<i>Ombudsman Act 2001</i>
PID Act	<i>Public Interest Disclosure Act 2010</i>
PIDant	Public Interest Disclosure Agency Network Training

Abbreviation:	Term:
PIDs	public interest disclosures
QCAT	Queensland Civil and Administrative Tribunal
RTI	<i>Right to Information Act 2009</i>
SMT	Senior Management Team
VAGO	Victoria Auditor-General's Office
Wilson Report	<i>Review of the Public Interest Disclosure Act 2021 (2023)</i>

# Executive summary

This Review covers the operation of the Office of the Queensland Ombudsman in the period 2018-25. It is the sixth strategic review of the office to be conducted since it was established just over fifty years ago, in 1974.

The strategic review of the Ombudsman office is a requirement of the *Ombudsman Act 2001*. The central purpose is to examine whether the office is discharging its functions economically, effectively and efficiently. The expectation is that this evaluation will be made – as it was for this Review – by consultation with staff of the Ombudsman office, other Queensland Government portfolio and oversight agencies, and the community generally.

A Consultation Paper was published at the outset of the Review in late 2025 to invite commentary on a range of selected issues, as well as the work and operation of the Ombudsman office generally. During the Review, 59 consultation sessions and meetings were held and 25 written submissions were received.

The main focus of this Review was, understandably, on the work of the office in recent years. This has been a period of great change and challenge for the office. Three years ago it commenced the new function of Inspector of Detention Services that requires the periodic inspection of all detention facilities in Queensland to ensure that detainees are treated humanely and are not subjected to harmful treatment. The inspection findings are reported to Parliament.

Another discrete function of the office of growing importance is to oversight the operation of the *Public Interest Disclosures Act 2010*. A major independent review of that Act in 2023 found that a new Act is needed and the Ombudsman's oversight role should be strengthened (and better resourced).

During the period of this Review the Ombudsman's renowned complaint handling and investigation functions were discharged in the customary manner, but again in a changing environment. There was a marked 8% increase in enquiries and complaints to the office in the past year. One contributory factor may be the increased adoption of generative AI tools by complainants to choose where and how to complain. This has instigated a challenging trend for an Ombudsman office – that complaints can be longer and less targeted and interaction between the office and complainants can be transformed.

Another dimension of the increase in complaints to the office is that this perhaps reflects the added significance now attached to the role of oversight agencies in monitoring the administrative integrity and service delivery performance of government agencies. The Ombudsman, once a rather solitary complaint oversight agency in the framework of government, is now one of many such agencies in an increasingly crowded oversight framework.

This changed environment was discussed in the major review of culture and accountability of the Queensland public sector led by Professor Peter Coaldrake in 2022. The findings of that Review were relevant in several ways that are considered in this Report – on matters as diverse as the interaction between statutory oversight agencies, the support for buttressing the independence of the Ombudsman's role through budgetary and other means, and calls to streamline the multiple complaint pathways and accountability checks that can be daunting for both the community and government agencies.

The central theme of this Report in reviewing the performance of the Ombudsman office is that it has functioned at a high standard. It has maintained its stature and reputation for fairness. The office has an effective governance structure, undertakes strategic planning well, and maintains a positive workplace culture.

There is a comprehensive and mature framework in place for engaging with members of the public and agencies. The framework is suitably adapted to ensuring that Ombudsman services are accessible to members of the public and that complaints and other queries are handled efficiently and fairly. The right to complain to the Ombudsman continues to be used actively by the community, and the discharge of the Ombudsman complaint function is well-regarded across Queensland government.

The number of recommendations in this Report are few in number, reflecting the smooth, efficient and professional functioning of the Ombudsman office. Principally, the recommendations draw attention to significant issues that were highlighted in the consultations in this Review and, correspondingly, to the need for senior management in the Ombudsman office to continue giving a high priority to these issues.

One of the recommendations targets unnecessary impediments in the Ombudsman Act and the *Inspector of Detention Services Act 2022* to internal sharing of information among officers. The Report also recommends that the Ombudsman Act be amended to confer greater discretion on the Ombudsman to release information publicly, and that restrictions the Act places on agencies and complainants from sharing information provided to them by the Ombudsman office be removed.

Another theme picked up in this Report is the strong support, both publicly and among staff in the office, for the watchdog role an Ombudsman office can play. A view conveyed to this Review from many quarters is that people welcome the high public profile an Ombudsman office can display in drawing attention publicly to wrongful administration. There are many ways the Queensland Ombudsman office currently builds that profile, through reports, case studies and community engagement. Other possible ways of doing so are noted in the Report.

At the conclusion of this Review, the Queensland Ombudsman notified the Review that he supported the findings and recommendations in this Report.

# List of findings and recommendations

**Table 2 | List of findings**

Number:	Finding:
<b>Chapter 3: The evolution of the Queensland Ombudsman’s role and functions</b>	
<b>Finding 1</b>	The Office of the Queensland Ombudsman has maintained its stature and reputation for independence in the way that it discharges its functions.
<b>Finding 2</b>	There is renewed attention across Australia to the institutional arrangements that should be in place to assure the independence of statutory oversight agencies, such as the Ombudsman. Queensland addressed this issue in 2024, following the Coaldrake Report, though the Queensland changes do not go as far as those adopted or proposed in some other jurisdictions. Though a strong case does not presently exist for further legislative change in Queensland, it is important that the Queensland Government and Parliament keep informed of developments in other Australian jurisdictions.
<b>Finding 3</b>	It is desirable that the Ombudsman be appointed for a term longer than the current term of three years, even though the Ombudsman can be reappointed for up to ten years.
<b>Chapter 4: Office of the Ombudsman: Structure, governance and staffing</b>	
<b>Finding 4</b>	<p>The Office of the Queensland Ombudsman:</p> <ul style="list-style-type: none"> <li>• has an effective governance structure</li> <li>• is focussed appropriately on strategic planning, risk management and workforce engagement</li> <li>• maintains a positive workplace culture that is highly appreciated by staff.</li> </ul>
<b>Finding 5</b>	Staff of the Office of the Queensland Ombudsman value the opportunity when it is available, both informally and through formal channels, to engage actively with the office leadership in charting the strategic direction of the office.
<b>Chapter 5: The legislative framework for Ombudsman office work</b>	
<b>Finding 6</b>	<p>The <i>Ombudsman Act 2001</i> establishes a suitable framework for the Office of the Queensland Ombudsman to discharge its functions. Two features of the Act can unnecessarily impede the smooth and sensible work of the office:</p> <ul style="list-style-type: none"> <li>• provisions in the Act that, alongside provisions in the <i>Inspector of Detention Services Act 2022</i>, impede information sharing</li> </ul>

Number:	Finding:
	<p>between staff of the Detention Services Inspection Unit and other Ombudsman staff</p> <ul style="list-style-type: none"> <li>restrictions in the Ombudsman Act on disclosure of information by Ombudsman officers, and on the use by agencies and complainants of information obtained from the Ombudsman office.</li> </ul> <p>Other features of the Act may also warrant reconsideration, such as the grounds for declining a complaint, and restrictions on the disclosure of information for other legal proceedings.</p>
<b>Chapter 6: The Ombudsman’s relationship to other Queensland public sector entities</b>	
<b>Finding 7</b>	The Queensland Ombudsman has a settled and effective working relationship with the Queensland Parliament and the Justice, Integrity and Community Safety Committee of the Parliament. The new procedure in Part 8 Division 4A of the <i>Ombudsman Act 2001</i> by which the Ombudsman can submit a funding proposal that will be appraised by the Committee provides a strategic opportunity for the Ombudsman to frame new budget proposals that could augment the performance of the office.
<b>Finding 8</b>	The three Queensland departments referred to in the Terms of Reference for this Review expressed the view they have a smooth and constructive working relationship with the Office of the Queensland Ombudsman. The departments appreciate the training and related support the Office provides the Queensland public sector.
<b>Finding 9</b>	The Queensland integrity oversight agencies consulted in this Review expressed the view they have an effective working relationship, both formally and informally, with the Queensland Ombudsman and office.
<b>Finding 10</b>	The Queensland integrity oversight agencies consulted in this Review expressed support for greater information sharing among agencies of de-identified information relating to their complaint, investigation and other oversight work.
<b>Finding 11</b>	The provisions of the <i>Ombudsman Act 2001</i> (and other Acts) that permit information sharing between integrity oversight agencies can be complex and uneven in their operation. Though Ombudsman staff are accustomed to working within this legislative framework, it may be beneficial at an appropriate time to review one or more of the provisions, possibly in conjunction with other agencies.
<b>Finding 12</b>	Drawing from the Coaldrake Report, there may be value in reconvening the Integrity Committee, that has not met since 2023. While membership of any such committee is a matter for it to resolve, there is a common view that appropriate members are the Integrity Commissioner, Ombudsman, Auditor-General, Information Commissioner, and Chair of the Crime and Corruption Commission.

Number:	Finding:
<b>Chapter 7: Implementation of recommendations from the 2018 Strategic Review</b>	
<b>Finding 13</b>	The Queensland Ombudsman has addressed all 72 recommendations made by the 2018 Strategic Review of the Ombudsman.
<b>Chapter 8: Contacts, complaints and investigations</b>	
<b>Finding 14</b>	The Queensland Ombudsman has in place a comprehensive and mature framework for engaging with members of the public and agencies. The framework is suitably adapted to ensuring that Ombudsman services are accessible to members of the public and that complaints and other queries are handled efficiently and fairly.
<b>Finding 15</b>	The number of complainants who seek internal review of an Ombudsman outcome, and the proportion of those requests that are unsuccessful, appear high. This could be a result of mistaken expectations that people hold arising from the decision templates used by the office for advising that a complaint has been referred internally for investigation, and that a person may request internal review of the Ombudsman office decision on their complaint. Appropriately, the issue is being reviewed in the Operational Framework Project that is underway within the office.
<b>Finding 16</b>	The Intake function in the Ombudsman office is, intrinsically, a high demand and potentially stressful area of work. The Intake team in the office routinely faces challenges in dealing with a high and demanding workload that continues to increase. The senior management of the Ombudsman office are well-aware and have acted on these challenging pressures and trends, and should continue to give a high priority to this task.
<b>Finding 17</b>	There is a fast-growing use by complainants of generative AI tools in preparing complaints and internal review applications. While this is to be expected, instances of inappropriate reliance on those AI tools is having a destabilising impact on the complaint function in various ways, as well as on staff morale. The adverse impact is sure to continue and will require priority attention by senior management in the office, in consultation with Ombudsman staff and other government complaint and oversight agencies. The option of proposing legislative change to the grounds on which a complaint may be declined is among the matters that requires review.
<b>Finding 18</b>	The Ombudsman complaint function is not directly affected by the development within Queensland Government of the Complaints Clearing House. It is important, however, that the Ombudsman keep abreast of CCH developments (as it currently is doing) as the overlapping Ombudsman and CCH functions could benefit from each other.

Number:	Finding:
<b>Finding 19</b>	The discharge of the Ombudsman complaint function is well-regarded across Queensland government. The right to complain to the Ombudsman continues to be actively used by the community.
<b>Finding 20</b>	There is firm support, both within and outside the Queensland Ombudsman office, for it to have a strong public profile in investigating complaints against government and drawing attention to administrative failures. There is equally firm support for the office to grasp opportunities to be strongly visible in the work it is undertaking.
<b>Chapter 9: Improving administrative practices and procedures</b>	
<b>Finding 21</b>	With limited resources, the Office of the Queensland Ombudsman has undertaken a diverse range of activities (including publications) in pursuit of its separate function of improving decision making and public administration. The resources are of a high quality and are positively received and accessed across Queensland government.
<b>Finding 22</b>	The Office of the Queensland Ombudsman currently provides training on good decision making through online modules, rather than face-to-face training of the kind that was formerly provided. The face-to-face training sessions were highly regarded across Queensland government, and strong interest was conveyed to this Review for the Ombudsman office to continue providing specialist or advanced training sessions on good decision making and complaint management on a face-to-face basis, resources permitting. Face-to-face training is currently provided in relation to public interest disclosure management.
<b>Chapter 10: Inspector of Detention Services</b>	
<b>Finding 23</b>	The Queensland Ombudsman and Inspector of Detention Services has successfully implemented the new detention inspection function in accordance with the <i>Inspector of Detention Services Act 2022</i> . In particular, the independence and separate stature of the inspection role is clearly recognised, and inspections have been carried out and reports prepared in a thorough and respected manner.
<b>Chapter 11: Oversight of public interest disclosures</b>	
<b>Finding 24</b>	The Queensland Ombudsman office is widely respected for the way it has, with limited resourcing, discharged its oversight role under the <i>Public Interest Disclosure Act 2010</i> . The office is preparing to take on an expanded oversight role with appropriate resourcing in the event government approves the recommendations from review of the Act undertaken by the Hon Alan Wilson KC in 2023.

**Table 3 | List of recommendations**

<b>Number:</b>	<b>Recommendation:</b>
<b>Chapter 5: The legislative framework for Ombudsman office work</b>	
<b>Recommendation 1</b>	The <i>Ombudsman Act 2001</i> and the <i>Inspector of Detention Services Act 2022</i> be amended to permit an officer acting under either Act to share information with another officer acting under the other Act, on the same conditions as an Ombudsman officer can share information with another officer under the <i>Ombudsman Act 2001</i> .
<b>Recommendation 2</b>	The <i>Ombudsman Act 2001</i> , and in particular s 92 of the Act, be amended to confer greater discretion on the Ombudsman to release information publicly about matters dealt with by the Ombudsman office, and to remove the restrictions that s 92 currently places on agencies and complainants from using information provided to them by the Ombudsman.
<b>Recommendation 3</b>	The Ombudsman note the comments made in this report as to options for revising or updating the <i>Ombudsman Act 2001</i> , having regard to legislative developments in other Australia jurisdictions.
<b>Chapter 6: The Ombudsman's relationship to other Queensland public sector entities</b>	
<b>Recommendation 4</b>	The Ombudsman give consideration, on a recurrent basis, to making a funding proposal under Part 8 Division 4A of the <i>Ombudsman Act 2001</i> .
<b>Recommendation 5</b>	The Ombudsman discuss with other Queensland integrity oversight agencies the options for greater information sharing among agencies of de-identified information relating to their complaint, investigation and other oversight work.
<b>Recommendation 6</b>	The Ombudsman discuss with other Queensland integrity oversight agencies the options for reconvening the Integrity Committee that has not met since 2023.
<b>Chapter 8: Contacts, complaints and investigations</b>	
<b>Recommendation 7</b>	The Ombudsman ensure that the challenges facing the Intake team in the office continue to receive priority attention from senior office management.
<b>Recommendation 8</b>	The Ombudsman ensure that continuing high level attention is given by senior office management to the use by complainants of generative AI tools in preparing communications with the office, and the adverse impact this trend is having upon staff morale. Consideration should be given to proposing legislative change to the grounds on which a complaint may be declined.

Number:	Recommendation:
<b>Recommendation 9</b>	The Ombudsman office continue to interact with the Complaints Clearing House Management Office.
<b>Recommendation 10</b>	The Ombudsman have regard to the suggestions that were shared with this Review (as outlined in Chapter 8) for revising aspects of the way that complaints are handled and the office interacts with agencies.
<b>Recommendation 11</b>	The Ombudsman ensure that staff are appropriately advised that the office welcomes their views on the appropriate manner of resolving complaints, including the option of recording a finding under s 50 of the Ombudsman Act.
<b>Chapter 9: Improving administrative practices and procedures</b>	
<b>Recommendation 12</b>	The Queensland Ombudsman note the strong interest expressed to this Review for training sessions to continue being provided on a face-to-face basis, particularly on specialist or advanced topics on good decision making and complaint management. These would be in addition to the online training modules that are being developed by the office.
<b>Chapter 10: Inspector of Detention Services</b>	
<b>Recommendation 13</b>	The Queensland Ombudsman and Inspector of Detention Services have regard to the concerns raised with this Review by other agencies (as outlined in Chapter 10) regarding the discharge of the inspection function, and in particular the delay that can occur in finalisation of a report following an inspection.

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# **PART A:**

# **Strategic Reviews**

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# 1 Strategic reviews — their scope and purpose

## 1.1 Strategic reviews in practice

This is the sixth strategic review of the Office of the Queensland Ombudsman since it was established in 1974 – just over fifty years ago. Earlier reviews were completed in 1998 (by Professor Wiltshire), 2000 (Consultancy Bureau Pty Ltd/Mr Peter Forster), 2006 and 2012 (Mr Henry Smerdon AM,) and 2018 (Dr Simone Webbe).

The requirement for a periodic strategic review of the office is laid down in s 83 of the *Ombudsman Act 2001*. The scope of the task is to review the functions of the Ombudsman, and whether they are being performed ‘economically, effectively and efficiently’ (s 83(10)). In effect, a review can look comprehensively at the Ombudsman’s role, functions, operations, management and performance. Since the Ombudsman took on the additional role of Inspector of Detention Services in 2023, the discharge of that role now comes within the strategic review.

The reviewer is appointed by the Governor in Council and is given terms of reference for the review. Both the appointee and the terms of reference are approved by the relevant parliamentary oversight committee – currently the Justice, Integrity and Community Safety Committee of the Queensland Parliament.

The report of the review is presented to the committee for tabling in the Parliament and for examination by the committee (under the *Parliament of Queensland Act 2001*, s 92). Commonly, the committee has published its own report on the strategic review, after inviting submissions and receiving evidence from the Ombudsman and the Reviewer in a public hearing.<sup>1</sup>

The reports from the last three reviews are presently published on the Ombudsman website.<sup>2</sup> The reports display the value of this exercise. They provide an independent update for Parliament and the Government on the operation of a key accountability institution. The Ombudsman office benefits from the opportunity to reflect on its progress and strategic direction, and to hear the views conveyed to the independent reviewer by other agencies and commentators. It is likewise valuable for government and the community to have the opportunity to share their experiences and expectations with an independent reviewer. So, too, do Ombudsman staff contribute by confidentially sharing their experiences and expectations regarding the strategic direction of the organisation they are committed to supporting.

An added strength of the review process is that the independent review report is itself reviewed by a parliamentary committee that invites public submissions on the report.

## 1.2 Previous strategic reviews of the Office of the Queensland Ombudsman

The overarching finding of the 2018 Strategic Review was that the Ombudsman continues to perform an essential role, and the office is ‘well-respected by agencies for its professionalism, fairness and

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<sup>1</sup> For example, Queensland Parliament, Legal Affairs and Community Safety Committee, *Inquiry into the Strategic Review of the Office of the Queensland Ombudsman*, Report No 25, 56<sup>th</sup> Parliament, Nov 2018.

<sup>2</sup> Presently in the ‘Corporate documents’ section. All reports tabled in the Parliament remain publicly available on Queensland Parliament’s *Online Tabled Papers* database.

independence'.<sup>3</sup> The 2018 Review saw opportunities for operational and structural change that were addressed in 72 recommendations. The implementation of those recommendations by the Ombudsman Office is discussed separately in Chapter 7 of this report.

The report of the parliamentary committee on the 2018 Review observed that it was a 'thorough review' that made practical recommendations, chiefly relating to internal management of the office.<sup>4</sup> The 2018 Review also made recommendations for legislative change that were implemented by government.

The earlier independent reviews of the Ombudsman echoed similar themes. Both the 2006 and 2012 Reviews were undertaken by the same person. The 2006 Review reflected on how the office had changed in recent years, and commended it for giving greater priority to the legislated objective of improving the quality of public sector administration and decision making. A particular challenge for the office that was singled out was 'to raise its profile and relevance', and to 'change the mindset' in government and the community to embracing the benefit of independent oversight.<sup>5</sup> Most of the review's 70 recommendations dealt with internal management issues.

The report of the 2012 Review commenced by observing that the Ombudsman office was quite different than in 2006.<sup>6</sup> A particular change was the large increase in people contacting the office for assistance. Many of the 57 recommendations in the report were directed at managing the resulting increased workload, for example, through adapting the Ombudsman office intake and referral function, sponsoring improved complaint handling in agencies, and benchmarking better complaint handling in the office and across government. The Review was the subject of a public hearing, submissions and report by the Legal Affairs and Community Safety Committee.<sup>7</sup>

### 1.3 Strategic reviews of other statutory oversight bodies

Queensland law commonly provides for a periodic strategic review of independent statutory oversight bodies akin to the Ombudsman. This requirement applies, for example, to the Audit Office, Office of the Information Commissioner, and Integrity Commissioner.<sup>8</sup>

The legislative provisions requiring these reviews follow a common format – the review and terms of reference are to be initiated by the Governor in Council; the review is to be undertaken by an appropriately qualified person; the scope of the review is to cover the agency's functions and whether they are being performed economically, effectively and efficiently; and the report of the review must be submitted to and tabled by the relevant parliamentary committee.<sup>9</sup> The review methodology has typically followed the same course of consulting widely with other statutory oversight bodies, government entities and inviting submissions from any interested person.

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<sup>3</sup> Dr Simone Webb, *Strategic Review of the Office of the Queensland Ombudsman* (Final Report, January 2018) 5.

<sup>4</sup> Legal Affairs and Community Safety Committee, above note 1, at 14.

<sup>5</sup> Henry Smerdon AM, *Strategic Review of the Office of the Queensland Ombudsman* (Report, April 2006) 5-6.

<sup>6</sup> Henry Smerdon AM, *Strategic Review of the Office of the Queensland Ombudsman* (Report, May 2012) 2.

<sup>7</sup> Queensland Parliament, Legal Affairs and Community Safety Committee, *Inquiry into the Strategic Review of the Office of the Queensland Ombudsman*, Report No 25, 56<sup>th</sup> Parliament, Nov 2018.

<sup>8</sup> Respectively, *Auditor-General Act 2009*, s 68; *Right to Information Act 2009*, s 186; *Integrity Act 2009*, s 86. Similar requirements in other legislation include the *Electoral Act 1992*, s 33A, and the *Anti-Discrimination Act 1991*, s 247.

<sup>9</sup> The report is tabled by the Minister if the statutory office holder is not declared to be an officer of the Parliament.

Recent strategic review reports point to their wide ranging scope.<sup>10</sup> It is common, for example, for a review report to make proposals for legislative reform to update the structure and powers of the agency; to canvass the adequacy of the agency budget; examine corporate governance and recommend management changes; and assess relations between the agency and its key clients or stakeholders and comment on public outreach activities.

Agency heads consulted in this review observed that strategic reviews had been very helpful in providing organisational insights and how clients felt about the agency's performance.

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<sup>10</sup> For example, *Strategic Review of the Queensland Audit Office* (Dec 2023, Ian O'Connor AC); *Strategic Review of the Integrity Commissioner's Functions* (Sept 2021, Kevin Yearbury PSM); *How to let more sunshine in: Strategic review of the Office of the Information Commissioner, 2022* (Dec 2022, Dominic McGann),

## 2 About this Review

### 2.1 Commencement and requirements

This strategic review of the Ombudsman office commenced in September 2025. The Review is guided by Terms of Reference prepared by the Queensland Government in accordance with s 83 of the Ombudsman Act (see **Appendix B**). They require assessment of whether the functions of the Ombudsman and Inspector of Detention Services are being performed economically, effectively and efficiently. Aspects of the Ombudsman's role and operations that are noted in the Terms of Reference as falling with the scope of the Review include the office structure, operations, management, strategic direction, service provision, annual reports and operational models for Ombudsman offices in other jurisdictions.

The Review is required to provide the final report to the relevant parliamentary committee (the Justice, Integrity and Community Safety Committee), the portfolio agency minister (the Attorney-General and Minister for Justice and Minister for Integrity) and the Ombudsman. The parliamentary committee is required to publish the report. Before it is finalised the report is to be provided to the Ombudsman for comment (see **Appendix A**, in which he notified the Review that he supported the findings and recommendations in this Report).

Professor John McMillan AO was appointed by the Governor in Council to conduct this Review. John is an Emeritus Professor at the Australian National University and has relevant professional experience as a Commonwealth and State agency head, including Commonwealth Ombudsman (2003-10) and Acting NSW Ombudsman (2015-17). John was an Executive Member of the Australian New Zealand Ombudsman Association, and has published several papers on the institution of Ombudsman.

### 2.2 Conduct of the Review

Though conducted independently, this Review was supported by a small secretariat in the Department of Justice. The Department website hosted a homepage for the Review in the 'Community Consultation' section.

Soon after commencement the Review published a Consultation Paper (**Appendix C**)<sup>11</sup> that discussed issues to be addressed, together with the Terms of Reference. Public submissions were invited through a dedicated email address.

The Reviewer spent two weeks in the Queensland Ombudsman office to conduct in-person consultations within the office and among Queensland Government agencies and officials. These meetings were supplemented by several online consultations in subsequent weeks.

The consultation pattern was as follows:

- The total number of consultation sessions and meetings for the Review was 59.
- Interviews were conducted with all senior officers of the Ombudsman office – the Ombudsman, Deputy Ombudsman and 13 officers who manage various Ombudsman units and functions.
- An invitation was extended to all Ombudsman staff to meet with the Reviewer: meetings were separately held with 14 staff (in addition to the meetings with senior officers).

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<sup>11</sup> <https://www.publications.qld.gov.au/dataset/strategic-review-of-the-office-of-the-queensland-ombudsman-public-consultation-paper>.

- Letters notifying the Review, and inviting consultation, were sent to more than 30 Queensland Government agencies, and the Speaker of the Legislative Assembly and the Chair of the Justice, Integrity and Community Safety Committee. Arrangements were also made (for example, with mailing list co-ordinators) for the Consultation Paper to be publicised in and outside government.
- Meetings were held with the appointees or senior officers of similar statutory oversight agencies – the Auditor-General, Crime and Corruption Commission, Human Rights Commission, Office of the Information Commissioner, Office of the Integrity Commissioner and Office of the Independent Assessor.
- Consultation sessions were held with a further 13 Queensland Government agencies that interact with the Ombudsman through its complaint and oversight work, in fields such as health, education, housing, transport, policing, corrections, legal aid, public sector employment, building and construction, family support, child safety, youth justice and public trustee services.
- Meetings were held with three central executive agencies mentioned in the Terms of Reference – the Department of the Premier and Cabinet, the Queensland Treasury, and the Department of Justice.
- Two former Queensland Ombudsman and a senior officer were consulted.
- Online consultation sessions were held with 2 members of the public who requested an opportunity to meet in response to the Consultation Paper.

Other activities undertaken during the Review included:

- The Reviewer attended, as an observer, 5 internal Ombudsman online officer meetings – the Executive Leadership Team, Audit Committee, Major Investigation Program Board, Information Steering Committee, and a general staff meeting. An in-person meeting was held with staff of the Detention Services Inspection Unit.
- The Reviewer attended Anchor Day, which is an annual meeting of all Ombudsman staff to report on the year's activity and to make staff awards. The Reviewer made a presentation to the meeting on Ombudsman developments and themes.
- The Ombudsman office provided the Reviewer with a 40-page briefing paper, as well as an extensive range of reports and internal documents, and online access to the Resolve case management system.
- The Reviewer attended an online workshop of the Complaint Handlers Network hosted by the office.

The Review received 25 written submissions – 10 from Queensland Government agencies, 4 from local government councils, 6 from Queensland Ombudsman staff, and 5 from members of the public. The submissions are not being published (as advised in the Consultation Paper), but have been drawn on in preparing this report.

## 2.3 Report style

It is appropriate to outline briefly how this Review and presentation of a report were approached.

The principal value of a strategic review is threefold:

- to provide Parliament, Government and the Ombudsman with an independent assessment of the operation of the office in recent years
- to provide other agencies and the community with a formal opportunity through an independent channel to convey their views on the Ombudsman office

- to take stock of broad trends in government oversight and accountability that may shape the strategic goals of the office in coming years.

Framed in that way, it is important that this report convey the views it has heard. Not surprisingly, some were subjective or partisan opinions that would require further inquiry to ascertain if a different or qualified opinion held equal sway. It is neither practicable nor warranted in this Review to undertake an in-depth analysis of all the issues raised. There is value nevertheless in recording those views so that they can, for the most part, be considered and acted on by the Ombudsman both operationally and in strategic planning. Accordingly, many points raised with this Review are taken no further than to record them and recommend they be listed for consideration in the management and planning agenda of the Ombudsman office.

Another feature of this Review that distinguishes it, perhaps, from the style of previous strategic reviews of the office is that little was said or observed during the Review about weaknesses or anomalies in the management or competency of the Ombudsman office. It presents at all levels as a well-run office that has strong governance, a clear philosophy and objectives, and experienced and talented staff – a product, as one would expect, of its fifty year growth. Consequently, the recommendations in this report are fewer than in previous strategic reviews, and do not target internal office management. For the most part that topic is covered in a descriptive way in this report.

This Review heard a lot about looming challenges for the Ombudsman office, stemming most likely from external developments and pressures. They include topics such as the use of generative artificial intelligence tools (**AI**) by complainants, the crowded oversight framework in government, the impact of fast-paced technological change, budgetary tightening across government, and public expectations of the Ombudsman's watchdog character. Those challenges are understood within the office but, understandably, a compelling discussion theme in consultations for this Review was how the office can best respond to various challenges in an active, considered and targeted manner.

That theme is featured in the style of this report. Sometimes that is done by describing the activities that are currently underway or in planning within the office. At other times it is done by summarising individual staff views about the options available to the office.

In a pragmatic sense, the landing point for this Review on many of the topics that were discussed is that there are mechanisms and a willingness within the office to encourage staff engagement in management, operations and planning. That positive legacy will enable the office to draw on its own expertise and traditions in setting its strategic direction.

There are a few matters on which this Report makes recommendations for specific action or change. Some of the recommendations (for example, for legislative change) require action elsewhere in government.

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**PART B:**

**The Office of the Queensland  
Ombudsman —**

**Structure, Management & Strategic  
Goals**

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## 3 The evolution of the Queensland Ombudsman's role and functions

This chapter briefly sketches the development of the Queensland Ombudsman office over the past fifty years. The aim is not to provide a complete history but to illustrate that the unbroken tradition of the office is one of change and adaptation in the style of government oversight. The core functions of the office are largely unchanged, but not necessarily the way they are performed or evaluated.

With that purpose in mind the chapter begins with a chronological summary of major changes in the structure and work of the office. This is followed by a section that summarises contemporary challenges, mostly of a kind that are also faced by other government oversight agencies. One such challenge discussed in the final section of this chapter is that of maintaining the independence of the office. Other challenges facing the office are taken up in subsequent chapters.

### 3.1 Developments and milestones<sup>12</sup>

- The office of the Queensland Ombudsman was established in 1974 by the *Parliamentary Commissioner Act 1974*. The Ombudsman was then titled the Parliamentary Commissioner for Administrative Investigations.
- The Act and title of the office was replaced in 2001 by the *Ombudsman Act 2001*. The Ombudsman is designated by the Act as an officer of the Parliament (s 11). This signifies the independence of the Ombudsman and that it shares an executive oversight and accountability role with the Parliament.
- The Ombudsman can be appointed for a term of up to five years, and can be reappointed to a maximum term of ten years (s 61). The Ombudsman is formally appointed by the Governor in Council, following approval of the selection process by the parliamentary committee, a national press advertisement inviting applications, and parliamentary committee approval of the Minister's nominee (s 59).
- The sole function of the office when first established was to investigate the administrative actions of government agencies, either upon receipt of a complaint from a member of the public, on the Commissioner's own initiative, or on referral from the Parliament.<sup>13</sup> The Ombudsman has subsequently acquired three other core functions:
  - The new Ombudsman Act in 2001 gave the Ombudsman the function of providing advice, training and assistance to agencies to improve the quality of decision making and administrative practices and procedures (s 12).
  - Since 2013, the Ombudsman has been the oversight agency under the *Public Interest Disclosure Act 2010 (PID Act, s 58)*.<sup>14</sup> The Ombudsman's functions include promoting the PID scheme, developing administrative standards, providing training and advice to agencies, reviewing the operation of the Act and monitoring trends.
  - The *Inspector of Detention Services Act 2022 (IDS Act, s 33)* gave the Ombudsman the separate statutory role of Inspector of Detention Services. As Inspector, the Ombudsman publishes standards for inspections and is authorised to inspect and

<sup>12</sup> See also Queensland Ombudsman, *Marking 50 years of service to the community* (2024).

<sup>13</sup> *Parliamentary Commissioner Act 1974*, ss 13-16.

<sup>14</sup> The Public Service Commission was previously the oversight agency.

monitor adult and youth detention facilities to ensure that detainees are treated humanely and are not subjected to harmful treatment.

- Between 1992 to 2005 the Ombudsman discharged the role of Information Commissioner under the *Freedom of Information Act 1992*, and exercised the function of externally reviewing agency decisions on FOI requests.<sup>15</sup> The Commissioner was separately appointed in 2005, and the Office of the Information Commissioner was continued as a separate statutory body under the *Right to Information Act 2009*.
- Other legislative changes have been made over time to the Ombudsman's jurisdiction and procedures, as in the following examples. The Ombudsman was given jurisdiction over contracted service providers in 2024 (s 12A). There have been legislative adjustments that take account of the creation of other complaint bodies such as the Office of the Health Ombudsman and the Queensland Human Rights Commission. The creation nationally of the National Student Ombudsman<sup>16</sup> has resulted in a decrease in complaints to the Queensland Ombudsman about public sector universities.
- The Ombudsman's independence was buttressed by a legislative change in 2024 (following the Coaldrake Report, noted below) that introduced a statutory procedure for the Ombudsman to request additional funding for a special purpose or project, and for the parliamentary oversight committee to appraise the funding proposal and state whether it approves it (s 85C).
- Two recent independent reports canvassed issues that bear upon the future direction of the Ombudsman (both reports are discussed in later chapters). In 2022, a report by Professor Peter Coaldrake AO (*Let the sunshine in: Review of culture and accountability in the Queensland Public Sector*) examined the interlocking roles of the Ombudsman and four other oversight agencies in the Queensland integrity system: the Auditor-General, Information Commissioner, Integrity Commissioner and Crime and Corruption Commission (CCC). In 2023, a review of the PID Act by Mr Alan Wilson KC proposed that the Ombudsman play a stronger and better-resourced oversight role as part of a new and revamped PID Act.
- The COVID-19 pandemic and lockdowns during 2020-22 prompted a major shift in the operational style of the Queensland Ombudsman office. Alike with other government agencies, the Ombudsman office increased its reliance on technology and the adoption of flexible work practices in areas such as virtual office meetings, complaint processing, online training and virtual prison visits.
- There have been seven Parliamentary Commissioners and Ombudsman since the office commenced in 1974. The serving Ombudsman during the period covered by this strategic review were Phil Clarke (2011-20) and Anthony Reilly (July 2020 to the present). Mr Reilly's second three year term of appointment ends in July 2026.

### 3.2 Current changes and themes

Several broad shifts in the interaction between government and the community were raised frequently during the consultations for this Review. They are taken up in other chapters, but five can be noted briefly here.

- *Growth of government oversight* (Chapter 6): The government oversight and accountability system has grown remarkably since the Ombudsman was established in 1974. There are now many more independent statutory agencies that have complaint and investigation functions and that can report publicly on government compliance with legal and integrity

<sup>15</sup> *Freedom of Information Act 1982*, s 71.

<sup>16</sup> *Ombudsman Act 1976* (Cth), Part IIF.

standards. So, too, there are multiple new laws that set those standards and, in some instances, confer corresponding rights on the public and obligations on government agencies. The combination of laws and agencies has grown incrementally in response to the pressures and objectives of each age. Is it time to take stock of this development, even to view the product as a government integrity system rather than a sequential 'patchwork' (as the Coaldrake Report described it)?

- *Multiple, overlapping complaint pathways* (Chapters 6, 8): A by-product of the new integrity framework is that there are many more entry points and complaint pathways for members of the public. An aspect of that complexity is that the system can be bewildering, it is said, for members of the public to know which avenue to use, and how to frame a request or complaint. One response endorsed by the Coaldrake Report may be to create a complaint clearinghouse to help people navigate the system. Agencies, on the other hand, have raised concerns that the opportunity for people to use multiple grievance mechanisms places a burden on agencies that can be large and have a potentially distorting effect on the smooth resolution of disputes.
- *Technology and the complaints framework* (Chapter 8): Technology has become increasingly more important in how complaint and oversight functions are discharged. The impact has been overwhelmingly positive in multiple ways – from how complaints can be lodged, to how Ombudsman lessons and insights can be publicised, and how the office interacts with agencies in exchanging information and findings. That said, each new technology phase poses new challenges for the Ombudsman that can span resourcing, capability and method. The current prominent example is the use by complainants of AI tools in framing complaints and review requests.
- *Reliance on Ombudsman training and guidance* (Chapters 4, 9): Government agencies profess a strong commitment to sustaining (if not improving) high standards in decision making and service delivery. They look to oversight agencies – and particularly the Ombudsman, given its long tradition and broad role – to provide guidance, insight and training. How the Ombudsman office can best provide this support is a challenge that – once again – spans budgets, human resourcing and technology.
- *Balancing resources and expectations* (Chapters 4, 9): The Ombudsman office has expressed willingness in modern times to take on board the expectations aired within the community and government as to the influential and expanded role the office can play as a prominent integrity agency. A practical and familiar constraint on the Ombudsman is its budgetary and resourcing capacity to undertake new ventures.

### 3.3 Ombudsman independence

The hallmark of an Ombudsman office is its independence. This underpins public trust in the ability of the office to act impartially and free of undue external influence in investigating complaints and holding government to account.

As that description indicates, there are two dimensions of independence: *structural* independence, as to how the office is structured and governed; and *functional* independence, as to how the office is viewed by others in its day-to-day operations. Both dimensions were discussed during consultations for this Review.

#### (a) Structural independence

The structural independence of the office is anchored in the *Ombudsman Act 2001*. Among other things, the Act:

- lays down a transparent procedure for appointing the Ombudsman for a fixed term (s 59)

- confers coercive investigation powers on the Ombudsman (ss 28-37)
- provides that the Ombudsman is not subject to direction by any person in discharging the functions of the office (s 13)
- confers discretion on the Ombudsman to report publicly through the Parliament (ss 50-54)
- makes it a contempt or offence to disrupt or knowingly mislead an Ombudsman investigation (ss 38-43).

Those features of the Ombudsman's structural independence are well-established and are neither questioned nor threatened in Queensland. Two other features that – nationwide – have attracted considerably more recent attention are the Ombudsman's relationship to Parliament, and the Ombudsman's budgetary security.<sup>17</sup>

The arrangements vary among jurisdictions. By and large, however, the arrangements in Queensland already conform to what is being proposed elsewhere.

As to the relationship to Parliament, the Ombudsman is already declared by the Ombudsman Act to be an officer of the Parliament (s 11). The Ombudsman reports to the Justice, Integrity and Community Safety Committee of the Queensland Parliament. The Act confers several functions on the Committee, such as monitoring and reviewing the performance of the Ombudsman and Inspector of Detention Services, keeping the Parliament informed, and approving the procedure for appointment of the Ombudsman and the strategic reviewer (ss 89, 59, 83).

The Coaldrake Report observed that, as regards statutory appointments, the requirement for consultation with a parliamentary committee can be perfunctory. It made the general observation that governments should make a serious attempt to work with the Opposition to ensure that integrity officer appointments 'have bipartisan concurrence if not outright support'.<sup>18</sup>

As to budgetary security, the Coaldrake Report noted the importance of independent financial arrangements for integrity bodies, and drew attention to two developments noted below (a NSW Auditor-General report in 2020, and Victorian legislative amendments in 2019). The Coaldrake Report recommended, again in general terms, that:

*The independence of integrity bodies in Queensland be enhanced by aligning responsibility for financial arrangements and management practices with the Speaker of Parliament and the appropriate parliamentary committee, rather than the executive government.*<sup>19</sup>

As noted above, a new statutory procedure was introduced in 2022 for the Queensland Ombudsman to request additional funding for a special purpose or project, and for the parliamentary oversight committee to appraise the funding proposal and state whether it approves it (s 85C).

This new Queensland procedure does not go as far as some proposals made or adopted in other jurisdictions. The most far-reaching framework was adopted in NSW, following a special report by the NSW Auditor-General in 2020<sup>20</sup> which said that the independent status of integrity agencies was threatened by applying to them the same budgetary procedures that apply to other government agencies and programs. In 2024 the NSW Government, through a Treasurer's direction and associated legislative changes,<sup>21</sup> adopted a Charter of Independence for integrity agencies. They

<sup>17</sup> See D Glass, 'Dimensions of Independence' (2026) 117 *AIAL Forum*; J McMillan, 'Fifty years of the Ombudsman in Australia' (2023) 109 *AIAL Forum* 19 at 25-7.

<sup>18</sup> Coaldrake Report at 69.

<sup>19</sup> Coaldrake Report at 71.

<sup>20</sup> Auditor-General (NSW), *The Effectiveness of the Financial Arrangements and Management Practices in Four Integrity Agencies* (2020).

<sup>21</sup> Treasurer's Direction 'TD24-12 Charter of Independence for NSW integrity agencies'; *Government Sector Finance Amendment (Integrity Agencies) Act 2024* (NSW); and *Ombudsman Act 1974* (NSW), s 31B(1)(a1),

are excluded from central government financial management processes, follow a special procedure for seeking budgetary and supplementary funding, have access to relevant Treasury advice to government, are excluded from efficiency dividends, and have their funding proposals scrutinised by their parliamentary oversight committee.

Victoria, in 2019, similarly adopted a procedure to require greater transparency in budgetary planning for the Ombudsman and two other integrity agencies (the Independent Broad-based Anti-corruption Commission (**IBAC**), and the Victorian Auditor-General's Office (**VAGO**)). They are required to prepare a draft annual work program, determine their budget proposal in consultation with the parliamentary oversight committee, and their budget is listed as a separate line item in appropriation legislation.<sup>22</sup>

Those three integrity agencies have said the procedure does not go far enough, and in two joint papers have proposed more extensive reform. The first paper in 2022 proposed that their budgets be framed by an independent statutory commission akin to a remuneration tribunal.<sup>23</sup> The second paper in 2026 recommended in essence that the NSW framework be adopted in Victoria, based on twelve principles that embody three themes: the agencies have access to key budgetary information considered by Cabinet; the Parliamentary oversight committee be engaged in the budgetary process; and administrative safeguards be put in place on matters such as efficiency dividends, contingency funding, a dedicated departmental liaison unit, and bi-annual review of the process.<sup>24</sup>

## (b) Functional independence

The second dimension of independence is functional independence, that is, whether there is public trust that the Ombudsman office carries out its functions in an impartial and even-handed manner.

This is a customary topic in public discussion – in blunt terms, asking whether particular integrity oversight agencies are prone to accept the views of government or, instead, of complainants. The issue has added importance for Ombudsman following the strong criticism of the Commonwealth Ombudsman by the Royal Commission into the Robodebt Scheme in 2023.<sup>25</sup> The Commission found that the Commonwealth Ombudsman had failed to react properly to complaints it had received that questioned the legality of a social security debt-recovery program. Among the Ombudsman office failures were that it did not fully use its formal investigation powers to examine inadequate departmental responses, it did not report publicly on the legality issue, and it did not correct the public record when Ombudsman findings were misrepresented by the Minister and the department. The importance of the Ombudsman's independence is captured in the following comment of the Royal Commission:

*It can be accepted that it is important for the Ombudsman to work cooperatively with the departments it is investigating, but it is also necessary that the Ombudsman be capable of taking a stand. Maladministration is much less likely to occur where there is an Ombudsman who is known to impose limits on the cooperative approach in an appropriate case.*

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requiring an annual report to the Parliament on the Ombudsman's appropriation by the joint parliamentary Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission.

<sup>22</sup> *Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019* (Vic); *Ombudsman Act 1973* (Vic) Part IVA. The Victorian Ombudsman and IBAC are overseen by the Victorian Parliament Integrity and Oversight Committee.

<sup>23</sup> IBAC, Victorian Ombudsman & VAGO, *Budget Independence for Victoria's Independent Officers of Parliament* (Joint Report, Oct 2022).

<sup>24</sup> Victorian Ombudsman, IBAC & VAGO, *Advancing budget transparency for Victoria's core integrity agencies* (Joint Report, Feb 2026).

<sup>25</sup> *Royal Commission into the Robodebt Scheme* (Final Report, July 2023) Chapter 21.

*The Scheme demonstrates the importance of a properly resourced and, more importantly, an independent and robust Ombudsman.<sup>26</sup>*

As to the public stature of the Queensland Ombudsman, there was, not surprisingly, a range of views aired with this strategic review as to whether the office had struck the right balance, or instead should be either more or less assertive in its complaint investigation work. The range of views are principally taken up in two other chapters relating to the Ombudsman complaint handling and administrative improvement functions (Chapters 8, 9).

The main point to be made at this stage is that the Ombudsman's functional independence was not seriously questioned during the consultations for this Review (**Finding 1**). There is widespread respect for the office, and a general belief that it continues to practice a long tradition of impartiality and independent thought. Importantly, agencies reported that they give priority and serious attention to enquiries they receive from the Ombudsman office. Equally, they acknowledge that investigations are undertaken professionally and at arms-length, and that Ombudsman findings are customarily fair and evidence-based.

### (c) Observations

The formal structural arrangements in Queensland for determining the Ombudsman's budget do not go as far as those in NSW. Victorian integrity agencies have strongly urged their Government to adopt the NSW initiative. It is possible, around Australia, that other integrity agencies and governments will join this growing advocacy for budgetary safeguards that bolster transparency and reaffirm the Ombudsman's independence.

It is important that Queensland likewise keeps abreast of these developments, but it seems premature for this report to recommend that formal structural changes be implemented. As described above, some legislative changes were made in 2024 in response to the Coaldrake Report,<sup>27</sup> and the Ombudsman was consulted extensively at that time.<sup>28</sup> Importantly, the 2024 changes strengthen the role of the Parliamentary oversight committee, and provide a dedicated procedure for additional funding requests. As noted in the next chapter, the Ombudsman has received additional funding on occasions for special activities.

An additional consideration is that the 2024 changes in Queensland affected not only the Ombudsman but other integrity agencies as well. Any further proposed change therefore raises broader considerations.

This Report goes no further than recording, as a general finding, that renewed attention is being given across Australia (including in Queensland) to institutional measures that may be necessary to assure the Ombudsman's independence, and that Queensland should heed these developments (**Finding 2**).

One aspect of the present Queensland arrangements that should be reconsidered is the Ombudsman's term of appointment. Though the Ombudsman can be appointed for a renewable term of five years, the present Ombudsman has been twice appointed to a three year term.

There is no fixed practice around Australia, yet it is common that independent statutory officers are appointed for a term of five years or more.<sup>29</sup> It is generally thought this gives an Ombudsman sufficient time to make a difference in the role, through leading the office and being able to act on

<sup>26</sup> *Royal Commission into the Robodebt Scheme* (Final Report, July 2023) at 599.

<sup>27</sup> *Integrity and Other Legislation Amendment Act 2024*.

<sup>28</sup> Queensland Ombudsman, *Annual Report 2022-23* at 1.

<sup>29</sup> The Coaldrake Report recommended that agency CEOs be appointed on five-year fixed-term contracts to strengthen 'stability of government and performance of public service' (78).

systemic administrative problems that can take time to work through. The length of term is all the more important if the Ombudsman is appointed for a single term only. A further practical advantage of a five year term is that the Ombudsman’s term is more likely to span a full election cycle and he or she can be less attuned to which government will be making a reappointment decision.

I have not fully examined the reasons for the present Queensland appointment practice, and consequently note this only as a finding rather than a recommendation (**Finding 3**). (And, to be judicious, I should record that tenure was not an issue raised with me by the Ombudsman.)

Chapter 3 Findings	
<b>Finding 1</b>	The Office of the Queensland Ombudsman has maintained its stature and reputation for independence in the way that it discharges its functions.
<b>Finding 2</b>	There is renewed attention across Australia to the institutional arrangements that should be in place to assure the independence of statutory oversight agencies, such as the Ombudsman. Queensland addressed this issue in 2024, following the Coaldrake Report, though the Queensland changes do not go as far as those adopted or proposed in some other jurisdictions. Though a strong case does not presently exist for further legislative change in Queensland, it is important that the Queensland Government and Parliament keep informed of developments in other Australian jurisdictions.
<b>Finding 3</b>	It is desirable that the Ombudsman be appointed for a term longer than the current term of three years, even though the Ombudsman can be reappointed for up to ten years.

## 4 Office of the Ombudsman: Structure, governance and staffing

This chapter describes the current structure, governance arrangements and operational features of the Office of the Queensland Ombudsman. There are three main themes in the chapter.

There is firstly the change that has occurred in the office since the last strategic review in 2018. This is largely a response to the acquisition of new functions, an increased workload, and the impact of technological and social change.

The second theme is the operational challenges that loom large for the office – principally corporate services, staffing and information and communication technology.

The third theme is that the office is well run. The strong view within the office is that it has effective leadership, good governance arrangements, skilled staff, a positive work culture and a keen understanding of ongoing and fresh challenges.

Most of the descriptive detail in this chapter is drawn from the annual reports of the office and the written brief prepared for this Review by the Ombudsman office.

### 4.1 Staffing, structure and governance

#### (a) Staffing growth and composition

There has been substantial growth in the size and activity of the Office of the Queensland Ombudsman since the last strategic review was undertaken in 2018:

- 2018-19: budget \$9.1M; staffing 63 FTE
- 2025-26: budget \$17.6M; staffing 93 FTE.<sup>30</sup>

The main factor in the office growth was the commencement of the new role of Inspector of Detention Services, and the creation within the office from 2022 onwards of the Detention Services Inspection Unit comprising an additional 19 FTE staff. The second main growth factor was expansion in the office complaint and investigation management capacity, with funding for an additional 10 FTE staff to handle the increase in public contacts. As an example, public contacts with the office grew by 8% over the past year.

The current staffing composition of the office is:

- Executive (5% of staff)
- Corporate (22%)
- Contacts, complaints, investigations, administrative improvement (51%)
- Detention Services Inspection Unit (19%)

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<sup>30</sup> These figures are taken from the written brief provided by the Ombudsman for this Review. They differ slightly from figures given in the Consultation Paper for the Review. The updated figures include additional budgeting approved through Cabinet Budget Review Committee processes.

- PID oversight (3%)

The workforce profile in 2025 is that: 72% of the workforce are women (65% of senior leadership roles); 6% identify as having a disability; 9% as having a first language other than English; and 4% as Aboriginal or Torres Strait Islander.

Approximately 83% of the budget is spent on staffing, which is higher than most other executive agencies. Conversely, the proportion of the Queensland Ombudsman budget spent on supplies and services is far lower than other agencies (for comparison, approximately 25% of the CCC budget is spent on supplies and services).

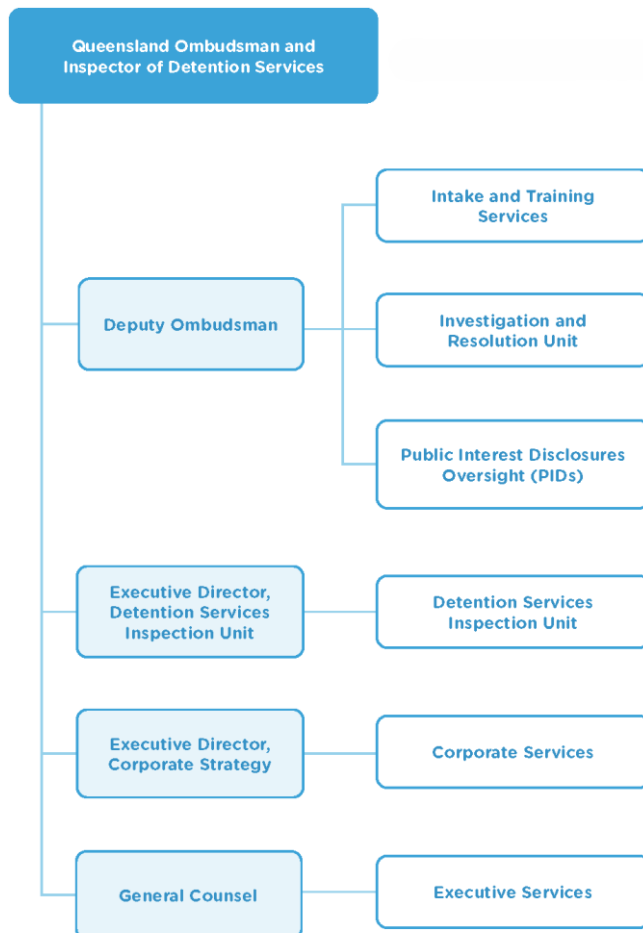
Three other activities that have been specially funded in recent years can be briefly noted. One was to move information technology (IT) infrastructure to the cloud to facilitate remote work during the COVID pandemic lockdown. A second was to support a new accommodation fit-out in 2025. Thirdly, in 2024 the Cabinet Budget Review Committee approved increased funding of \$6.8m over 4 years, and \$0.793m per annum ongoing, for current IT systems and infrastructure and future IT data security and service delivery.

Another noteworthy aspect of staffing is that the office has a hybrid work model that allows staff a 60/40 split between working in the office and at home. This was supported by several managers and other staff consulted during this Review and was not the subject of any adverse comment.

**(b) Office structure and governance**

Following is the current structure of the Ombudsman office:

**Figure 1 | Current structure of the Ombudsman office**



Two initial points to note about this structure are:

- The Ombudsman and Inspector of Detention Services are statutory positions that are occupied by the same person. The Deputy Ombudsman is not a statutory position.
- The Ombudsman and Deputy participate in all functions of the office, but take primary management responsibility for particular functions:
  - The Ombudsman – for overall leadership, the Inspector of Detention Services Inspection Unit, and Corporate Services
  - The Deputy Ombudsman – for office operations, Intake and Training Services, Investigation and Resolution Unit, and Public Interest Disclosures Oversight.

The formal governance structure, comprising 10 business units, is supplemented by several committees that meet regularly and that include membership from across the office. The composition and scope of five main committees is described below. (The Reviewer attended an online meeting of each such committee except the SMT.)

Most of the separate units in the office also have a regular staff meeting that may, at times, be attended by one or more leadership staff, such as the Ombudsman or Deputy Ombudsman.

The five main committees are:<sup>31</sup>

- Executive Leadership Team (ELT)

The ELT meets monthly. The membership comprises the Ombudsman/Inspector, Deputy Ombudsman, and the Executive Directors of the CSU and DSU. Other office leaders regularly invited to the meeting are the Chief Financial Officer, General Counsel and Senior Advisor Governance.

The ELT reviews all aspects of Ombudsman office operations, and receives reports from other units and teams in the office. Activities that are a prime focus of ELT meetings are finance, staff, and compliance with the strategic plan, the risk register, performance targets and divisional operational plans.

- Senior Management Team (SMT)

The SMT meets quarterly, but can also be convened for special purposes. As its title suggests, the membership comprises senior officers from across the organisation, and it provides advice on office matters to the ELT.

The SMT monitors operational performance, for example, reviewing the detailed quarterly breakdown on public contacts with the office and the time taken to deal with them. An example of a recent paper considered by the SMT was one on 'Improving the management of Out of Jurisdiction complaints' that was prepared following criticism in the Coaldrake Report of the telephone voice message that directs complainants to other complaint agencies.

- Audit Committee<sup>32</sup>

The three members of the Audit Committee are external appointees. Other senior staff regularly attend as invitees (such as the Ombudsman, Deputy Ombudsman and Chief Financial Officer). The Committee meets quarterly.

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<sup>31</sup> There is also a Wellness, Health and Safety Committee, and an Engagement Committee.

<sup>32</sup> The audit committee is required by section 30 of *the Financial and Performance Management Standard 2019 (FPMS)*. The Queensland Treasury *Audit Committee Guidelines* (Version 6, October 2023) provides that, from 1 July 2025 onwards, an agency audit committees should have a fully independent membership.

The agenda for Audit Committee meetings covers a comprehensive and familiar range of audit topics, ranging across corruption risks, finance, operations, IT, cyber security and performance management.

- Information Steering Committee

This committee meets quarterly. The membership comprises the Ombudsman and Deputy Ombudsman, and several other senior officers.

The committee receives a detailed data breakdown on matters such as incidents and requests, and recordkeeping activity. The work of the committee is also guided by several plans including a charter, annual work plan, records management roadmap, digital roadmap and publishing calendar (in planning).

- Major Investigations Program Board

The Board is chaired by the Deputy Ombudsman. Meetings are attended by the Ombudsman, all Assistant Ombudsman, and relevant case officers to brief the Board as required.

The Board reviews the progress of major investigations, and may discuss future options, such as culmination of the investigation in a public report. The Board also receives reports from the portfolio teams on investigation issues, trends and outcomes, as well as potential future actions. The analysis of an issue may be supported by a Systemic Issues Assessment Matrix that describes the issue for investigation, available evidence, legal issues, systemic issues, investigation options and resourcing.

### (c) Strategic and operational planning<sup>33</sup>

The work of the office is guided by the following plans:

- *Strategic Plan 2023–27*: This plan, which is published on the web, provides longer term direction for the office by setting out the Vision, Values, Purpose, Objectives, Strategies, Measures and Risks and Opportunities. The Vision declared in the Plan is 'Fair and Accountable public administration in Queensland'.
- *Operational Plan 2025–26*: This plan is aligned to the Strategic Plan, but with an annual focus that specifies the activities and projects to be delivered in the forthcoming financial year in furtherance of the Strategic Plan.
- Annual Team plans: The core business units of the office develop their own annual plans, aligned to the Strategic and Operational Plans, that spell out in greater detail the team activities and projects for the year, and the performance benchmarks. An example is the *ICT Strategic Plan 2025–29* that outlines specific ICT projects and technology enablers, and how they fit within a 12 month digital roadmap and a four-year roadmap.

Those central plans are supplemented by several other plans and documents that, together, are part of the office governance framework. Among them:

- *Business Continuity Plan*:<sup>34</sup> This outlines the steps that will be put in place to ensure the continuation of essential operations during an unexpected disruption, such as a natural disaster.

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<sup>33</sup> Section 8 of the FPMS requires an agency to have a strategic plan and operational plan.

<sup>34</sup> Section 23 of the FPMS requires an agency to have business continuity arrangements in place.

- *Risk Management Framework*:<sup>35</sup> This details the risk registers for service delivery, finance, people, systems and regulatory compliance. Compliance with the risk register is monitored by the ELT, SMT and Audit Committee.
- *Strategic Workforce Plan 2022-25*:<sup>36</sup> This guides staff recruitment, retention and learning and capability.
- *Wellness, Health and Safety Framework*: This guides the work of the Wellness, Health and Safety Committee, which facilitates consultation and resolution of work health and safety matters. There is an Employee Assistance Program and an internal Wellbeing Referral Officer.
- *Service Delivery Charter*: This is a public document aimed at members of the public, describing the processes that will be followed in the office in complaint assessment and investigation, the conduct performance standards expected of staff, and the options available for a dissatisfied complainant.
- *Code of conduct*: The code is a public document, but is targeted at staff to set out the ethical standards for work-related behaviour, drawing from the *Public Sector Ethics Act 1994*.

#### (d) Staffing environment

I will note three matters that arose during this Review that reflect positively on the staffing environment in the office.

The first was the collective bargaining process that was underway during the Review for a new 'Queensland Ombudsman Certified Agreement' (the current agreement notionally expired in late 2025). The industrial negotiations were raised with me by staff members, and I was given the staff Log of Claims and the Ombudsman's formal response in October 2025.

Without delving into the negotiations, the impression I gained is that the process was being undertaken in a robust and constructive manner on both sides. Many of the core issues raised in the Log of Claims were the same as those adverted to in consultations I held with staff – such as the high workload and psychosocial hazards faced by staff in the Intake team, including the AI impact; formalising leave entitlements for staff in the DSIU who work irregular hours; and exploring options for a more suitable First Nations workforce inclusion and recognition strategy. It seemed to me that the office was taking these and other claims seriously, and providing a considered response.

Secondly, as noted earlier, I attended Anchor Day, which is an annual meeting of all Ombudsman staff to report on the year's activity and to make staff awards. This was a celebrated occasion among staff, marked by enthusiastic staff participation. There was a strong sense of a united office that was proud to celebrate both its accomplishments as an ombudsman office and the contribution made by individuals nominated for awards.

Thirdly, the office has achieved strong results in the annual 'Working for Queensland' survey conducted by the Public Sector Commission. The 2024 results on three illustrative indicators were:

- Employee engagement, reflected in proudly valuing an organisation as a rewarding place to work: Ombudsman office result 76%; service average 60%
- Executive leadership, in supporting employees and addressing workplace issues: Ombudsman office result 81%; service average 65%

<sup>35</sup> Section 23 of the FPMS requires an agency to have a risk management system in place.

<sup>36</sup> This is a requirement for public sector entities under s 40 of the *Public Sector Act 2022*. The Ombudsman is not such an entity (s 75A of the Ombudsman Act).

- Honesty and integrity of senior management: Ombudsman office result 95%; service average 62%.

## (e) Observations

It is appropriate to make a few general observations on governance in the Ombudsman office, before moving on to discuss some special challenges.

The point that clearly arises from the above description is that the office has in place a comprehensive and up-to-date governance framework. This reflects a point made by several staff members during consultations for this Review that the current Ombudsman and Deputy have paid great attention to developing an effective governance framework. Both came to their Ombudsman roles from senior level positions in independent public sector agencies, and were well-placed to draw on that career experience.

An early test for the new Ombudsman was the unfolding COVID business disruption that was occurring when he commenced office in July 2020. It was understandably confronting to be the new leader of an office that was simultaneously shifting to working remotely. This posed both personal and corporate challenges – such as upgrading the technological platform for office work, adopting flexible work arrangements, interacting differently with complainants and agencies, and acclimatising the office culture to a new setting. From all accounts the office effectively managed this transition and has steadily built upon the changes to fashion new workplace and governance arrangements.

At present, the Ombudsman office key governance, risk management and strategic planning considerations are picked up in the planning documents noted above, and at regular committee and team meetings. I attended several of those meetings during this Review and was struck by the strong focus upon effective governance. In one way or another, staff from all areas of the office had an opportunity to contribute to the discussions, either personally or through representatives. The discussions were well-organised, framed by a clear agenda and supporting papers. Staff interaction during the discussions was open, free-flowing and respectful.

There was a keen focus in the discussions on whether the office was meeting performance benchmarks, and potential obstacles to that occurring. There was no alarm raised at any of the meetings I attended or in papers I read, that the office was under-performing or that risks were not being properly documented or addressed. Importantly, the office once again received an unqualified audit report in the last year.

The impression that I gained from internal examination of these office processes aligns with the narrative presented publicly in the Ombudsman office annual reports.

## 4.2 Special governance challenges

### (a) Corporate services

The Corporate Services unit comprises 19-20 FTE staff, handling the core functions of finance, information technology, human resources, media and communications, and office governance.

In a general sense, a small agency such as the Ombudsman office is in the uneasy position that it has the same core functions as larger agencies, but a smaller budget and staffing. There is heavy reliance on the small number of staff to have the necessary range of specialist skills, and equally heavy reliance on those staff to be available and up-to-date.

This unease is particularly felt in the communications section of the office. It has between 2-4 staff who handle reports, web publishing, online training modules, casebooks and newsletters. There is a desire to develop this work as it has great appeal outside the office and fulfils many Ombudsman office objectives. This underscores the importance of having adequate staff numbers to maintain

high standards in publications and communication work. The minimal staffing of the communications section limits its ability to develop additional projects, such as a First Nations engagement strategy.

A particular challenge for the communications section that is taken up in Chapter 9 is to meet the demand that exists across the Queensland public sector for the Ombudsman office to deliver a diverse training program on good administration. Training is currently delivered through online training modules, without an in-person training program as in former years.

Another circumstance that impacts on corporate service functions is that roughly 83% of the Ombudsman office budget is spent on staffing. This is higher than in many other agencies. The small remainder of the budget allows less flexibility for expenditure on development of corporate services, such as technology.

The staffing and resourcing constraints facing the office are well understood and routinely discussed. A new Executive Director of Corporate Services who is an external appointee commenced in late 2025 and has committed to the early task of assessing current capacity and skills in the corporate team and future resourcing needs. I was also provided by an officer in the Finance and Facilities Team with a brief planning matrix (personally prepared) that compares the specialist skills required in the office with budgetary and public sector limitations. While the analysis is bracing, it displays the planning and forethought underway in the office.

Smaller offices such as the Ombudsman office also benefit if central and larger agencies in government take the lead in exploring new directions, such as adoption of AI and other technological developments. It is hard, in a report of this kind, to fashion a recommendation to other parts of government to shoulder this responsibility and share insights with smaller agencies. It is nevertheless an important point that is worth highlighting. (And, I note that the Queensland Government 2025-26 Budget committed \$650 million over 4 years to establish a Queensland Government Digital Fund to drive a coordinated approach to strategic and targeted investment in digital and IT systems across the public sector.)

## (b) Staffing pressures

Staffing pressures within the office were frequently raised during consultations. There were various concerns.

The chief issue was recruitment. Overall the Ombudsman office has been fortunate in attracting a strong candidate response when vacancies are advertised, and equally fortunate in building a talented workforce. In 2024-25 the average pool per vacancy was 122 candidates; and the separation rate was 10.3%, which is moderate.

The view conveyed to this Review by Ombudsman staff is that they find it a pleasant and stimulating place to work and are pleased they made the career choice to join the office. In expressing that view many staff compared their experience in other public sector agencies, and were highly complimentary of the Ombudsman office workplace. In the same vein was the observation of a senior HR manager with experience in other agencies who said that performance management and employee satisfaction was far less of an issue in the Ombudsman office than elsewhere.

There are nevertheless continuing recruitment challenges for the office. One factor is the need to recruit people with the necessary skills or aptitude for specialist tasks such as investigation or inspection. Another is the inability of a small agency to provide the same opportunities for professional development and career progression that more likely exist in larger agencies. These were recurring themes in comments to this Review. Equally, my attention was drawn to the range of capability development courses that are made available to staff within the office, and to the well-developed induction program for new staff.

Two areas of the office highlighted in this discussion were the Intake team and the Detention Services Inspection Team (DSIU). As to the Intake team, there are various factors at work – the positions on

offer are relatively low level and moderately remunerated, the work can be emotionally and psychologically demanding in handling difficult complaint calls and interactions, the positions on offer are normally offered on a provisional rather than permanent basis, and career progression within the office is available but uncertain.

The more straightforward concern in DSIU is to recruit people who have experience and capacity to undertake the two core but different tasks of prison inspections and report writing.

These recruitment challenges are noted again later in this report. It is unnecessary to take them further at this point, as the issues are well understood at all levels in the office and there is active discussion around how the office can best respond both in recruitment and workplace recognition, in these two areas and generally.

### (c) Information and communications technology (ICT)

The office relies heavily on ICT services to support all aspects of its work – publicising the office to the community and government; receiving complaints; communicating with complainants and agencies; record keeping; analysis of complaint and investigation trends; and housing a hybrid work platform to support home and office work.

The ICT demands on the office are likely to grow steadily. Some pressures and apprehensions are felt across government – such as heightened concern about cyber security, maintaining business continuity in the face of natural hazards, and potential adoption of AI tools in document preparation and community engagement. Other pressures that are similarly universal can have a unique impact on Ombudsman work, such as complainant use of generative AI tools to frame complaints and review requests. Some core office legacy systems (for example, the complaint database) are aging and may need replacement. ‘Future proofing’ ICT processes is an ongoing goal in all organisations.

The office has a small ICT team of 6 FTE staff, and relies on an external IT service provider for some functions, including cyber security. On all accounts the office and the ICT team have coped well. Technology services in the office run smoothly. A high volume of monthly incident notifications to the ICT team (400) are managed in accordance with performance benchmarks. There has been substantial ICT transformation, such as an office-wide laptop and Windows upgrade, moving IT services to the cloud, resetting the on-line complaint processes, managing remote service delivery when necessary, and introducing online training modules.

Two points noted earlier are that the ICT team has in place a comprehensive *ICT Strategic Plan 2025-29* that includes an annual and four-year roadmap; and in 2024 the office received increased funding of \$6.8m over four years to maintain current systems and develop new processes. During this Review a consultant was undertaking a review of the IT legacy systems in the office.

Two other points made to this Review – from either side of the ICT fence – are worth noting. On the ICT side it was said that, while the office leaders were attentive, sometimes the interaction was no more than a reporting exercise by the ICT team. There was a keen desire from the ICT team to receive strategic direction, aligned to the *ICT Strategic Plan*. It was also remarked that, because the Ombudsman office is steeped in tradition as to how complaints are handled, long-standing staff can be resistant to change in adopting new technological tools.

On the management side, a key expectation is that the ICT team must have the skillset necessary to carry through the strategic projects and innovation that lies ahead. Adoption of the innovative AI tools that everyone is talking about require vision and adaptability.

Those issues of concern from around the Ombudsman office are, in some measure, imponderable. They underscore the need to have in place appropriate processes – such as planning documents and regular cross-agency meetings – to facilitate exchange and discussion.

Another side issue, noted above, is that a small agency such as the Ombudsman office can benefit greatly from innovation and sharing by larger and central government agencies.

(The impact of technology on Ombudsman work is also taken up below in Chapter 8 in the discussion of complaint handling.)

### 4.3 Closing observations

Positive features of Ombudsman office governance and culture have been noted at a few points in this chapter. People like working there; they interact with and respect their colleagues at all levels; they take pride in their work, and believe it is respected throughout government; there is strong governance, strategic planning and risk management; the workplace challenges that stem from being a small public sector office are well understood; attention is appropriately given within the office to immediate as well as long-term workplace challenges; and staff have high respect for the ability and commitment of the leadership group. (These points are taken up in **Finding 4**.)

Workplace environments are, nonetheless, multifaceted, and staff will take the opportunity in the setting of an independent Strategic Review to convey other thoughts on office management and culture. A few such points have been briefly noted in this chapter and are taken up later, such as workload pressures faced in the Intake team and the challenge facing the office to keep on top of technological changes.

Only two other points warrant mention at this stage. The Review heard contrasting views about the practice of ‘open leadership’ in the office. Some staff were glowing about the visibility and approachability of senior leaders, while others thought there was reticence and hierarchical barriers. The most that can be said in this report is that the desire of staff to talk about this issue in the Review consultations underscores the value that staff place on easy interaction with senior management, particularly in an Ombudsman office. It is possible that the design and facilities of the new office premises will go a long way to fostering easy interaction within the office.

The other point to mention is the desire of some staff to see the office use its investigation role more forcefully to highlight defective administration and to build the public profile of the office. This is discussed further in Chapters 8 and 9. A theme developed in those chapters is that, once again, there are differing views as to whether the office can or should be more robust. The takeaway message is that it is important that staff understand there is an openness and willingness, through established processes, for the discussion to occur. (These points are taken up in **Finding 5**.)

Chapter 4 Findings	
<b>Finding 4</b>	<p>The Office of the Queensland Ombudsman:</p> <ul style="list-style-type: none"> <li>• has an effective governance structure</li> <li>• is focussed appropriately on strategic planning, risk management and workforce engagement</li> <li>• maintains a positive workplace culture that is highly appreciated by staff.</li> </ul>
<b>Finding 5</b>	<p>Staff of the Office of the Queensland Ombudsman value the opportunity when it is available, both informally and through formal channels, to engage actively with the office leadership in charting the strategic direction of the office.</p>

## 5 The legislative framework for Ombudsman office work

This chapter examines several issues that arose during the Review regarding the operation of the Ombudsman Act. Most of the issues are technical in nature, but can impact on the smooth and efficient conduct of investigations and similar Ombudsman work. The chief concerns are to do with information sharing within the office, public reporting of the results of Ombudsman investigations, and the grounds for declining a complaint. The chapter ends with a brief mention of legislative developments in other Ombudsman and complaint legislation.

### 5.1 Information sharing within the Ombudsman office

The Inspector of Detention Services (**Inspector**) is established as a separate statutory entity by the *Inspector of Detention Services Act 2022 (IDS Act)*. Any person appointed to the statutory role of Ombudsman is also automatically appointed to the statutory role as the Inspector for the same term.<sup>37</sup>

The functions and powers of the Inspector are fully conferred by the IDS Act. The Act nevertheless envisages that the Inspector's work will be undertaken within the Ombudsman office, though with separate badging. For example, the IDS Act provides that the Inspector controls any part of the Ombudsman office (staff and resources) that is used exclusively in the administration of the IDS Act (s 34). The Ombudsman office is to give the Inspector the administrative support services required to perform the Inspector role effectively (s 35). The Inspector may delegate a function or power (other than a reporting function) to an Ombudsman officer, but not if that officer is also a delegate under the Ombudsman Act. Similarly, a function or power cannot be delegated under the Ombudsman Act to an officer who is a delegate under the IDS Act (Ombudsman Act s 86).

The detention inspection work is undertaken by staff in the Detention Services Inspection Unit (DSIU), which is housed separately within the same building as the Ombudsman office. The staffing complement was 17 FTE in 2025. The DSIU is established within the Ombudsman office by administrative action rather than by the IDS Act. Business support work for the DSIU is undertaken by Ombudsman office staff, such as publications and technology.

The IDS Act contains its own framework for protecting 'confidential information', which is defined broadly to include any 'information about a person's affairs', as well as confidential or personal information protected by other legislation (s 29). This definition is similar to the expansive definition that is commonly used in privacy legislation, referring to any information that could reasonably identify a person.<sup>38</sup> An Ombudsman officer who has acquired confidential information in the course of administering the IDS Act must not disclose it to anyone else, or use it, subject to exceptions such as the consent of a person and to perform functions under the IDS Act or other law (s 30).

The Ombudsman office advised this Review that the separation of IDS and Ombudsman functions and information in this way creates obstacles to information sharing within the office, in situations such as the following:

- when DSIU officers are participating as Ombudsman employees in team and committee meetings that discuss investigation work

<sup>37</sup> *Ombudsman Act 2001* s 58; *Inspector of Detention Services Act 2022*, s 33.

<sup>38</sup> Eg, *Information Privacy Act 2009*, s 12.

- when information relating to a prisoner may be relevant both to a DSIU inspection and to the investigation of a complaint the prisoner has made to the Ombudsman office.

There is a similar impediment to information obtained under the Ombudsman Act being shared with officers acting under the IDS Act. The secrecy provision in the Ombudsman Act (s 92) prohibits the disclosure of information obtained under the Act, except in the performance of functions under that Act. As noted above, an officer cannot concurrently be a delegate under both the Ombudsman Act and the IDS Act.

There are exceptions in both Acts that can potentially be relied on to facilitate information sharing. For example, s 91A of the Ombudsman Act permits information sharing to an agency that has 'a proper interest in the information for the performance of [its] functions', or 'for the purpose of protecting the health, safety or security of a person or property'. A similar exception in the IDS Act permits information disclosure to the extent necessary to perform functions under the Act (s 30(3)), and the Inspector has power to disclose information for a public interest reason (s 31). Another option to circumvent the disclosure prohibition in the IDS Act is to de-identify the information.

The complexity of those provisions, as the Ombudsman office points out, can be burdensome and require legal advice before relying upon them. As an illustration of the uncertainty that can arise, on occasions the current Ombudsman (who administers both Acts) has formally shared information with himself by signing a letter in one role that is addressed to himself in the other role.

## Observations

These restrictions on information sharing within the same office seem excessive and unwarranted. The main purpose of secrecy and confidentiality provisions is ordinarily to prevent inappropriate disclosure of information beyond the agency that has acquired or holds the information. An added aim of privacy-oriented provisions is to ensure that personal information is used for the proper purpose and is not misused.

The scheme of the IDS Act anticipates that IDS functions will be exercised by the Ombudsman and other staff of the office. It is well-established that the Ombudsman has a broad complaint and investigation function that extends across Queensland government. The office has extensive experience and trust over 50 years in handling a full range of sensitive personal and confidential information. This is underpinned by secrecy provisions in the Ombudsman Act to which criminal penalties are attached.

The provisions in the IDS Act and the Ombudsman Act that prevent information sharing within the same office are apt to impede the IDS function. Effective regulatory administration vitally depends on access to relevant information. This is taken up in **Recommendation 1** below, proposing that the rules permitting Ombudsman officers to share information with other officers should similarly apply to the sharing of information with or by an officer acting under the IDS Act.

## 5.2 Disclosure of information publicly under the Ombudsman Act

The secrecy provision in the Ombudsman Act (s 92) applies quite broadly to preclude public disclosure of information relating to Ombudsman investigations. The main features of the disclosure prohibition in s 92 and allied provisions are:

- the prohibition is against the disclosure of information that a person has obtained in the performance of a function under the Ombudsman Act, including information obtained in a preliminary inquiry or investigation

- the people to whom the prohibition applies are officers in the Ombudsman office, officers in other agencies to which the Act applies (departments, local authorities and public authorities) and any other person
- it is an offence to act contrary to the prohibition
- disclosure is permitted in the performance of a function under the Act, in formulating a recommendation or report under the Act, or to assist administrative improvement in an agency or assist relevant research (provided the information is de-identified)
- disclosure is also permitted by an Ombudsman officer to an agency if the agency has a proper interest in the information, or to protect the health, safety or security of a person or property (s 91A)
- the Ombudsman has a separate power to make an order prohibiting the publication of information given to the Ombudsman, or information given by the Ombudsman to an agency or person (s 91)
- the Ombudsman is required to conduct investigations ‘in a way that maintains confidentiality’ (s 25(2)(a)).

The rationale for this confidentiality framework was explained in the 2018 Strategic Review report, and endorsed by the Parliamentary oversight committee.<sup>39</sup> They explained that the Ombudsman Act provisions reassure others that information provided to the Ombudsman will be treated confidentially. This encourages cooperation with and disclosure to the Ombudsman, including by public interest disclosers. The disclosure prohibition also helps to protect personal reputations from unsubstantiated allegations.

It should be noted that this rationale was given by the Reviewer and the committee in a limited context, specifically, in a section of the 2018 Report headed ‘Informal and Early Resolution’ that was focussed on whether information provided to the Ombudsman should be exempt from disclosure under the *Right to Information Act 2009*. The concern was that agencies and people may be unwilling to provide information informally if RTI disclosure could occur. To safeguard the Ombudsman’s ‘timely, informal and *confidential* investigation of complaints which has been a hallmark characteristic of a parliamentary ombudsman’, the 2018 Review Report recommended that material that came within s 92 of the Ombudsman Act should be exempt information under the RTI Act. This recommendation was implemented.<sup>40</sup>

Another rationale for the disclosure prohibition is that it reflects the scheme initially adopted in Australia for public reporting by the Ombudsman. Essentially, this was to be done through the Parliament, as reflected in the following three reporting procedures in the Ombudsman Act:

- At the conclusion of an investigation the Ombudsman may make a report to an agency that contains the Ombudsman’s findings on defective administration and recommendations for remedial action (s 50). If the Ombudsman considers the agency has not taken appropriate steps within a reasonable time to give effect to the recommendations, the Ombudsman may subsequently give the report to the Premier, and to the Speaker for tabling in the Parliament (s 51).
- The Ombudsman may, at any time considered appropriate by the Ombudsman, give to the Speaker for tabling in the Parliament ‘a report on a matter arising out of the performance of the Ombudsman’s functions’ (s 52).

<sup>39</sup> *Strategic Review of the Office of the Queensland Ombudsman* (Jan 2018) at 65-6; Queensland Parliament, Legal Affairs and Community Safety Committee, *Inquiry into the Strategic Review of the Office of the Queensland Ombudsman*, Report No 25, 56<sup>th</sup> Parliament, Nov 2018, at 7-8.

<sup>40</sup> *Right to Information Act 2009*, Schedule 3, s 12(1).

- The Speaker may at any time consent to a written request from the Ombudsman to publish a report relating to either a particular case investigated by the Ombudsman or the Ombudsman's work more generally (s 54).

In the brief to this Review, the Ombudsman gave 3 examples that questioned the suitability of the broad disclosure prohibition in s 92 of the Act:

- An agency that has been the subject of a finalised investigation may wish to make a statement that 'corrects the record' if the investigation has been misrepresented in the public arena.
- The Ombudsman may wish to publish information on the website about an ongoing investigation without having to adopt the formality of obtaining the Speaker's consent.
- A complainant who has acted on behalf of a concerned group of citizens may wish to share the outcome of the investigation with the members of the group.

The Ombudsman's view is that s 92 does not generally permit disclosure in those circumstances.

A similar example was raised with this Review by a former complainant. The person wished to make a submission to the Review in response to the Consultation Paper, but before doing so sought reassurance that this would not contravene s 92.

The IDS Act does not contain any restriction on disclosure or use that is similar to s 92 of the Ombudsman Act. Instead, s 31(1) of the IDS Act provides:

*The inspector may disclose information to any person or the public in relation to the performance of a function of the inspector if the inspector believes on reasonable grounds disclosing the information is in the interests of any person or is otherwise in the public interest.*

Another relevant development is that the *Crime and Corruption Act 2001 (CC Act)* was amended in 2025 to expand the powers of the Crime and Corruption Commission to report publicly on its work. The amendments were in response to the decision of the High Court of Australia in *Crime & Corruption Commission v Carne* [2023] HCA 28, which gave a narrow reading to the Commission's reporting powers. The Court held that the Commission lacked legal authority to publish a corruption investigation report that did not result in a criminal finding. The CC Act was amended to confer the following two powers on the Commission:

- to make a report on a corruption matter to the Speaker for tabling in the Parliament, irrespective of whether the report contains an adverse finding following the investigation of a corruption complaint; in deciding whether to make such a report the Commission is to have regard to a range of factors, including the need for accountability and transparency in government, the public benefit, the seriousness of the matter, and whether the report may reasonably interfere with a person's privacy or reputation (s 64A)
- to make a public statement about a corruption matter in a manner considered appropriate, such as a media release, press conference or on the Commission's website; the Commission is to have regard to the same range of factors listed above (s 65A).

## Observations

The restrictions in Queensland on public disclosure go further than those in some other Australian jurisdictions – as illustrated in the following 3 examples.

The broadest discretion to release is exercisable by the Commonwealth Ombudsman, who can disclose information to any person, or release a statement at any time, if the Ombudsman is of the opinion that it is in the public interest to do so.<sup>41</sup> This is the path customarily followed by the

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<sup>41</sup> *Ombudsman Act 1976* (Cth), s 35A.

Ombudsman in releasing the reports of investigations, publishing media statements and delivering public speeches. Although the Commonwealth Ombudsman has an additional power to arrange parliamentary tabling of a report through the Speaker or Minister,<sup>42</sup> this formal path is only rarely used.

The Victorian and NSW disclosure provisions fall midway between the Commonwealth and Queensland arrangements. As in Queensland, the reports of those Ombudsman are ordinarily published by being tabled in the Parliament. However, there are some additional public disclosure powers. The NSW Ombudsman may generally disclose information publicly 'in connection with the administration or execution' of the Ombudsman Act; the Ombudsman may also make a statement to correct the public record about an investigation, or about a decision of the Ombudsman to (or not to) investigate a matter or conduct a preliminary inquiry.<sup>43</sup> The Victorian Ombudsman may disclose de-identified information to the public about an own motion investigation or enquiry.<sup>44</sup>

There are two important points to note about these examples from other jurisdictions. The first is that the Ombudsman's authority to disclose publicly has generally been widened over time. Most jurisdictions commenced with a restrictive disclosure framework, but exceptions that authorise Ombudsman disclosure were later added. That is, thinking has changed and become more liberal as regards the discretion an Ombudsman should have to communicate ideas and outcomes publicly. The scale of change on how technology has changed the Ombudsman's communication style is displayed in the Queensland office's 50<sup>th</sup> anniversary publication. From a public policy angle, there is no underlying concern that the Ombudsman will abuse the discretion to forge a public profile.

Secondly, none of the disclosure provisions just mentioned restrict an agency or complainant from publicly releasing or commenting on information provided to them by the Ombudsman. The provisions are designed only to regulate disclosure by the Ombudsman and staff of the office. This limited focus is understandable. As a general principle of law, once information has been released by a government agency the recipient is free to use it how they wish and to become individually responsible for how the information is used. This is the principle underlying access to information legislation – that release in response to an access request becomes release to the world at large.<sup>45</sup>

There are, of course, many specific controls placed by legislation on how government information can be used, but those controls are an exception to the general principle that it is not the concern or responsibility of government to ensure that information is not put to an inconvenient or upsetting use. This principle is reflected in the *Right to Information Act 2009* which lists in Schedule 4, Part 1, the following irrelevant factors in deciding whether disclosure would on balance be contrary to the public interest:

1. Disclosure of the information could reasonably be expected to cause embarrassment to the Government or to cause a loss of confidence in the Government.
2. Disclosure of the information could reasonably be expected to result in the applicant misinterpreting or misunderstanding the document.
3. Disclosure of the information could reasonably be expected to result in mischievous conduct by the applicant.

This Review is therefore of the view that the restrictions imposed by s 92 of the Act on disclosure and use of Ombudsman information should be relaxed. There are many ways this could be done, as noted above. At one end of the spectrum is the option of minimal change, for example, amending s

<sup>42</sup> *Ombudsman Act 1976* (Cth), ss 17, 19.

<sup>43</sup> *Ombudsman Act 1974* (NSW), s 34(2). The Ombudsman also has additional powers, spelt out in s 34, to disclose information to agencies and complainants, and to prevent or lessen a risk of harm to a person.

<sup>44</sup> *Ombudsman Act 1973* (Vic), s 26FC(1).

<sup>45</sup> E.g. 'FG' and *National Archives of Australia* [2015] AICmr 26 [23]

92 to provide that a person may make a statement that confirms the outcome of an Ombudsman investigation or to correct information in the public domain about an investigation. At the other end of the spectrum is an option similar to the Commonwealth Ombudsman framework – that is, authorising the Ombudsman to release information in the public interest, and removing any restriction applying to an agency or complainant in using information provided to them by the Ombudsman. This, too, is the approach adopted in the IDS Act s 31, and in the CC Act ss 64A, 65A.

This Review favours the more extensive and liberal relaxation of the restrictions, in line with the IDS Act and CC Act provisions. **Recommendation 2** below reflects that view, though is framed in more open-ended terms, bearing in mind that this issue has not been fully explored in this Review with all parties that may wish to contribute to discussion on the matter.

### 5.3 Other matters relating to the Ombudsman Act

Several other matters relating to the Ombudsman Act were raised with this Review. I shall note them, but go no further than recommend that the Ombudsman take note of these matters to assess whether, in the normal course of agency review and planning, an amendment should be proposed at some time. (See **Recommendation 3** below)

#### (a) Disclosure for the purpose of other proceedings

The brief for this Review prepared by the Ombudsman office drew attention to s 92A of the Ombudsman Act which has the effect that an Ombudsman officer is not competent to give evidence or produce a document in a legal proceeding. There are some exceptions, for example, evidence can be given in a prosecution of a person for an offence against the Ombudsman Act, or in a judicial review proceeding against the Ombudsman.

The restriction imposed by s 92A goes further than similar provisions in some other Ombudsman legislation. For example, the Commonwealth Ombudsman enabling Act provides that an Ombudsman officer 'is not compellable' to disclose information for the purpose of a court or other proceeding.<sup>46</sup> The difference between competence and compellability is that a person who is competent can choose to give evidence, but if not compellable, cannot be legally required to do so.

The NSW enabling Act is, in the vernacular, double-barrelled: an Ombudsman officer 'shall not ... be competent or compellable to give evidence or produce a document'.<sup>47</sup> The Victorian enabling Act provides that Ombudsman officers cannot be compelled to give evidence, and contains an additional restriction aimed at parties other than the Ombudsman: information given by the Ombudsman to a person is not admissible as evidence in a legal proceeding.<sup>48</sup>

It may be that the end result in all jurisdictions is similar, for two reasons. First, the exceptions that permit Ombudsman information to be given as evidence probably cover the most likely circumstances in which the information may be required, such as a criminal prosecution or judicial review proceeding. Secondly, a person wishing to submit Ombudsman information to a court, tribunal or inquiry may be able to obtain the same information from another source (such as an agency) or, if the rules of evidence do not apply, may be able to refer to the Ombudsman information in a submission.

The Ombudsman brief to this Review referred to a few situations where s 92A potentially imposes a barrier to the sensible disclosure of information by the office: in response to a notice from a

<sup>46</sup> *Ombudsman Act 1976* (Cth), s 35(8).

<sup>47</sup> *Ombudsman Act 1974* (NSW), s 35.

<sup>48</sup> *Ombudsman Act 1973* (Vic), ss 29(4), 29B.

commission of inquiry; providing a statement to the police; and providing full information to a coronial investigation (though see s 57A).

Those examples may justify amendment of s 92A, either by creating a specific exception that permits disclosure, or by substituting ‘compellability’ for ‘competence’ so that the Ombudsman has a discretion but not an obligation to release.

## (b) Grounds for refusing to investigate a complaint

A standard feature of complaint legislation is that it lists the grounds on which the complaint body may refuse to investigate a complaint or to continue an investigation. These are usually framed in broad discretionary terms.

There is, however, a large practical constraint as to how these grounds can be relied upon. It is legally incumbent on a complaint body to nominate the ground on which a complaint is declined, and the complainant may object to this explanation and potentially seek judicial review of the decision. For example, standard legislative grounds for not accepting a complaint are that it is considered trivial, frivolous, vexatious or not made in good faith. While those are common sense grounds, direct reliance upon them is infrequent.

The present relevance of this point is that it has come to the fore in the Queensland Ombudsman office as regards complaints that are suspected of having been prepared with the assistance of generative AI tools. The problem is explained more fully in Chapter 8 of this report. These complaints can pose a threshold difficulty for Ombudsman intake staff to identify the nub of the complaint, the relevance of all complaint allegations, and whether the complaint is genuinely made.

The Ombudsman Act provisions are ill-fitting for addressing those issues and potentially declining a complaint or requiring a better explanation from the complainant. An AI-assisted complaint can be quite lengthy and crafted in sophisticated reasoning. It can be problematic for the office to decide (using the language in the Ombudsman Act) that the complaint is ‘trivial’ or ‘frivolous’, ‘the complainant does not have a sufficient direct interest’ in the matter, or that investigation is ‘unnecessary or unjustifiable’ (s 23(1)).

There is a strong case for reviewing the provisions of the Ombudsman Act that empower the office to refuse to investigate or to seek further information from a complainant (both in an AI context and more generally). This report does not make a more specific recommendation because (as discussed in Chapter 8) the office is presently reviewing how it should approach AI-assisted complaints. Recommendation 3 lists this topic as a matter that can be taken up through amendment to the Ombudsman Act following further review.

## (c) Updating the Ombudsman complaint framework

The current Ombudsman Act was framed 25 years ago, and was based on an Act drafted 25 years earlier. Several staff consulted in this Review made the comment that the Act looks and feels dated and does not compare well with complaint legislation drafted more recently.

By comparison, the *Health Ombudsman Act 2013* contains a clearer structure and language as to who may make a complaint, how to complain, clarifying the complaint issues, how the complaint will be assessed and handled, the investigation process, and resolution options. The same comparison can also be drawn with the legislation establishing the Office of the Independent Assessor, which was enacted in 2018.<sup>49</sup>

An example of a shortcoming in the Ombudsman Act that a couple of staff members pointed to is that it does not mention ‘assessment’ as the preliminary (and significant) stage in complaint handling.

<sup>49</sup> See *Local Government Act 2009*, Chapter 5A, Part 3.

The Act refers only to the Ombudsman conducting an investigation, or making preliminary inquiries to decide whether to investigate (ss 22, 24-25).

A staff member also pointed to an anomaly in the Act that can be distracting: the office can accept a complaint from a person ‘apparently representing’ a complainant (s 20(3)(b)), yet can decline to accept a complaint from a person who ‘does not have a sufficient direct interest in the action complained of’ (s 23(1)(c)).

Updating the Ombudsman Act as envisaged in these comments would doubtless be a large and time-consuming task, both for the Ombudsman office and elsewhere in government. The task would necessarily have to compete with other priorities. On that basis, this report does not recommend that such a wholesale review be initiated but – once again – lists it in Recommendation 3 as a topic for further consideration.

#### (d) Developments in other jurisdictions

A similar comment can be made about other options for updating the Ombudsman Act. There have been interesting changes to Ombudsman legislation in other Australian jurisdictions that, at a suitable time, warrant consideration in Queensland.

Two examples from NSW and Victoria are illustrative. A new function has been conferred on the Ombudsman in both jurisdictions to undertake an own motion review of the complaint practices and procedures of an agency.<sup>50</sup> Reviews of this kind are routinely undertaken by Ombudsman offices in Australia under other general powers and can, for example, be undertaken by the Queensland Ombudsman under its own motion investigation powers.<sup>51</sup> However, stating in the Act that a review of agency complaint handling is a separate Ombudsman function, and outlining the procedure and the obligation of the agency to assist the Ombudsman, gives added prominence to the role. A relevant point in Queensland is that s 64 of the *Public Sector Act 2022* requires public sector entities to have a customer complaint system in place.

A second example from both jurisdictions is that the Ombudsman is authorised to attempt to deal with a complaint by conciliation or mediation.<sup>52</sup> A basic procedure is set down in the Act, that includes voluntary participation, confidentiality of material considered in the conciliation, subsequent investigation of an unsuccessful conciliation, and (in NSW) that an agency may be required to pay a fee to cover the process.

Another feature of some other Acts is the duty expressly imposed on the principal officer of an agency to use best endeavours to assist the Ombudsman in performing the functions of the office. This is, at the least, an implicit obligation in all schemes, but there has been fresh interest in casting it as an express obligation following the revelations of the Robodebt Royal Commission that Commonwealth agencies had knowingly misled the Ombudsman.<sup>53</sup>

Recommendation 3 draws attention to these options for amending the Queensland Ombudsman Act.

<sup>50</sup> *Ombudsman Act 1974* (NSW) s 25A; *Ombudsman Act 1973* (Vic), s 13D.

<sup>51</sup> *Ombudsman Act 2001*, ss 12(a)(iii), 18(1)(b).

<sup>52</sup> *Ombudsman Act 1974* (NSW) s 13A; *Ombudsman Act 1973* (Vic), s 13G.

<sup>53</sup> See *Oversight Legislation Amendment (Robodebt Royal Commission Response and Other Measures) Act 2024* (Cth), and *Ombudsman Act 1976* (Cth), s 32.

### Chapter 5 Finding

<p><b>Finding 6</b></p>	<p>The <i>Ombudsman Act 2001</i> establishes a suitable framework for the Office of the Queensland Ombudsman to discharge its functions. Two features of the Act can unnecessarily impede the smooth and sensible work of the office:</p> <ul style="list-style-type: none"> <li>• provisions in the Act that, alongside provisions in the <i>Inspector of Detention Services Act 2022</i>, impede information sharing between staff of the Detention Services Inspection Unit and other Ombudsman staff</li> <li>• restrictions in the Ombudsman Act on disclosure of information by Ombudsman officers, and on the use by agencies and complainants of information obtained from the Ombudsman office.</li> </ul> <p>Other features of the Act may also warrant reconsideration, such as the grounds for declining a complaint, and restrictions on the disclosure of information for other legal proceedings.</p>
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### Chapter 5 Recommendations

<p><b>Recommendation 1</b></p>	<p>The <i>Ombudsman Act 2001</i> and the <i>Inspector of Detention Services Act 2022</i> be amended to permit an officer acting under either Act to share information with another officer acting under the other Act, on the same conditions as an Ombudsman officer can share information with another officer under the <i>Ombudsman Act 2001</i>.</p>
<p><b>Recommendation 2</b></p>	<p>The <i>Ombudsman Act 2001</i>, and in particular s 92 of the Act, be amended to confer greater discretion on the Ombudsman to release information publicly about matters dealt with by the Ombudsman office, and to remove the restrictions that s 92 currently places on agencies and complainants from using information provided to them by the Ombudsman.</p>
<p><b>Recommendation 3</b></p>	<p>The Ombudsman note the comments made in this report as to options for revising or updating the <i>Ombudsman Act 2001</i>, having regard to legislative developments in other Australia jurisdictions.</p>

## 6 The Ombudsman's relationship to other Queensland public sector entities

This chapter gives an overview of the various ways the Ombudsman office interacts with other elements of the Queensland system of government. Although the discussion draws from the description in other chapters, the purpose is separately to examine whether the Ombudsman's interaction is productive.

The chapter does not examine the areas of functional interaction between the Ombudsman and executive agencies that are covered in Part C of this Report, such as complaint handling, administrative guidance, inspection of detention services and PID oversight.

Nor does this chapter examine the various provisions in the Ombudsman Act that anticipate interaction between the Ombudsman and a Minister (such as s 26, regarding consultation between both). By and large their interaction is entwined with the Ombudsman's complaint investigation function.

### 6.1 Relationship to Parliament

Parliament and the Ombudsman interact in the following formal ways set down in the Ombudsman Act (the oversight committee referred to below is presently the Justice, Integrity and Community Safety Committee; and references to the Ombudsman include the Inspector of Detention Services):

- The Ombudsman is declared to be an officer of the Parliament (s 11).<sup>54</sup> The oath of office is administered by the Speaker (s 63). The Ombudsman's declaration of interests is submitted to the Speaker, and may be shared with the parliamentary oversight committee (s 63A). A similar disclosure requirement applies to conflicts of interest (s 63B).
- The procedure for removal or suspension of the Ombudsman is an address from the Legislative Assembly, on a motion moved by the Premier that is agreed to by the parliamentary oversight committee (ss 67, 68).
- The Legislative Assembly or a statutory committee of the Assembly may refer to the Ombudsman for investigation a matter of administration of an agency that falls within the Ombudsman's jurisdiction, or that was taken on behalf of an agency by a private entity (ss 12, 12A). The Ombudsman is required to investigate the matter 'as soon as possible after the reference is made' (s 19).
- The parliamentary oversight committee is to approve the selection process for the appointment of the Ombudsman (s 59). The committee must also approve the Minister's recommendation to the Governor in Council as regards the Ombudsman's salary and terms of appointment (s 62).
- The Ombudsman reports publicly on investigations and other work through the Parliament, by providing a report to the Speaker for tabling (ss 51-54).

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<sup>54</sup> The Inspector of Detention Services is also an officer of the Parliament: IDS Act, s 7.

- A proposal by the Ombudsman for additional funding is first given to the parliamentary oversight committee so that it can appraise and state whether it approves the funding proposal (s 85C).
- The parliamentary oversight committee is required to approve the person recommended by the Minister to undertake the periodic strategic review of the Ombudsman office (s 83). The review report is to be provided to the chair of the parliamentary oversight committee for tabling in the Parliament (s 85).
- The parliamentary oversight committee has functions listed in the Ombudsman Act, that include monitoring and reviewing the performance of Ombudsman functions, reporting to the Assembly on any matter relating to the Ombudsman's performance, examining the Ombudsman's annual reports, and reporting to the Assembly on any proposed changes to the Ombudsman's functions, structures or procedures (s 89).

Another point of context is that the Ombudsman's jurisdiction to investigate the administrative actions of agencies (s 14) does not directly extend to the Parliament. The Parliament does not fall within the definition of 'agency' in s 8 of the Act. Further, the Act expressly excludes from the Ombudsman's jurisdiction 'a decision, including a policy decision, made by a Minister or Cabinet' or 'a decision that the ombudsman is satisfied has been taken for implementing a decision made by Cabinet' (s 16).

## Observations

The Ombudsman's relationship to the Parliament is a central element of the way the office is established in Queensland. For that reason this Review has taken note of the relationship, and extended an invitation to the Speaker and the Chair of the oversight committee to consult with the Review.

Viewed from the outside, the Ombudsman-Parliament relationship is settled and effective. No concerns have been raised during this Review. The Ombudsman meets with the oversight committee at least once a year in a public hearing following the tabling of the Ombudsman's Annual Report, and the committee subsequently reports to the Parliament.

The most recent report of the committee noted the key activities and achievements of the Ombudsman's office that were discussed in the annual report and at the public hearing.<sup>55</sup> Noting that it was the Ombudsman's 50<sup>th</sup> anniversary, the committee congratulated the Ombudsman and staff on their performance and acknowledged innovations they had introduced in the previous year to foster good decision making across the public sector and to make the Ombudsman's resources available to agencies and the community.<sup>56</sup>

An important development in the Ombudsman-Parliament relationship was the introduction in 2022 of the new procedure whereby the Ombudsman can submit a new funding proposal that will be appraised by the oversight committee (s 85C). The purpose, as envisaged by the Coaldrake Report,<sup>57</sup> was to enhance the Ombudsman's independence by aligning financial budgetary forecasting with the Parliament rather than the executive government.

This procedure provides a strategic opportunity for the Ombudsman to frame budget proposals that better enable the office to enhance its performance in addressing areas of need and pressure points in its oversight work. Several Ombudsman staff members consulted during this Review drew attention to this new procedure and the potential it provides to the office. A new funding proposal

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<sup>55</sup> Queensland Parliament, *Oversight of the Queensland Ombudsman*, Report No 18, 58<sup>th</sup> Parliament, Aug 2025 (tabled on 5 Sept 2025).

<sup>56</sup> *Ibid*, 18.

<sup>57</sup> See text accompanying note 19 above.

was in fact submitted to the parliamentary committee in February 2026, for an additional 2 FTE staff members in the Intake team, to deal with increased complaint numbers.

It is of benefit to the office, on an ongoing basis, that it can submit proposals for additional funding in this way. This is taken up below in **Finding 7** and **Recommendation 4**.

A feature of the Parliament-Ombudsman relationship that has been under-utilised is the capacity of the Legislative Assembly or a statutory committee to refer a matter to the Ombudsman for investigation. The only referral that has been made was in December 2021, when the Legal Affairs and Safety Committee referred the issue of prison overcrowding, that the Ombudsman investigated and subsequently reported on.<sup>58</sup>

In Victoria, by comparison, the referral power has been actively used in recent years. The explanation seems to rest on two points of difference between both States. The first is that Victoria has a bicameral Parliament, and the referrals have come from the upper house of Parliament, which may not be controlled by the Government. The second difference is that the Victorian Parliament, following a decision of the Victorian Court of Appeal in 2016, can refer to the Ombudsman a matter that would otherwise be outside the Ombudsman's jurisdiction, and the Ombudsman is required to investigate and report.<sup>59</sup> Two recent illustrations were referrals to the Ombudsman of the misuse of parliamentary expense allowances, and alleged politicisation of the public sector.<sup>60</sup>

Nothing more need be said on this topic. The discretion lies with the Queensland Parliament or a statutory committee, should they wish to proceed, to refer a matter within the Ombudsman's jurisdiction for independent investigation.

## 6.2 Relationship to designated executive agencies

The Ombudsman relates to Queensland government agencies in a host of different ways, formal and informal. The aspect of the relationship taken up in this section is the relationship with three agencies that have responsibilities in government liaison, finance and policy – the Department of the Premier and Cabinet, the Queensland Treasury, and the Department of Justice. They were named in the Terms of Reference for this Review as agencies to be consulted.

### Observations

During the consultation all three departments confirmed they had a smooth and constructive working relationship with the Ombudsman office (see **Finding 8**). Their discussions with the office on matters such as budget and the operation and development of the oversight system had proceeded well.

The departments felt there was general confidence in government that complaint and other matters could be referred to the Ombudsman and handled in a practical manner. They acknowledged the valuable work of the office in providing training and related support across government. It was also appreciated that the Ombudsman and senior staff were willing to make presentations to the departmental leadership team, sometimes in conjunction with other oversight agencies.

Two topics of particular interest to the three designated agencies that arose in discussion were: the complexity of the oversight system and how the public navigates it; and the operation of the public interest disclosure scheme. Both topics are taken up, respectively, in Chapters 8 and 11.

<sup>58</sup> Queensland Ombudsman, *Prison overcrowding and other matters report* (Feb 2024).

<sup>59</sup> *Attorney-General (Vic) v Glass* [2016] VSCA 306.

<sup>60</sup> Respectively, Victorian Ombudsman, *Investigation of a matter referred from the Legislative Council on 9 February 2022 – Part 1*; and Victorian Ombudsman, *Alleged politicisation of the public sector* (Dec 2023). An example of a referral that was otherwise within the Ombudsman's jurisdiction is: Victorian Ombudsman, *'We just want to finish our home': Management of Domestic Building Insurance claims by VMIA* (Dec 2025).

## 6.3 Relationship to other integrity oversight agencies

The Ombudsman is one of several ‘complaint’ and ‘oversight integrity’ agencies in the Queensland government system. The relationship between the Ombudsman and those other agencies is an important and topical issue.

Of particular importance in this Review is the Ombudsman’s interaction with four agencies – the Auditor-General, Information Commissioner, Integrity Commissioner and Crime and Corruption Commission. Their interaction is at two levels – at a functional level, in discharging their various oversight responsibilities; and at a system level, being described at times as the core integrity group in the Queensland public sector system. Both dimensions were addressed in the Coaldrake Report in a way that helps to frame the following discussion.

### (a) Observations of the Coaldrake Report on the Queensland integrity system

Although use of the term ‘integrity system’ is now commonplace, there is in fact no settled practice on use of the term. The Coaldrake Report was perhaps the first official report in Australia to draw attention to the concept of an integrity branch of government.

After referring briefly to the elastic nature of the term, the Report distinguished ‘core’ integrity institutions – the five mentioned above – from ‘distributed’ integrity institutions.<sup>61</sup> The ‘core’ bodies ‘are established solely or primarily to carry out integrity functions; whereas ‘distributed’ institutions have an integrity function alongside other functions (such as the Public Sector Commission and the Human Rights Commission). The Report went on to say the core bodies constitute ‘the integrity branch’ and were part of a broader integrity system.

Though the broad remit of the Coaldrake Report was to look at culture and accountability in the Queensland public sector, it regarded the integrity branch agencies as playing a central role in bolstering those principles – ‘they are the traffic control system which enables citizens to have faith that their needs are being fairly addressed’.<sup>62</sup>

The Report found there were worrying shortcomings and flaws in how government accountability and oversight were functioning. There was ‘widespread disaffection with the performance of governments’, an earnest public expectation that ‘officials be more accountable and transparent’, and the ‘integrity system [was] under stress trying to keep check on a culture that, from the top down, is not meeting public expectations’.<sup>63</sup>

The Report made wide-ranging recommendations for reform, many of them beyond the immediate concern of this strategic review of the Ombudsman office. Among the broader recommendations were for proactive release of Cabinet submissions, stronger lobbying regulation, rejuvenation of the capability and capacity of the Queensland public sector, and appointment of agency CEOs on 5 year contracts.

As to the five core integrity agencies, the Report separately examined each, describing the agency’s history and areas for refinement, drawn partly from submissions to the Coaldrake review. The recommendations in the Report were few and generally limited in scope. Some related to one agency only, and some related potentially to all of them. The agency specific recommendation for the Ombudsman was to extend its authority to investigate complaints against private organisations that carry out functions on behalf of government. This was implemented in 2024 through a new s 12A in

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<sup>61</sup> Coaldrake Report at 6.

<sup>62</sup> Coaldrake Report at 1.

<sup>63</sup> Coaldrake Report at 1.

the Ombudsman Act. An example of another agency specific recommendation (also implemented) was to make the Auditor-General an officer of the Parliament.

Three recommendations related more generally to the integrity oversight bodies. One was to strengthen their independence by aligning responsibility for budgetary matters with Parliament rather than the executive government. As to the Ombudsman, this was implemented by a new Part 8 Division 4A in the Ombudsman Act.

A second recommendation was to support a review of the *Public Interest Disclosure Act 2010* – implemented through the Wilson Report, discussed in Chapter 11.

The third recommendation was to establish a government-wide single clearing house for complaints. This is currently being implemented, as discussed in Chapter 8, though maybe not fully in the manner envisaged by the Coaldrake Report. The recommendation for a complaints clearing house sprang from a concern that the integrity branch had expanded over the last five decades, but may not be meeting the community's needs or expectations.

The Report<sup>64</sup> felt the integrity branch had become crowded and complex, a 'tangled web' that bred 'widespread confusion about how the "patchwork" of integrity bodies fit together', making it difficult for complainants 'to navigate the complex and overlapping integrity system'. The phrase 'Queensland's integrity patchwork' was used in a couple of chapter headings to highlight this problem. The Report gave a few examples of how this complexity played out, but these were mostly cast in general terms – such as 'uneven approach', 'turf wars over jurisdiction', 'valid questions about effectiveness', 'complaints being passed from one agency or integrity body to another', and 'mission creep'.

The best way to address these problems, the Report urged, was to establish a single body that would be responsible for receiving complaints about alleged corruption, administrative decisions and other customer complaints. The body – the 'one door to government' – would assess and sift those complaints and direct them to the appropriate agency, which may be an integrity branch agency or another statutory or executive agency. The clearing house would be managed by an oversight group drawn from the Ombudsman, CCC, Public Sector Commission and a line agency. The management group would also play a role in developing manuals, training and quality assurance.

The Government announced in June 2025 that it was establishing the Complaints Clearing House, located within the Department of Customer Services, Open Data and Small Business.<sup>65</sup> The Ombudsman (and Crime and Corruption Commission) are not directly involved in managing or operating the facility. It seems likely too, particularly in the early stages, that people will continue to approach the Ombudsman and other integrity branch agencies directly. The main work and impact of the new arrangement may be at agency level, where people may find it convenient to approach the Clearing House with a complaint or query rather than decide which agency to approach.

The consultations for this strategic review of the Ombudsman office largely proceeded on that basis. Little was said or speculated by anyone who was consulted about the impact the new arrangement might have on the traditional role and methods of the Ombudsman office. It was longstanding practice for the office to field enquiries from the public and to assist people to reach the appropriate destination. This was not expected to change, at least for the moment.

It was largely assumed too, among the oversight integrity agencies, that they will continue to interact in the same way and, going forward, will focus on opportunities to streamline or enhance their interaction. That theme is picked up in the next two sections that look at the functional interaction of the agencies and their collaboration as an integrity group.

<sup>64</sup> The following quotes and description are mainly taken from Chapter 8 of the Report.

<sup>65</sup> Minister for Customer Services and Open Data and Minister for Small and Family Business, 'Complaints Clearing House delivered lock, stock and barrel', Media Statement, 26 June 2025.

## (b) Functional interaction of the integrity oversight agencies

At a functional level the complaint and integrity agencies interact in three main ways:

- periodic consultation between individual agencies
- exchange of information (and referrals) about complaints and investigations
- oversight of each other.

**Agency consultation:** Agency-to-agency meetings are held on a periodic basis to discuss their relationship, current work, and the strategic outlook. These are commonly high-level meetings that involve the head of agency or the deputy. For example, the Ombudsman and the Crime and Corruption Commission meet on a quarterly basis; the Ombudsman and Information Commissioner meet twice a year on a less structured basis; and, as circumstances require, the Ombudsman meets with the Auditor-General and with the Integrity Commissioner.

Another example of a more structured arrangement is the Local Government Interagency Group, comprising the Department of Local Government, Office of the Independent Assessor, Ombudsman, Queensland Audit Office and Crime and Corruption Commission. The Interagency Group meets quarterly.

The Ombudsman Act (s 15) recognises the importance of this interaction with other agencies by declaring that the Ombudsman may liaise with other complaints entities about their work and may enter into an arrangement with another entity to avoid inappropriate duplication of administrative activity.<sup>66</sup> The Act defines ‘complaints entity’ to include Ombudsman offices in other Australian jurisdictions, as well as Queensland agencies that have statutory responsibility for investigating or reviewing the administrative actions of agencies (Schedule 3).

The Queensland agency heads consulted in this Review all expressed satisfaction with their current working relationships with each other. They report there is a good formal and informal contact between the agencies and the senior officers. Their meetings have provided a valuable opportunity to keep abreast of developments in the complaint and integrity space, and to stimulate collaborative planning for activities such as joint regional visits and presentations. For the purposes of this Review, I note that the other agency heads I consulted all spoke very positively of their relationship with the Ombudsman and Deputy Ombudsman. (See **Finding 9**)

**Information sharing:** As to exchange of information, there can be a benefit both for the integrity agencies and for complainants if the agencies have the capacity to share information with each other. Circumstances in which this can be beneficial include where a complaint can more suitably be handled by another agency, there is overlapping investigation work, or two or more agencies are dealing with similar complaint issues raised by the same complainant.

The report of the 2018 Strategic Review of the Ombudsman office noted that the procedure in s 15 of the Ombudsman Act for liaison between the Ombudsman and other complaint entities could be used beneficially to share complaints and investigation data and systemic complaints information.<sup>67</sup> The oversight agencies consulted in this Review all observed, unprompted, that there is probably untapped potential for greater information sharing among the agencies of de-identified complaint information. This is taken up below in **Finding 10** and **Recommendation 5**, proposing that the Ombudsman explore with other agencies the opportunity for information sharing of that kind.

Information sharing can – understandably – be blocked by secrecy and privacy provisions in the enabling legislation of the various agencies. Though there are statutory exceptions that permit

<sup>66</sup> The IDS Act, s 19, similarly provides that the Inspector of Detention Services may enter into an arrangement with other designated officials to help avoid delay and unnecessary duplication

<sup>67</sup> 2018 Ombudsman Strategic Review Report at 42.

agencies to share information with each other, there is no necessary uniformity in these exceptions. This reflects not only the different types of information that agencies hold, but also the sporadic and ill-defined creation of new integrity oversight agencies.<sup>68</sup>

A few random examples were mentioned during consultations for this Review of issues that agencies and officers have to work through in deciding whether information of a particular kind can be disclosed to another agency. There is no general authorisation for the Ombudsman office to disclose information specifically to another complaint or integrity agency. It can become a question for the Ombudsman of whether, for example, the disclosure is in ‘the performance of the function’ by the Ombudsman office (s 92), or because the other agency ‘has a proper interest in the information for the performance of the agency’s functions’ (s 91A). The Ombudsman office may find that the simpler option is to advise the complainant to take their complaint and accompanying information to the other complaint agency, or seek the complainant’s consent to make a direct referral – negating, in a sense, the ‘one stop shop/no wrong door’ principle espoused in the Coaldrake Report.

Two other examples illustrate the uneven ground for information sharing. First, the CCC is authorised by its Act to disclose intelligence and other information to the Ombudsman (and other integrity agencies).<sup>69</sup> There is no reciprocal provision in the Ombudsman Act – though all public officials have a duty to convey information that may involve corrupt conduct to the CCC.<sup>70</sup>

Secondly, the Ombudsman does not fall within the exemption from several of the Queensland Privacy Principles that the *Information Privacy Act 2009 (IP Act)* provides for ‘law enforcement agencies’ (s 29). By contrast, in NSW the Ombudsman and other ‘investigatory agencies’ are excluded from several of the Information Protection Principles.<sup>71</sup>

The IP Act authorises the Information Commissioner and the Ombudsman to enter into an arrangement for cross-referral of complaints they receive that can be dealt with more appropriately by the other agency, and for cooperation in dealing with complaints that fall within the jurisdiction of each (s 170). Both agencies are empowered by the IP Act to perform their functions in accordance with any such arrangement. No such arrangement has yet been entered into.

These irregularities in the legislative platform as regards information sharing were mentioned often by officials during consultations for this Review. By and large there was an air of resignation that the most pragmatic option may simply be to work through the various provisions on a case-by-case basis. Undertaking a wholesale review of the information sharing provisions would be a major task, and it seems there is no impetus to do so at present. In that vein, **Finding 11** in this report goes no further than proposing that the Ombudsman look for the opportunity, if one appropriately arises, to review the suitability of the legislative provisions that restrict disclosure of information by and to the Ombudsman. Any such review could be done in conjunction with other agencies.

**Reciprocal oversight:** A feature of the Queensland integrity system is that the complaint and oversight agencies generally fall within each other’s jurisdiction.<sup>72</sup> This means that a person can complain to the Ombudsman about the administrative actions of another integrity agency, make a corruption allegation to the CCC about an officer of one of the agencies, or seek review by the Information Commissioner of an access to information refusal by one of the agencies. There are some exceptions and qualifications, including the following examples relating to the Ombudsman:

<sup>68</sup> J McMillan, ‘The integrity oversight network: titles, links and gaps’ (2020) 100 *AIAL Forum* 130, 140-7.

<sup>69</sup> *Crime and Corruption Act 2001*, s 60.

<sup>70</sup> *Crime and Corruption Act 2001*, s 38.

<sup>71</sup> *Privacy and Personal Information Protection Act 1998* (NSW), s 24.

<sup>72</sup> The oversight bodies are also subject to oversight by parliamentary committees – the Justice, Integrity and Community Safety Committee, and the Parliamentary Crime and Corruption Committee.

- the *Right to Information Act 2009 (RTI Act)* gives special weight to safeguarding Ombudsman investigations against prejudicial harm caused by disclosure<sup>73</sup>
- the performance of the Information Commissioner's decision making and review functions are excluded from the Ombudsman's jurisdiction<sup>74</sup>
- an operational action of a CCC officer is declared not to be an administrative action that can ground a complaint to the Ombudsman.<sup>75</sup>

None of the senior Ombudsman officers consulted during this Review expressed any concern about the Ombudsman office being subject to oversight by other review and scrutiny processes. They generally thought it healthy that their actions could be scrutinised akin to the actions of executive agencies.

For completeness, two other approaches to this issue of 'oversight of oversight' can be noted briefly. One is that it is open to complaint agencies to forge a memorandum of understanding that outlines in broad terms how they will handle complaints about each other.<sup>76</sup> Secondly, Victoria has established a separate statutory agency – Integrity Oversight Victoria (**IOV**) – to oversee 13 integrity bodies in that State, including the Victorian Ombudsman. IOV can investigate complaints about other integrity bodies.<sup>77</sup>

Nothing has arisen in this Review that requires a recommendation on this topic.

### (c) The Queensland integrity oversight group

The Coaldrake Report drew attention to the notion of an integrity branch within the Queensland government framework. Though this was not noted in the Report, a committee titled the Integrity Committee had been meeting three to four times annually for many years. The gathering began as an informal meeting convened by the Integrity Commissioner in 2001, comprising the Commissioner, Auditor-General, Ombudsman, and Chair of the Crime and Misconduct Commission. The Public Service Commissioner and Information Commissioner soon attended meetings, then in later years the Electoral Commissioner, Independent Assessor, and Racing Integrity Commissioner.<sup>78</sup>

The Committee has not met since 2023. There was no formal decision to disband, but rather there was no pressure to convene another meeting. The explanation is speculative, and there appear to have been three factors at work.

One is that membership of the Committee was unscripted, and was prone to expand. As the above membership details indicate, the initial membership comprised bodies that fell within the Coaldrake description of a 'core' integrity institution, and subsequently included agency heads of some of the 'distributed' integrity institutions. Valuable though this could be, it risked muddying the coherence of the central integrity group.

A second factor was that the Committee, responding to an external suggestion – perhaps from a parliamentary committee – adopted the practice of keeping minutes of meetings from 2017. The

<sup>73</sup> *RTI Act*, s 49, linking to Schedule 4, Part 3, Item 16, and Schedule 4, Part 4, Item 2.

<sup>74</sup> *Ombudsman Act 2001*, s 12(2)(h).

<sup>75</sup> *Ombudsman Act 2001*, s 7(2).

<sup>76</sup> E.g, see the 'Memorandum of Understanding between the Commonwealth Ombudsman and the Office of the Australian Information Commissioner' (Nov 2010, available on the Commonwealth Ombudsman website).

<sup>77</sup> *Integrity Oversight Victoria Act 2011 (Vic)*.

<sup>78</sup> The Integrity Commissioner's initiative to call a meeting in 2001 is referred to in the Commissioner's *Annual Report 2001-02*. The Minutes of meetings held between 21 November 2017 and December 2021 are published by the Commissioner on the website ('Publications/Integrity Committee meeting notes').

tenor of the minutes is that the business of each committee meeting was an activity report from each agency head. This style of meeting and minute recording could potentially inhibit informal discussion and interaction between the participants.

Thirdly, doubts were held by some members – and still are – about the value of an integrity committee or the notion of an integrity branch. Each of the agencies was established by legislation as an independent agency, with a clear and separate role and function. They could best achieve that purpose if – as expressed by a couple of people in this Review – they ‘kept in their lane’. Doubtless there is a need for integrity agencies to collaborate, and this already occurs on both a formal basis (as anticipated in their respective enabling legislation) and on an informal operational basis.

A related point made by some is that it is questionable whether ‘integrity’ is the appropriate concept for linking the work of the five core oversight agencies. Integrity promotion is part only of their work, and arises as prominently and in different ways in the work of other statutory and executive agencies.

It was nevertheless acknowledged in this Review that there could be value in reconvening the Integrity Committee, but with a smaller membership. Government and the community both expect that independent integrity agencies will work together to advance their objectives. There is also scope for the agencies to work on projects that will have extra impact as a joint endeavour. Examples that were suggested during this Review included the response of complaint and review agencies to AI-assisted applications, strategies for dealing with unreasonable complainant conduct, and curbing conflicts of interest in government administration.

The initiative to restart an integrity committee probably rests more appropriately with an agency other than the Ombudsman. It may be easier to reach agreement on the role and structure of an integrity committee in light of the prominence given in the Coaldrake Report to five core integrity agencies.

Accordingly, this Report takes the initiative no further than noting the option for reconvening the Integrity Committee (**Finding 12**) and recommending that the Ombudsman take the opportunity to discuss the topic with the other four agencies (**Recommendation 6**).

Chapter 6 Findings	
<b>Finding 7</b>	The Queensland Ombudsman has a settled and effective working relationship with the Queensland Parliament and the Justice, Integrity and Community Safety Committee of the Parliament. The new procedure in Part 8 Division 4A of the <i>Ombudsman Act 2001</i> by which the Ombudsman can submit a funding proposal that will be appraised by the Committee provides a strategic opportunity for the Ombudsman to frame new budget proposals that could augment the performance of the office.
<b>Finding 8</b>	The three Queensland departments referred to in the Terms of Reference for this Review expressed the view they have a smooth and constructive working relationship with the Office of the Queensland Ombudsman. The departments appreciate the training and related support the Office provides the Queensland public sector.
<b>Finding 9</b>	The Queensland integrity oversight agencies consulted in this Review expressed the view they have an effective working relationship, both formally and informally, with the Queensland Ombudsman and office.

### Chapter 6 Findings

<b>Finding 10</b>	The Queensland integrity oversight agencies consulted in this Review expressed support for greater information sharing among agencies of de-identified information relating to their complaint, investigation and other oversight work.
<b>Finding 11</b>	The provisions of the <i>Ombudsman Act 2001</i> (and other Acts) that permit information sharing between integrity oversight agencies can be complex and uneven in their operation. Though Ombudsman staff are accustomed to working within this legislative framework, it may be beneficial at an appropriate time to review one or more of the provisions, possibly in conjunction with other agencies.
<b>Finding 12</b>	Drawing from the Coaldrake Report, there may be value in reconvening the Integrity Committee, that has not met since 2023. While membership of any such committee is a matter for it to resolve, there is a common view that appropriate members are the Integrity Commissioner, Ombudsman, Auditor-General, Information Commissioner, and Chair of the Crime and Corruption Commission.

### Chapter 6 Recommendations

<b>Recommendation 4</b>	The Ombudsman give consideration, on a recurrent basis, to making a funding proposal under Part 8 Division 4A of the <i>Ombudsman Act 2001</i> .
<b>Recommendation 5</b>	The Ombudsman discuss with other Queensland integrity oversight agencies the options for greater information sharing among agencies of de-identified information relating to their complaint, investigation and other oversight work.
<b>Recommendation 6</b>	The Ombudsman discuss with other Queensland integrity oversight agencies the options for reconvening the Integrity Committee that has not met since 2023.

# 7 Implementation of recommendations from the 2018 Strategic Review

The 2018 Strategic Review Report made 72 recommendations. Some of these were in the nature of findings that recorded support by the Review for activities or initiatives already underway within the Ombudsman office. Some of the recommendations were for legislative change that would require action elsewhere in Government and the Parliament. Most of the recommendations were directed to the Ombudsman office and proposed changes that could be implemented at an executive level.

The Ombudsman's response to the 2018 Strategic Review was published as an appendix to the Review Report (as required by the Ombudsman Act s 85). The Ombudsman supported all but one recommendation (Recommendation 64, noted below in the 'implemented' section).

The 2018 Strategic Review report was also reviewed by the parliamentary oversight committee, which recommended that the Legislative Assembly note the contents of their report.<sup>79</sup>

The Ombudsman office has taken steps to address all 72 recommendations of the 2018 Strategic Review Report. The present Review was provided with a spreadsheet prepared by the office that lists the action taken on every recommendation up until November 2024. This chapter draws on that spreadsheet.

In summary:

- 4 recommendations were considered as 'no action required'
- 8 recommendations were considered as 'completed'
- 60 recommendations were considered as 'implemented'.

The action is summarised below, though not comprehensively. **Finding 13** records that the Ombudsman office has addressed all the 2018 Strategic Review recommendations.

## 7.1 Recommendations that required no further action

The 4 recommendations in this group endorsed the continuing essential need in Queensland for the Ombudsman office and for its services to be available to the community and agencies on a cost-free basis. (Recs 1, 9)

The Report noted that the office had implemented a new public interest disclosure oversight role, and commended it for the efficient and effective way this was done. (Rec 54)

Noting that other new roles could be conferred on the Ombudsman, the Report recommended that any such role must fit suitably in the office, be adequately resourced, and not detract from the Ombudsman's independence. (Rec 26)

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<sup>79</sup> Queensland Parliament, Legal Affairs and Community Safety Committee, *Inquiry into the Strategic Review of the Office of the Queensland Ombudsman*, Report No 25, 56<sup>th</sup> Parliament, Nov 2018.

## 7.2 Recommendations that were completed

The 8 recommendations in this group proposed legislative amendment, mostly to the Ombudsman Act. The Ombudsman consulted on all recommendations with the Department of Justice, which is responsible for taking the proposals forward.

Two recommendations resulted in legislative change in 2018:

- the Ombudsman Act was amended (s 91A) to confer additional discretion on the Ombudsman to disclose information to another agency (Rec 22)
- the *Crime and Corruption Act 2001* was amended (s 60) to authorise the CCC to share intelligence information with the Ombudsman; this partially addressed Rec 20 that proposed a more extensive change to the Ombudsman Act to facilitate information sharing between the Ombudsman and the Audit Office.

Six recommendations have not resulted in legislative change. These were not raised afresh in this Review as ongoing matters and, accordingly, are noted but without any accompanying recommendation in this Report. The 6 recommendations were to:

- extend the existing power in s 22 of the Ombudsman Act to conduct a preliminary inquiry in a complaint investigation, so that it refers also to own initiative investigations (Rec 3)
- formally authorise the Ombudsman to refer a complaint issue to an agency and require a report back from the agency, along the lines of ss 92-93 of the *Health Ombudsman Act 2013* (Rec 8)
- make it clearer in the Ombudsman Act which actions of a tribunal fall outside the Ombudsman's jurisdiction (Rec 29)
- require consultation with the Queensland Ombudsman before the name 'ombudsman' is used to describe a complaint mechanism or agency (Rec 30)
- declare that information obtained by the Ombudsman in a preliminary inquiry or investigation is exempt information under the *Right to Information Act 2009* (Rec 36)
- clarify that temporary employees are 'officers' for the purpose of the Ombudsman Act (Rec 57).

The 2018 Strategic Review Report discussed whether the Ombudsman's jurisdiction should be extended to contracted service providers. The Review did not support the change at that time (Rec 27). As noted in Chapter 3 of this Report, the change occurred subsequently in 2024 when s 12A was enacted to implement a recommendation of the Coaldrake Report.

## 7.3 Recommendations that were implemented

The Ombudsman office has divided the other 60 recommendations into 5 categories – governance, operations, engagement, people and PIDs. Those labels provide a convenient framework for summarising briefly the more significant changes that have occurred in the Ombudsman office in the course of implementing the recommendations.

As to governance, the office reports that the following changes have occurred:

- clear KPI timeframes have been set for completion of investigations (Rec 2)
- the Risk Management Framework was revised (Recs 24, 32)
- performance measurement and reporting was revised (Rec 37)
- supplementary budget funding proposals were developed and submitted (Rec 65)

- internal policy and governance documents were updated, such as the procurement plan and travel policy (Recs 66, 67)
- new information and records management practices were implemented (Recs 68, 70)
- data is published in line with the sector-wide Open Data Strategy (Rec 69)
- a Major Investigations Program Board was established (Rec 71)
- a human resources review was undertaken of the intake function, communications section and internal officer mobility, followed by some changes (Rec 72).

As to operations, the office reports that the following changes have occurred:

- new team structures and operational procedures were implemented for complaint and own motion investigations so that staff views can be contributed, systemic and major issues are identified, and investigation guidelines are clearer (Recs 5, 6, 7)
- operational guidance was implemented on commencing and closing investigations (Recs 10, 11)
- liaison arrangements with agencies, including direct referral arrangements, were reviewed to enhance complaint handling efficiency and complex case management (Recs 4, 12, 33, 34, 35)
- internal operational processes were reviewed regarding communication and correspondence with complainants, early complaint resolution, and out-of-jurisdiction matters (Recs 13, 14, 15, 28)
- the support available to intake, enquiry and assessment officers was reviewed, including induction training, operational guidance, professional training and development and career progression (Recs 38, 39, 40, 41, 42, 43, 44, 47)
- delegation arrangements were reviewed (Recs 45, 46).

As to engagement, the office reports that the following changes have occurred:

- Ombudsman office engagement with agencies, local councils and other independent oversight bodies has been further developed (Recs 16, 17, 19, 23, 25)
- more guidance material for agencies and complainants is published on the Ombudsman website, and social media practices have been adopted (Recs 18, 21, 48, 53)
- client surveys have been enhanced (Rec 31)
- an external review of the Ombudsman training program was undertaken, and changes implemented (Rec 49)
- Ombudsman participation in the government-wide complaints management system review process was reviewed and changes implemented (Recs 50, 51)
- a new framework was implemented for planning engagement with community organisations and First Nations peoples (Rec 52).

As to people, the office reports that the following changes have occurred:

- the office continues to participate in the Public Sector Commission administered 'Working for Queensland' workforce surveys (Rec 58)
- internal office communication and staff recognition processes have been enhanced (Rec 59)
- workforce planning improvements include revision of recruitment policy and practices, role descriptions, capability planning, mentoring, and human resource policies and practices (Recs 60, 61, 62, 63).

As to PIDs, the office reports that the following changes have occurred:

- new support material was published for agencies (Rec 55)
- regional training was undertaken (Rec 56).

As noted above, the Ombudsman did not agree with Recommendation 64, which recommended that staff of the office be employed under the then *Public Service Act 2008* (since replaced by the *Public Sector Act 2022*), rather than under the Ombudsman Act (ss 76, 78). However, the Ombudsman advises that liaison occurs with the Public Sector Commission, the Office of Industrial Relations and the Department of Justice regarding the terms and conditions for Ombudsman staff.

Chapter 7 Finding	
<b>Finding 13</b>	The Queensland Ombudsman has addressed all 72 recommendations made by the 2018 Strategic Review of the Ombudsman.

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# **PART C:**

## **Performance of Ombudsman Office Functions**

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## 8 Contacts, complaints and investigations

This chapter examines the performance of the Ombudsman’s core traditional function of handling complaints about government administration. That function has to be seen in context. Nearly half the contacts the Ombudsman receives from the public are enquiries that are not treated as complaints, and are dealt with in other ways. Similarly, the majority of complaints are resolved without the need for a formal investigation.

This chapter covers the breadth of that Ombudsman activity – contacts, complaints and investigations. The chapter commences with a recap of the Ombudsman’s functions, the numerical activity in the past reporting year, and compliance with the Ombudsman’s performance benchmarks.

The chapter then looks selectively at four topics that were canvassed prominently during the consultations for this Review – the intake function, the AI impact on Ombudsman complaints, the proposed Complaints Clearing House, and the effectiveness and influence of Ombudsman complaint handling as seen through the eyes of those who contributed their views to this Review.

An equally important part of the picture that is picked up in other chapters is the changes in complaint handling procedures the Ombudsman office has implemented in recent years. Chapter 7 in particular summarised important changes implemented since the last strategic review of the office in 2018. Some of those changes occurred after independent reviews were commissioned by the Ombudsman, on activities such as intake arrangements and Investigation and Resolution Unit processes. Currently there is an Operational Framework Project led by the Deputy Ombudsman that is reviewing matters such as letter templates, work allocation guidelines, team practices and investigation plan templates.

### 8.1 Mapping the Ombudsman’s complaint handling function

#### (a) Overview of the function

The main features of the Ombudsman’s complaint role are set out in the Ombudsman Act and are largely unchanged over the years. Nor has it been suggested to this Review that any substantial changes are needed. The main features are:

- The Ombudsman can investigate the administrative actions of Queensland government agencies and public entities, and private organisations that carry out functions on behalf of government. The investigation can occur after receiving a complaint from a member of the public, a reference from the Parliament, or on an ‘own initiative’ basis. There is no charge for a member of the public to make a complaint.
- Over 300 government agencies and public entities fall within the Queensland Ombudsman’s complaint jurisdiction, including government departments, local councils, public universities and other public authorities.
- The grounds for investigating agency administrative action are set out in the Ombudsman Act (s 49), and include that the administrative action under investigation was contrary to law, unreasonable, unjust, oppressive, improperly discriminatory, contravened a judicial review standard, was based on a mistake of law or fact, was an action for which reasons should have been given, or was wrong. The popular cognate description of those grounds is ‘maladministration’ or ‘defective administration’.

- An Ombudsman finding that one of those grounds has been transgressed can be reported to an agency, together with the Ombudsman’s recommendations, and to the Parliament for tabling and publication of the report. An investigation can also be concluded less formally.
- The Ombudsman can conduct preliminary inquiries of an agency to decide whether to investigate a complaint. When investigating, the Ombudsman can do so by informal liaison with the agency, or by exercising the coercive investigative powers conferred by the Act.
- The Act also lays down the discretionary grounds on which the Ombudsman can refuse to investigate a complaint (s 23), including that a complaint is trivial or vexatious, the complainant does not have a sufficient direct interest in the complaint, there is a satisfactory alternative review or appeal procedure available to the complainant, or an investigation is unnecessary or unjustifiable.
- At all times the Ombudsman acts independently and is not subject to direction by any person in performing the functions of the office.

Two long-standing conventional practices are also important:

- The Ombudsman will usually decline to investigate a complaint that has not yet been raised with the agency and taken through its internal complaint processes. If dissatisfied at that point, the complainant can lodge the complaint with the Ombudsman.
- The Ombudsman offers an internal review option for a person who is dissatisfied with the outcome of their complaint to the office. A different officer will examine if the complaint assessment or investigation was properly conducted, and may decide that further investigation is required. In addition, a person may lodge a service delivery complaint about the service provided or the conduct of an officer.<sup>80</sup>

## (b) The numerical picture

The Ombudsman’s Annual Report contains an extensive range of statistical tables on its complaint and related work over a three year period.<sup>81</sup> Seven of the tables are presented below. The following points can be drawn from them:<sup>82</sup>

- **Table 4** records the total number of contacts the Ombudsman office received in the last three reporting years (approaching 12,000 each year). The number received in 2024/25 was an 8% increase on the previous year. Contact numbers have continued to grow, and the office expects a further 6% increase in 2025-26.

The number of contacts classified as complaints has hovered close to 55-60% in the last three reporting years. The number classified as out-of-jurisdiction has, correspondingly, hovered close to the 30-35% range.

- **Table 5** records how the contacts were received. In the last reporting year close to half were received by telephone and close to half by email or the online complaint form. The number received online has increased by a few percentage points in each of the last three years.

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<sup>80</sup> The framework and criteria for internal review requests and service delivery complaints is set out on the Ombudsman website, under ‘How to complain/Unhappy with us’.

<sup>81</sup> Queensland Ombudsman, *Annual Report 2024-25*, Appendix B. As noted below, some of the tables in Appendix B have been renumbered in this Review report. Table 5 in this report is an adaptation of a table given in the ‘Strategic overview’ in the Ombudsman Annual Report (p 4).

<sup>82</sup> The figures given in the explanation in this report have been rounded to the nearest whole number, or approximated.

- **Table 6** records the complaint breakdown by agency type. In the last reporting year, roughly 56% of complaints were about government departments, 26% about local councils, and 15% about statutory authorities.

Other tables in the Annual Report record the complaint numbers for particular departments and statutory authorities. In broad terms, the areas of government responsibility that are prominent in the complaint numbers are corrections, health, housing, family support, child safety, education, transport, building and construction regulation, work safety, legal aid, public trustee services, and local council actions.

- **Table 7**<sup>83</sup> records how the matters that were categorised as complaints were finalised. In the last reporting year, roughly 85% were finalised at the preliminary assessment stage (5,949), and 14% were investigated (949 cases, comprising 735 completed investigations).

The most frequent reason for finalisation at preliminary assessment<sup>84</sup> was that a complainant approached the Ombudsman office prematurely before taking the complaint directly to the agency concerned (67% of cases). Other reasons included that another complaints entity either had or will investigate the complaint (9%), the complainant either should or did exhaust an appeal right (12%), or the complaint was declined on a discretionary ground to do with the substance of the complaint or the remoteness of the complainant's interest (11%).

- **Table 8** records compliance with the performance benchmarks adopted by the Ombudsman for complaint handling.

Compliance has, in the last three years, been close to the target on each of the listed benchmarks, sometimes exceeding it. For example, in 2024/25, preliminary assessments were on average completed within the target period of 10 days or less; and 85% of investigations were completed within the target timeframe.

- **Table 9**<sup>85</sup> records the total number of Ombudsman recommendations made each year following investigation, and the nature of those recommendations.

In 2024/25, 185 recommendations were made. The three most common recommendations were that an agency should improve its policies or procedures (36% of cases), review a decision (21%) or provide a better explanation or reasons (17%). The Ombudsman recommendations were accepted by agencies in 99% of cases (Table 5).<sup>86</sup>

- **Table 10**<sup>87</sup> records the proportion of people contacting the Ombudsman who fell into one of the priority client groups (based on information volunteered by the person).

Three figures are illustrative. Of 1,205 people who volunteered an answer, 502 people (42%) identified as Aboriginal or Torres Strait Islander. Secondly, 2,687 people (38%) of a total cohort of 7,599 were based outside south-east Queensland. There was a similarly high proportion of people (45%) who spoke a home language other than English.

- Another important reporting category is that, in the last reporting year, there were 146 requests for internal review of an Ombudsman outcome. The original decision was upheld in 90% of cases (see Table 5). There were also 13 service delivery complaints, of which 3 were substantiated in full or in part.

<sup>83</sup> This appears as Table 11 in the *Annual Report 2024-25*, Appendix B.

<sup>84</sup> These figures appear in Table 10 in the *Annual Report 2024-25*, Appendix B.

<sup>85</sup> This appears as Table 17 in the *Annual Report 2024-25*, Appendix B.

<sup>86</sup> The Annual Report (at p 11) notes there was agency acceptance of 100% of recommendations made and responded to in 2024-25.

<sup>87</sup> This appears as Table 21 in the *Annual Report 2024-25*, Appendix B.

- The Ombudsman office has arranged for a client satisfaction survey to be undertaken each year (noted below under 'Fairness').

**Table 4 | Contacts received by file type<sup>1</sup>**

	2022–23	2023–24	2024-25
Complaint	7,227	6,295	7,006
Out of jurisdiction	3,529	3,859	4,526
Enquiry	909	1,172	721
Review request	172	153	146
<b>Total</b>	<b>11,837</b>	<b>11,479</b>	<b>12,399</b>
1 Excludes investigations initiated by the Ombudsman.			

**Table 5 | Contacts received by channel type**

	2022–23	2023–24	2024-25
Telephone <sup>1</sup>	6,442	5,930	5,913
Online <sup>2</sup>	4,710	4,929	6,005
Other <sup>3</sup>	685	620	481
<b>Total</b>	<b>11,837</b>	<b>11,479</b>	<b>12,399</b>
1 Telephone includes messages left via voicemail and Prisoner PhoneLink.			
2 Online includes email and the online complaint form.			
3 Other includes in-person complaints and written complaints.			

**Table 6 | Complaints received by agency type**

	2022–23	2023–24	2024-25
State departments	4,113	3,330	3,899
Statutory authorities	988	1,002	1,044
Local councils	1,867	1,709	1,846
Public universities	253	245	202
Other/unknown/ private/confidential	6	9	15
<b>Total</b>	<b>7,227</b>	<b>6,295</b>	<b>7,006</b>

**Table 7 | Outcome of complaints/investigations finalised**

	2022-23	2023-24	2024-25
Finalised at preliminary assessment <sup>1</sup>	5,979	5,161	5,949
-Declined at outset/preliminary assessment	5,979	5,161	5,949
-Rectified during preliminary assessment	-	-	-
Withdrawn	89	90	97
-Withdrawn by complainant before investigation commenced	72	79	75
-Withdrawn by complainant during investigation	17	11	22
Investigated <sup>2</sup>	1,107	1,038	949
-Investigation discontinued	344	203	217
-Investigation completed	763	837	735
<b>Total</b>	<b>7,175</b>	<b>6,289</b>	<b>6,995</b>
<p>1 Includes complaints declined for further investigation as the matter remains premature, with complaint pathways still available to the complainant.</p> <p>2 Includes complaints or PIDs referred for investigation after a preliminary assessment and Ombudsman own initiative investigations.</p>			

**Table 8 | Key complaints-related performance measures**

	2022-23 Actual	2023-24 Actual	2024-25 Target	2024-25 Actual
Average time in days to complete preliminary assessments	4.6 days	7.8 days	≤ 10 days	7.4 days
Proportion of investigations completed within target timeframes	83%	89%	≥ 90%	85%
Proportion of investigations resulting in a rectification action	12%	13%	≥ 15%	14%
Proportion of recommendations accepted by the relevant agency at time of reporting	100%	97%	≥ 90%	100%
Proportion of complaints reviewed where original decision upheld	95%	89%	≥ 80%	90%
Proportion of complaints received from outside south-east Queensland (target: at least aligned to population)	37%	37%	32%	38%

**Table 9 | Investigative recommendation categories**

	2022–23	2023–24	2024-25
Improve policy or procedure	37	36	66
Review decision	32	61	39
Provide better explanation or reasons	53	36	32
Follow policy or procedure	10	5	17
Change decision	15	21	14
Explanation given by agency	3	3	7
Admit error or apologise	3	1	3
Expedite action	16	11	3
Financial remedy	2	1	3
Provide training	1	3	-
Other	-	-	1
<b>Total</b>	<b>172</b>	<b>178</b>	<b>185</b>

**Table 10 | Engagement with priority client groups**

	Total percentage of cases <sup>1</sup>
Aboriginal people and Torres Strait Islander people <sup>2</sup>	42%
Special need(s) <sup>3</sup>	13%
Home language other than English <sup>4</sup>	45%
Regional (i.e. based outside south-east Queensland <sup>5</sup> )	38%

1 The percentages relate only to cases where the contact chose to identify in a priority client group. Cases with no response data were excluded. In 2024-25, the total numbers included:

1.1 Aboriginal people and Torres Strait Islander people: 502 contacts out of 1,205 total respondents

1.2 Special need(s): 636 contacts out of 4,761 total respondents

1.3 Home language other than English: 2689 contacts out of 4,900 total respondents. The significant change is due to an update to the demographic question about the need for interpreter services in the Online Complaint form which was unclear, and that has been fixed.

1.4 Regional (based outside south-east Queensland): 2,687 cases out of 7,599 total respondents at the intake phase (and classified as a complaint or PID).

2 Includes persons who identify as Aboriginal, Torres Strait Islander, Aboriginal and Torres Strait Islander or other.

3 A special need includes a sight, speech, hearing or other individual need, where specific assistance is required for individuals to progress their matter.

4 In 2024-25, the responses other than English included: Amharic (1), Arabic (3), Chinese (38), Dari (1), Farsi/Persian (5), French (2), Hindi (5), Japanese (5), Korean (14), Samoan (3), Serbian (1), Somali (1), Spanish (12), Tamil (1), Thai (2), Torres Strait Creole (4), Turkish (1), Urdu (5), Vietnamese (5) and other (2,102).

5 South-east Queensland includes the following local government areas: Brisbane, Ipswich, Logan, Moreton Bay, Gold Coast, Redland, Sunshine Coast and Noosa.

## (c) Observations

It is customary in assessing complaint handling schemes to examine performance against standards such as 'Accessibility', 'Efficiency' and 'Fairness'. Those principles are, for example, listed in the 'Benchmarks for Industry-based Customer Dispute Resolution' schemes published by the Australian Government in 2015<sup>88</sup> that are widely followed by industry and government ombudsman schemes.

Similar principles are espoused in the Queensland Public Service Customer Complaint Management Framework. The Framework aims to implement the legislative obligation upon agencies<sup>89</sup> to establish a complaints management system (**CMS**). Both the Framework and the accompanying Queensland Public Service Customer Complaint Management Guideline require agencies to have a CMS that meets five overarching principles: 'customer focused', 'timely and fair', 'clear communication', 'accountable' and 'improving services'.

The commitments set down in the Queensland Ombudsman *Strategic plan 2023-27* align with the CMS Guideline and the national benchmarks. Among the Strategies listed in the Ombudsman Plan are to 'Help people know how and when to make a complaint', 'Conduct timely, independent and just investigations' and 'Communicate effective recommendations'. The Objectives in the Plan include to 'Respond to complaints about public administration' and 'Ensure our services are inclusive'.

The Queensland Ombudsman *Service delivery charter* also echoes the foregoing standards. The Charter advises people that, when contacting the Ombudsman office, they can (among other things) expect helpful and professional contact, advice on other complaint options, a preliminary complaint assessment within 10 days, and a progress update monthly for complaints that are investigated.

In this Report, for convenience, the three standards of Accessibility, Efficiency and Fairness will be used to frame the analysis. (The discussion of 'efficiency' and 'fairness' is continued at the end of this chapter in noting the views expressed to this Review in submissions and consultations.)

**Accessibility:** The Queensland Ombudsman office performs well on the standard of accessibility. The complaint framework is well explained on the Ombudsman website. The topics most likely to interest a person wishing to complain are prominently listed – 'Make a complaint', 'How to complain' and 'Common complaints'. The website presentation is relatively catchy, uncluttered and easy to navigate.

The website contains links to a good range of explanatory and self-help brochures and videos prepared by the office (with Auslan description). The office contact details are easy to find. Links are provided to the websites of other complaint handling bodies in Queensland, other jurisdictions, and in the private sector.

It is clear from the Tables above that the information and resources on the Ombudsman website are actively used. Close to half the complaints received by the office were through the online complaint form. Telephone was the other main entry point for enquiries and complaints (including the Prisoner PhoneLink service).

The office has taken steps to identify if its services are being used by priority client groups. From an accessibility perspective, the results are reassuring.

There were no doubts raised during the consultations for this Review about the adequacy or style of the accessibility information and links provided by the Ombudsman. The only accessibility query that has come to the fore was raised in the Coaldrake Report in 2022. The report was critical of the Ombudsman's telephone voice message for containing too much information about alternative

<sup>88</sup> The three other standards in the Benchmarks are 'Independence', 'Accountability' and 'Effectiveness': Australian Government (The Treasury), 'Benchmarks for Industry-based Customer Dispute Resolution: Principles and Purposes' (2015).

<sup>89</sup> *Public Service Act 2022*, s 264.

complaint pathways. The Ombudsman office was unaware this observation would be made in the report, but subsequently examined the issue and shortened the message.<sup>90</sup>

The only additional comment to make on this point is that the length of call centre recorded messages is a perennial gripe directed at government and industry. Conversely, the competing view is that recorded call centre messages can ultimately be beneficial at both ends of a call. The high proportion of out-of-jurisdiction contacts received by the Queensland Ombudsman (a third) underscores this point – as too does the increase that occurred after the message was shortened in response to the Coaldrake Report. Looking ahead, technology may simplify the experience for members of the public in more speedily choosing the correct complaint pathway.

**Efficiency:** As indicated in Table 5, the Ombudsman office tracks its performance on several criteria – the time taken to complete preliminary assessments, the proportion of investigations completed within target timeframes, the number of investigations that result in a recommendation to an agency and whether those recommendations are accepted, and the outcome of internal review requests.

Over the three years covered in Table 5 the office was close to the target benchmark, sometimes exceeding it.

A cautionary qualification on that observation, raised by some staff consulted in this Review, is that ‘efficiency’ cannot stand alone as a qualitative benchmark. Complaint handling and investigation must also be thorough and responsive to the problem being studied, which risk being outweighed if undue importance is attached to file closure. It is foreseeable that opinions will differ on whether an appropriate balance is struck between efficiency and comprehensiveness. A customary safeguard in complaint handling (adopted in the Queensland Ombudsman office) is to allow for complex cases to be escalated and a longer completion timeframe to apply.

**Fairness:** There is inevitably an element of subjectivity in measuring the fairness of a complaint outcome. It is nevertheless important to have some guiderails. Three that have been adopted by the Queensland Ombudsman are important.

The first is to provide people with the opportunity to apply for internal review of the assessment or investigation of their complaint. The internal review is undertaken by a separate section in the office, which undertakes a full review of the file, and provides a written decision that is frequently lengthier and more thorough than the original decision. The internal review can recommend that the case be re-opened for further investigation by another officer.

The number of people seeking internal review in a year can range between 12-20%. In 2024/25 internal review was requested by 146 people, and the original outcome was endorsed in 90% of matters (up to 95% in some years). Early figures for the current reporting year point to a sharp spike in internal review requests.

The internal review system is comprehensive and appears to operate professionally and fairly. There was some commentary during this Review that a high proportion of complainants are seeking internal review, and that a high proportion will be displeased with the outcome. One explanation could be that AI tools are pointlessly prompting people to seek internal review. Another possible explanation is that decision templates in the office wrongly create the expectation that a matter which is being referred by the Intake team to an investigation team will lead to a full investigation. People may wrongly assume at that point that there is *prima facie* substance in their complaint. Similarly, people may mistakenly expect that the outcomes of an internal review process will be more favourable than in fact the statistics show. The Ombudsman office has periodically revised its template letters and published material to manage complainant expectations, and will be further reviewing the issue in the Operational Framework Project that is currently underway.

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<sup>90</sup> A detailed analysis was prepared in a paper entitled ‘Improving the management of Out of Jurisdiction complaints’.

The second method adopted by the office to ensure fairness in complaint handling is to record the total number of recommendations made each year following investigation, the nature of those recommendations and their acceptance by agencies (see Tables 5 and 6). The figures in those tables point to the work of the office to pinpoint deficiencies in agency administration that require rectification. In the last reporting year, 185 such recommendations were made, and 99% of those were accepted by agencies (97% in each of the last 5 years).

The third impartial measure of complaint fairness is the client satisfaction monitoring commissioned by the office through an independent market research firm. The survey responses provided client feedback, and were also used for service improvement, for example, to the website, telephone message and online complaint form.

Complainants are invited by email on a monthly basis to participate in the survey; the monthly response rate is between 11% to 15%. The firm prepares a quarterly and an annual report.

The questions asked of complainants address their perception of procedural fairness and impartiality, and suggestions for process improvements. The annual figures for 2024/25 are that 35% of complainants who responded were overall satisfied/very satisfied with their office contact, and 53% were neutral. On two other criteria relating to the interaction with Ombudsman staff, the 'satisfied' response was 46% for respectfulness and 39% for professionalism. A contextual consideration in interpreting those results is that a person's survey response may align with the outcome of their complaint to the office.

The client satisfaction survey was being reviewed in late 2025, and a procurement process instigated.

This issue of client perception is also noted later in this chapter in recording the views expressed by members of the public who made submissions to this Review.

**Concluding observations:** Drawing together the threads of this discussion, a reasonable conclusion is that the Queensland Ombudsman office has developed a comprehensive and mature complaint framework for engaging with members of the community and agencies. There is regular and effective monitoring by the office of whether performance standards are being met, and of client feedback. There is also regular review by the office of the elements of this framework, including through external consultants. This is recorded in **Finding 14**.

**Finding 15** notes that letter templates are currently being reviewed as part of the Operational Framework Project. A standard aim is to ensure that people do not misunderstand how their complaint will be handled and, if requested, reviewed internally. The regular review of letter templates that is underway makes it unnecessary for an accompanying recommendation.

## 8.2 Challenges facing the Intake team

A submission to this Review from an officer in the Intake team<sup>91</sup> made the telling observation that 'the Intake unit is central to the office's ability to fulfil its legislated mandate'. Confirming that theme was the frequent discussion of the intake function during staff consultations for this Review and in some submissions.

The Intake team deals with the large number of contacts the office receives each year by telephone, online, in writing and in person. It finalises the out-of-jurisdiction matters (a third of the caseload), and 85% of the complaints after preliminary analysis. It is responsible for the Expedited Merits Assessment function, and the early detection of corruption and PID allegations that may require internal escalation.

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<sup>91</sup> The submission said it was made on behalf of several Intake officers.

The total staff complement for intake work was 15.4 FTE in 2024/25. The majority are at a relatively junior level – between 7-10 intake officers at AO4 level (being upgraded in recent years from AO3).

There has been a recent sharp increase in intake work that has corresponded with increased reliance by complainants on AI tools. The average number of contacts handled annually by members of the Intake team increased from 755 in 2023/24 to 805 in 2024/25, and is projected to increase to 868 in 2025/26 – an increase over two years of 15%.

Staff across the office pointed to worries caused by this increased workload and the changing nature of intake work. In addition to the AI impact, there was mention of worsening unreasonable complainant behaviour, and complainants displaying greater personal distress and mental illness. These trends cause added emotional stress for Intake staff, and can result in more unplanned leave (that further complicates workload allocation and burdens) and redirection of staff time to phone contact work (another aggravating factor).

There was concern expressed that the workflow output of the Intake team was suffering, with adverse impacts elsewhere in the office. One figure given to this Review was that the number of complaints awaiting action had grown from an average of 50 to close to 400. Other parts of the office relied on the capacity of the Intake team to promptly undertake a high quality preliminary analysis, and weaknesses at that initial stage can have a flow-on effect.

These concerns are well-known across the office and have been exercising the mind of senior leaders for some time. An expert review of intake arrangements was commissioned in 2022. The Intake team is managed by an Assistant Ombudsman and two Principal Investigators; the Assistant Ombudsman attends senior management meetings, and reports to the Deputy Ombudsman; and the Ombudsman joins the Intake team for a morning shift each month. On occasions other staff from the investigation teams have been temporarily assigned to provide intake assistance – which can, in turn, impact adversely on investigation work. New staff in the Intake team undertake an 8-10 week training program. In February 2026 the office submitted a proposal seeking an additional 2 FTE staff members in the Intake team.

There is nothing further this Review can add, other than to highlight the issues staff have raised so that those issues receive continuing high-level attention in the office. These are taken up in **Finding 16** and **Recommendation 7**.

Two additional matters were also raised that should be noted. Firstly, this Review was requested to recommend that phone work be limited to 50% of an intake officers' weekly hours. It was said that work pressures in the office have meant the ideal rostering balance between phone shifts, standby shifts and casework has been undermined by phone work being prioritised over other duties. The merits of this request are better addressed through normal office processes rather than as a recommendation in this Report. It is understood the matter has in fact been examined, and the view taken that it would be impracticable as a fixed standard. An alternative measure adopted is that Intake officers are given rostered days off from phone work.

Secondly, it was said that some Intake officers are reluctant to raise with management the concerns listed above. This criticism is not accepted by senior staff who say the issues have been raised and discussed, including at Joint Consultative Committee meetings. If further discussion is required this is best done through normal office processes, bearing in mind the view of senior staff conveyed to this Review that they wish to encourage an open and respectful dialogue across the office.

### 8.3 The AI impact on the complaint function

Not surprisingly, many complainants now use generative AI tools in preparing a complaint or internal review application to the Ombudsman. This practice has been noted across government, especially by complaint bodies, tribunals, courts and regulatory commissions.

There is, on the one hand, a sanguine acceptance that reliance on new technology tools is a natural next step for people in conducting research and preparing correspondence. It has always been open

to a complainant to the Ombudsman to obtain help from any source in framing a complaint, including from the Ombudsman office. Generative AI tools enable complainants to build on that tradition. Moreover, an Ombudsman office has a legal and human rights obligation to accept complaints in good faith and with an open mind.

While that is accepted, Ombudsman staff consulted in this Review expressed concern at the destabilising impact this new trend can have on efficient complaint handling and Ombudsman office culture. There are multiple signs:

- Complaints can be longer and contain dubious or irrelevant information. The complaint may refer to legislative provisions, legal principles, policy standards or facts that are irrelevant or invented. A known after-effect of AI tools is ‘hallucination’, in generating plausible-sounding random falsehoods.
- The AI tools on which people rely, while impressive, are at an early developmental stage and can lack the sophistication to craft or strengthen a complaint. For example, human rights claims can be presented in a more absolute form than is doctrinally sound.
- It is incumbent on the Ombudsman office, under present conventional practices, to assign an officer to examine a complaint fully to identify the claims and supporting information. It is becoming a lengthier process for staff to work through long submissions (that may have been generated by a few keystroke entries) to ascertain the nub of complaints and sift out irrelevant information.
- The allegations contained in a complaint may unnecessarily require escalation of the complaint within the Ombudsman’s office – such as an allegation of corruption or that a public interest disclosure is being made.
- The complainant may be reluctant to speak directly to an Ombudsman officer about their complaint, and decline to provide a contact number. In some instances when a phone conversation has occurred, the staff member doubts that the complainant fully understands the nature of their own complaint, or senses that the complainant is typing the Ombudsman query into a portal to elicit a scripted response. These communication difficulties can be exacerbated if the complainant suffers a mental health condition and would benefit from open engagement with the Ombudsman officer. A complainant’s reliance on AI may validate their beliefs unreasonably.
- Lengthy applications for internal review of an Ombudsman decision have sometimes been received within an hour or less of the decision being notified to the complainant. In one instance a person made 4 internal review requests within 20 minutes of receiving the Ombudsman decision.
- The increase in complaint numbers over the past year may partly be attributable to an AI tool advising a person to ‘complain to the Ombudsman’. The person may similarly be advised to direct the same complaint to other bodies. As that suggests, AI may lack the sophistication to grasp how various complaint options interact but play different roles.
- The experience of dealing with AI-assisted complaints can be impersonal and unsatisfying for staff, and undermine morale. This will be felt particularly in the intake section, which already faces staffing challenges, as earlier discussed.

It was clear during this Review there was an awareness across the Ombudsman office that increased use of AI tools by complainants was worrying and may require the office to rethink its standard approaches to complaint handling. The challenge has been squarely acknowledged by senior office management. A few staff nevertheless took the opportunity to express their concern to this Review that a ‘business as usual’ approach in dealing with a new technological and societal challenge of this kind may mistake the dramatic nature of the challenges posed by AI developments. The topic is sure to engage further consideration within the office.

Towards the end of the current Review process (in early 2026) the office published guidance for complainants on 'Using AI tools for complaints'.<sup>92</sup> The guidance is published on the website in the 'Complaints process' link. The guidance clearly and crisply advises that AI tools can be helpful, but carry risks (of the kind set out above). People are advised to keep a complaint simple, clear and concise, and to double-check the accuracy and relevance of the content of their complaint.

Other potential ways of addressing the AI impact were canvassed by staff during consultations for this Review. These were not presented as resolute options, but as suggestions to feed into strategic planning.

One view was that the office may need to develop a firmer response to complaints that have inappropriately relied on AI assistance. The understandable tradition in Ombudsman work is that the office shoulders a large responsibility to help people and, if necessary, work with them to draw out the complaint issues. However, a person's reliance on AI tools may create a barrier and place the Ombudsman office in the invidious position of expending unnecessary time to rectify a person's misjudged reliance on AI.

It was questioned whether the criteria in s 23 of the Ombudsman Act for declining to investigate a complaint are suitable. Specifically, it is problematic to say that investigation of a lengthy and polished AI-generated complaint is 'unnecessary or undesirable' without first reading the complaint in depth. The alternative of declining the complaint on the ground that it is 'frivolous or vexatious or ... not made in good faith' is equally doubtful, not least because of the stigma which that standard indirectly attaches to the complainant. More suitable standards, found in some other complaint legislation, may be that 'investigation is not warranted having regard to all the circumstances', the complaint is 'lacking in substance', or the complainant has failed to comply with an Ombudsman request to provide further complaint particulars. A new standard would not, however, lessen the threshold obligation of the office to examine the complaint closely before deciding whether to accept or decline it or require further information from the complainant.

There may be a need, it was felt, to re-think how complaints can be lodged with the office. Though the underlying obligation of the office to accept complaints in various methods will necessarily remain, presumptively requiring people to use the online complaint form may be a way of focussing their attention on key issues – though people can currently circumvent the online complaint controls by uploading separate documents that contain AI-generated content.

More broadly, it was noted, the discussions the office is already holding about AI with government complaint bodies (in Queensland and beyond) will have added importance in developing joint responses. For example, it may be that generic guidance which is publicly and widely endorsed by complaint bodies will be picked up by search engines and constrain some of the undesirable practices that AI tools are generating.

To build on that point, other government agencies are grappling publicly with this new challenge, as illustrated in the following three examples:

- The website homepage of the Queensland Civil and Administrative Tribunal (QCAT) prominently displays the following message: *'Are you thinking of using Artificial Intelligence to produce documents for QCAT? Litigants, and representatives of litigants, should exercise caution in using artificial intelligence (AI) tools to help prepare court documents. If you are thinking about using AI, please read our information on "Using AI in QCAT matters."* There are links to 6 language versions of that document.
- The NSW Ombudsman homepage contains a link under the following banner: *'Get instant guidance and information. Our AI assistant is available 24/7 to answer your questions and give you step-by-step guidance'*. There is an accompanying link to an AI assistant.

<sup>92</sup> <https://www.ombudsman.qld.gov.au/how-to-complain/complaints-process/using-ai-tools-for-complaints>.

- The President of the Fair Work Commission (FWC) gave an address in February 2026<sup>93</sup> in which he outlined the disruptive AI impact on FWC work, such as a significant overall increase in applications, more use of AI-generated language, and an adverse effect on FWC compliance with its own performance benchmarks. One measure being introduced by the FWC is a requirement that applicants disclose if they have used GenAI in preparing their application, and if so, if they have checked the accuracy and relevance of all details in the application, and provided hyperlinks to all case law referred to in the application. The President also canvassed the need for legislative reform of FWC procedures.

## Observations

All signs are pointing to Ombudsman and similar bodies having to work through AI issues on an enduring basis. The Queensland Ombudsman has taken an initial step in posting website guidance for complainants. The office had also appointed a project officer in late 2025 to examine the issue.

The strong message, both from inside the office and from external developments, is that a high priority should be given to the work already underway within the office to develop a response to AI. It is important that staff are actively given an opportunity to contribute to this work, having regard to the AI impact on them and the practical thought they are already giving to the topic. A submission to this Review from a staff member saw this as a strategic opportunity for the office to display leadership in Queensland government on developing a practical and balanced response to AI issues at the complaint coalface.

Consultation with other agencies also seems prudent to explore ways of developing a broader agency or government response. The option of placing this on the agenda of a reconvened Integrity Committee was noted in Chapter 6.

**Finding 17** and **Recommendation 8** pick up those themes.

## 8.4 The Complaints Clearing House

The development of the Complaints Clearing House (**CCH**) was outlined in Chapter 6. The context for that discussion was the proposal in the Coaldrake Report that the CCH could overlap the work of the Ombudsman and other integrity bodies, and be managed by an oversight group drawn from the Ombudsman, the Crime and Corruption Commission, the Public Sector Commission and a line agency.

As explained in Chapter 6, the CCH proposal has developed differently. It is being located within the Department of Customer Services, Open Data and Small Business; the planning focus is on managing complaints received at agency level; and the Ombudsman and CCC are not directly involved in managing or operating the facility.

The development of the CCH is likely nevertheless to have implications for Ombudsman complaint handling, which is the theme of the following discussion. This analysis is drawn from comments made during consultations for this Review, and from a presentation by the Complaints Clearing House Management Office (**CCMO**) to the Ombudsman-hosted Complaint Handlers Network in November 2025.

The current plan, described by the CCMO as 'Phase 1', has several elements that will be administered by a 5-member team in the CCMO:

- the CCMO will operate a multi-channel complaint lodgment service comprising a whole-of-government online complaint form, telephone and counter services, and chat functionality

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<sup>93</sup> Justice Adam Hatcher, 'A disrupted future: Artificial intelligence and the Fair Work Commission' (presentation to the Victorian Bar Association, 18 February 2026), available at [www.fwc.gov.au](http://www.fwc.gov.au)

- the CCMO will triage the complaints it receives and allocate them to relevant agencies
- agencies will submit data on internal complaint activity to the CCMO using a standardised template, and the CCMO will prepare a quarterly report for the CEO Leadership Board
- the CCH will be housed on the ForGov website, which may contain other content on complaint management and principles.

It is envisaged that CCH processes will provide a centralised and streamlined approach for handling complaints, and greater consistency in complaints management across Queensland Government.

It is too early to tell what impact this new framework will have on the number or nature of complaints submitted to the Ombudsman office. The commencement of the CCH will not diminish the role of the Ombudsman, as the CCH does not have a complaint resolution or investigation role. Further, a whole-of-government complaints service operated previously through a Smart services function, with little impact on Queensland Ombudsman work.

It is nevertheless possible that fewer people will contact the Ombudsman directly, as a high proportion of initial contacts do not currently lead to an investigation or complaint assessment. Figures were given earlier in this chapter that (in the last year): 37% of initial Ombudsman contacts were outside jurisdiction; and, of the complaints assessed, in 67% of cases an Ombudsman decision was made at the preliminary assessment stage to advise the complainant that the complaint was premature and should first be taken to the agency concerned. In future, a proportion of those out-of-jurisdiction and premature contacts may be taken directly by a person to the CCH – in effect, replacing the undeclared clearing house role the Ombudsman currently plays.

In less direct ways, the Ombudsman office may be able to benefit or learn from CCH activity. Two such examples are the CCMO quarterly reporting on complaint activity across government, and the development of chat functionality in the CCH. Correspondingly, the Ombudsman office can play a valuable role in conveying its experience and insights to the CCH.

It is important therefore that the Ombudsman keep abreast of CCH developments and interact with the CCMO. This is already occurring, as indicated by the recent presentation by the CCMO to the Complaint Handlers Network that the Ombudsman hosted.

**Finding 18** and **Recommendation 9** pick up those points.

## 8.5 Comments on the discharge of the complaint function

An important element of this Review was the comments received from inside and outside the office about the performance and impact of the Ombudsman's complaint handling and investigation function. This section separately presents the views heard from members of the public, government entities, Ombudsman staff and Ombudsman senior management.

The individual views that are outlined below were volunteered and not gathered more systematically. They are valuable as part of the bedrock of perception, within government and the community, of the Ombudsman's performance. This analysis ends with observations about how these views can be taken forward within the Ombudsman office: see **Findings 19 and 20** and **Recommendations 10 and 11**.

### (a) Submissions from members of the public

This Review received five submissions from members of the public, and met online with two of those people. They gave a mixture of general commentary and reflections on how effectively complaints had been handled.

The general commentary stressed the active and visible role the Ombudsman should be playing. The role of the office in holding government to account should be well-known through published

information on matters such as complaint outcomes, common administrative errors, the public's right to complain, the importance of timely decision making by agencies, and the Ombudsman's work in connecting with regional and remote communities and vulnerable sections of society.

There was a doubt expressed about whether the Ombudsman's visibility is as high as it could be and has been previously. The oversight environment is now more crowded and, it was said, the Ombudsman's visibility is no longer as strong as some other oversight agencies. This can potentially impair the Ombudsman's impact and leverage in improving public administration.

As to complaint handling, three of the submissions – from people who had lodged a complaint – expressed dissatisfaction with the outcome. They felt the Ombudsman office had been too process-focussed on the quality of an agency's correspondence, and not sufficiently on the alleged substantive deficiency in agency decision making. There was also criticism of inconsistent quality in Ombudsman complaint handling that raised qualms about internal quality processes in the Ombudsman office.

Those individual criticisms have not been objectively evaluated in this Review. It is contextually important to note that the Ombudsman office has an internal review process for dissatisfied complainants, and undertakes regular client satisfaction monitoring.

## (b) Commentary from Queensland government entities

The commentary from other entities fell into four groups – designated executive agencies, government oversight bodies, government agencies that have been the subject of complaints to the Ombudsman, and local government councils.

Commentary provided by the first two groups was discussed in Chapter 6, as regards the Ombudsman's relationship to other Queensland public sector entities.

**Designated executive agencies:** The three departments designated in the Terms of Reference for this Review expressed confidence in the Ombudsman's complaint handling capacity and reputation.

**Complaint and integrity oversight agencies:** Consultation meetings were held separately with each of the oversight agencies, and two made written submissions. The thrust of the discussion was mostly about their interaction with the Ombudsman office, both individually and as part of an integrity oversight group of agencies.

The agencies consulted did, in addition, use the opportunity to explain their belief that an oversight agency such as the Ombudsman should have a strong public profile. They were highly respectful of the work the Queensland Ombudsman undertakes, but felt equally that the stature and widespread government support for the Ombudsman's work would not be impaired by having greater public prominence in exposing shortcomings in Queensland government administration. It was noted that some other Australian Ombudsman offices issue more investigation reports and make remarks that are publicly critical of government administration (though the different size and jurisdiction of those offices was acknowledged).

**Government entities subject to Ombudsman complaints:** The following account is based on comments received from 18 government departments and public authorities that were consulted or made submissions; and 4 local government councils that made submissions. The views that were conveyed across the various types of entities were largely the same.

Two positive themes stood out. Firstly, there is strong respect for Ombudsman complaint handling among government entities. The Ombudsman staff were commended for being professional and approachable in their interaction with entities, knowledgeable and skilled in working through complaint issues, respectful and flexible with entities and their internal complaint processes, practical and constructive in dealing with complaint allegations, and thorough, timely and fair in resolving matters. It was similarly noted that matters referred by the Ombudsman office to entities were often accompanied with helpful direction on potential next steps.

Secondly, entities welcomed the interaction they had with the Ombudsman office across several fronts. This other activity is taken up further in Chapter 9, and the present relevance is that the Ombudsman's broader interaction helps to build an appropriate context for effective complaint handling. Government entities that potentially face an adverse Ombudsman ruling may more easily accept the overall merit of the complaint investigation process if they benefit from Ombudsman work in other ways. Entities consulted in this Review commended the assistance they gained from Ombudsman office training, publications, informal feedback, and observations about internal complaint processes. Several entities said they welcomed regular liaison meetings with Ombudsman staff and wish these to continue.

A few suggestions were made for revising or fine-tuning aspects of the relationship between entities and the Ombudsman. These will be recorded (without further analysis) as matters that can appropriately be taken up by the Ombudsman office:

- Several entities commented that the response timeframes imposed by the Ombudsman office can be demanding and require compilation of a large volume of information without a clear understanding of how it will be used.
- A few entities said it would be helpful if the Ombudsman office routinely informed them when it had closed a matter, including when the Ombudsman office had gone no further than requesting information during a preliminary inquiry. The entity may have continuing contact with the complainant (for example, in a housing or legal aid matter) and that contact can be clouded by not knowing what stage the complaint to the Ombudsman has reached.
- It was noted that the Ombudsman annual report simply gives the total complaint numbers for individual entities, with a brief 'Insights' section about some complaint areas.<sup>94</sup> Although entities understand the pressure to reduce text in annual reports and to comply with government reporting guidelines,<sup>95</sup> some entities would like the Ombudsman to provide a fuller data breakdown in the annual report. Examples are the proportion of the total number of complaints formally investigated, resolution outcomes, and complaint topics (when that provides a more meaningful picture).
- A couple of local government councils, while very positive about their interaction with the Ombudsman office, commented that investigations can place great demands on the council in providing information and responding to requests. This can impose an extra burden on senior council staff, who have other significant responsibilities. While this burden on council staff is inevitable, it is not as welcome when the issue under investigation seems relatively small or low risk in nature, or relates only to a concern raised by a singularly aggrieved resident. There was a request for the Ombudsman office to adopt a more proportionate and cost/benefit attitude in deciding how to proceed with complaints.
- Three areas were specifically mentioned as requiring further attention because of the overlap with other complaint mechanisms, namely, those administered by the Office of the Health Ombudsman, the Office of the Victims' Commissioner, and the National Student Ombudsman. Two common themes were that complainants could be confused about the scope of the Queensland Ombudsman's role in these areas, and the Queensland Ombudsman is urged to draw on information published by other complaint bodies in deciding how to approach a complaint it has received.

Another common theme in the consultations was the complexity of the Queensland complaint framework, and the problems this can give rise to. These include confusion for complainants in trying to navigate the system, forum shopping by complainants who explore multiple complaint channels,

<sup>94</sup> Queensland Ombudsman, *Annual Report 2024-25*, Appendix B, Tables 4-6; and pp 12-13.

<sup>95</sup> Queensland Department of the Premier and Cabinet, *Annual report requirements for Queensland Government Agencies*, April 2025.

disgruntled agency officers using the complaint channels to ventilate their internal grievances, increased reliance by complainants on AI tools to frame their complaints in an inappropriate fashion, and a growing problem of unreasonable complainant behaviour and 'sovereign citizen' assertions. The entities said they would welcome any guidance or leadership the Ombudsman office can provide in dealing with this complexity trend.

One final observation. While the entities were strongly positive about the Ombudsman's complaint and investigation work and the impact it has on improving agency administration, few entities could readily nominate examples or point to particular investigations or reports. Instead, they mostly observed generally that the Ombudsman helps agencies to improve their own internal complaint handling and internal administrative procedures. This ties into a point taken up later in this chapter about the visibility and profile of Ombudsman work.

### (c) Commentary from Ombudsman staff members

This Review met with 27 Ombudsman staff members (13 senior managers and 14 other staff) and received written submissions from 6 staff. Complaint handling and investigation was discussed in most consultations, but was the dominant topic of discussion in a smaller number.

To place the discussions in context, nearly all discussions commenced with the staff members expressing how much they enjoyed working in the Queensland Ombudsman office. Many volunteered that the workplace culture was the best they had enjoyed. Staff expressed strong admiration for the ability and commitment of their colleagues, and the high standards adopted in investigation and report writing.

The discussion with staff about the performance of the office in dealing with complaints was along two paths. On one path, suggestions were made to improve complaint handling efficiency and resolve a few quirks. The suggestions seem to fall within the work of the current Operational Framework Project that is being led by the Deputy Ombudsman. Examples were suggestions about revising template letters so that complainants do not confuse assessment and investigation, using the Expedited Merits Assessment process more effectively, and refining strategies for confronting unreasonable complainant conduct.

On the other path, several staff wished to share their views with the Review about the style adopted by the office for complaint handling. These views are not presented in this Report as a dominant view, but only as views that the staff members thought it important to raise with this Review. Four related concerns were raised.

The first was that the office, in the view of some staff, did not have a strong appetite to take up and report on systemic administrative problems, or to confront agencies. As they saw it, the focus instead was upon early resolution of individual complaints on an agreed or negotiated basis with the agency.

While this may secure an effective outcome for the individual complainant, and possibly trigger administrative changes within the agency, there would be little or no public visibility of the outcome or the administrative defect that had been detected. Some staff compared this adversely to their earlier experience in the office, or in previous work in another complaint agency.

Another way this point was put was that the correspondence with agencies was relatively light touch. There would be brief mention of an issue for proposed discussion with the agency, but limited formal follow up. This posed a risk the issue would drift away and not lead to a prospective finding by the Ombudsman under s 50 of the Ombudsman Act.

Secondly, the flow-on consequence staff mentioned is that the office is not effectively displaying its work publicly and exposing maladministration. This can affect its public stature as an independent agency that will call out wrongdoing in government and safeguard the citizen. By and large, it was argued, public perception of the office will be formed by what people hear in the public arena. People

will not go searching for messages from the office, and will only hear what is broadcast. The public is reassured if they witness active oversight by the Ombudsman.

Thirdly, some staff felt that this public reticence is noticed by agencies, and that the Ombudsman office rarely uses its formal reporting power in s 50 of the Ombudsman Act. The staff felt this could lessen agency apprehension about being called-out by the Ombudsman office. An example given was that in some instances an agency had not in fact rectified a problem as agreed, and the problem reappeared in subsequent complaints.

Fourthly, there was a concern that this dampened Ombudsman staff morale, and could adversely affect recruitment and retention (or, some felt, had done so). As they saw it, the motivation that interests people in a career in the Ombudsman office is the belief the office can make a difference in helping people and improving the standard of public administration. If that outlook is missing, people may prefer a more straightforward and better rewarded job elsewhere.

A few suggestions were made as to the alternative style the Ombudsman office could adopt. More public reporting through special and shorter reports was the most favoured option. Another approach would be to encourage (or support) staff at the early stage of investigation to identify issues that appear ripe for special reporting, or at least for prominent attention in discussion with an agency. This approach, it was suggested, could also hasten the process of investigation by forecasting a possible adverse finding against the agency.

Overall, staff who raised these concerns were mostly asking for a cultural refresh within the office, so they could be optimistic and more confident in looking for and highlighting serious and systemic administrative problems that the office would be willing to take up.

#### (d) Commentary from Ombudsman senior management

The issues raised by a few staff about the style of the office were also canvassed in the general discussions held with the Ombudsman and other senior officers. They noted that an important priority of the office, consistently with the legislative mandate, is to resolve complaints to the benefit of complainants in an efficient and constructive manner. This is best achieved by establishing an effective and constructive working relationship with agencies – another priority of the office. The office adopts an outcome-oriented approach that benefits complainants.

At the same time, the Ombudsman and senior officers stressed their dedication to upholding the tradition of the office for independence and self-confidence. They were firmly committed to transparency and maintaining the public profile of the office, through reports, media statements, public appearances and web publications. As discussed in Chapter 9, the annual casebooks are one important measure adopted by the office to publish details of instances of defective administration identified in investigations.

#### (e) Observations

The consultations for this Review squarely raised what is perhaps the most challenging issue for Ombudsman offices – how to balance, on the one hand, the need to work constructively with complainants and agencies to resolve complaints and improve administrative practices, and, on the other hand, the goal of building and sustaining the public profile of the office, otherwise dubbed the ‘watchdog’ role.

There is no settled view or easy strategy for balancing those expectations. The way it is done varies among Ombudsman offices across Australia and over time. It is ultimately a judgment call for the individual Ombudsman on how best to maintain the credibility, trust and respect of the office. The Ombudsman takes final responsibility for the integrity of individual complaint findings and the broader performance and stature of the office.

This Review cannot take this debate any further other than to note that the Queensland Ombudsman office is well-placed to continue the discussion internally. There is a strong governance structure in place for staff across the office to participate in discussions about individual cases and broader strategic planning. There is equally a strong culture of encouraging staff views to be shared. The consultations for this Review underscore the importance of an active and continuing dialogue.

<b>Chapter 8 Findings</b>	
<b>Finding 14</b>	The Queensland Ombudsman has in place a comprehensive and mature framework for engaging with members of the public and agencies. The framework is suitably adapted to ensuring that Ombudsman services are accessible to members of the public and that complaints and other queries are handled efficiently and fairly.
<b>Finding 15</b>	The number of complainants who seek internal review of an Ombudsman outcome, and the proportion of those requests that are unsuccessful, appear high. This could be a result of mistaken expectations that people hold arising from the decision templates used by the office for advising that a complaint has been referred internally for investigation, and that a person may request internal review of the Ombudsman office decision on their complaint. Appropriately, the issue is being reviewed in the Operational Framework Project that is underway within the office.
<b>Finding 16</b>	The Intake function in the Ombudsman office is, intrinsically, a high demand and potentially stressful area of work. The Intake team in the office routinely faces challenges in dealing with a high and demanding workload that continues to increase. The senior management of the Ombudsman office are well-aware and have acted on these challenging pressures and trends, and should continue to give a high priority to this task.
<b>Finding 17</b>	There is a fast-growing use by complainants of generative AI tools in preparing complaints and internal review applications. While this is to be expected, instances of inappropriate reliance on those AI tools is having a destabilising impact on the complaint function in various ways, as well as on staff morale. The adverse impact is sure to continue and will require priority attention by senior management in the office, in consultation with Ombudsman staff and other government complaint and oversight agencies. The option of proposing legislative change to the grounds on which a complaint may be declined is among the matters that requires review.
<b>Finding 18</b>	The Ombudsman complaint function is not directly affected by the development within Queensland Government of the Complaints Clearing House. It is important, however, that the Ombudsman keep abreast of CCH developments (as it currently is doing) as the overlapping Ombudsman and CCH functions could benefit from each other.

### Chapter 8 Findings

<b>Finding 19</b>	The discharge of the Ombudsman complaint function is well-regarded across Queensland government. The right to complain to the Ombudsman continues to be actively used by the community.
<b>Finding 20</b>	There is firm support, both within and outside the Queensland Ombudsman office, for it to have a strong public profile in investigating complaints against government and drawing attention to administrative failures. There is equally firm support for the office to grasp opportunities to be strongly visible in the work it is undertaking.

### Chapter 8 Recommendations

<b>Recommendation 7</b>	The Ombudsman ensure that the challenges facing the Intake team in the office continue to receive priority attention from senior office management.
<b>Recommendation 8</b>	The Ombudsman ensure that continuing high level attention is given by senior office management to the use by complainants of generative AI tools in preparing communications with the office, and the adverse impact this trend is having upon staff morale. Consideration should be given to proposing legislative change to the grounds on which a complaint may be declined.
<b>Recommendation 9</b>	The Ombudsman office continue to interact with the Complaints Clearing House Management Office.
<b>Recommendation 10</b>	The Ombudsman have regard to the suggestions that were shared with this Review (as outlined in Chapter 8) for revising aspects of the way that complaints are handled and the office interacts with agencies.
<b>Recommendation 11</b>	The Ombudsman ensure that staff are appropriately advised that the office welcomes their views on the appropriate manner of resolving complaints, including the option of recording a finding under s 50 of the Ombudsman Act.

## 9 Improving administrative practices and procedures

The Ombudsman has a distinct function under the Ombudsman Act of working to improve ‘the quality of decision-making and administrative practices and procedures’ of agencies (s 6). This may be done by making recommendations to agencies as part of certain investigations, or generally through providing advice, training, information and other help to agencies (ss 6, 12).

This chapter examines the different methods the Ombudsman office has adopted to discharge this function. The activities are broadly described in the Ombudsman’s annual report and in the written brief provided to this Review. The brief describes the office approach as ‘an integrated, multilayered strategy’.

The following analysis is divided into three parts – general engagement by the office with agencies through publications and liaison activity; drawing public attention to wrongful administration; and training provided to agency officers.

### 9.1 General Ombudsman office engagement with agencies

The Ombudsman office publishes a range of publications and other resources that are primarily directed to public officials, yet are accessible more broadly. In addition to standard resources such as the annual report and investigation reports, the resources include:

- **Website resources:** Numerous resources are published on the Ombudsman’s website under an ‘improve public administration’ link, including:
  - a ‘Good decisions’ manual that lists legal, ethical and other standards for good decision making
  - a ‘Good decisions’ video
  - a ‘Good Decisions – Essentials’ self-paced one-hour training module
  - checklists for good decision making, policy development and designing programs with eligibility criteria
  - guides on complaints management, managing unreasonable complainant conduct, public sector ethics and public interest disclosures
  - links to complaint and customer service standards
- **Casebooks:** The office has published five casebooks between 2020-25 (available on the website). These provide a sample of complaint investigations the office has undertaken during the year regarding councils, public universities, state departments and statutory authorities. There were twenty case studies in the latest casebook. They follow a standard one-page format that headlines the key message, the outcome of the investigation and (in most cases) the Ombudsman’s insight. Agencies are identified where they provide a unique service, otherwise a general descriptor such as ‘council’ is used.
- **e-newsletters:** The office circulates four e-newsletters to subscribers. The 2024/25 annual report advised that 6,188 subscribers received these four services. They are:
  - a ‘Perspectives’ e-newsletter that is directed to an agency audience and contains information about Ombudsman developments, advice on good decision-making and case studies

- a 'Community Perspectives' e-newsletter that provides information to community members and advocacy groups about Ombudsman services and contemporary developments
- an 'Inspector's News' that provides updates from the Inspector of Detention Services
- a 'PIDmail' e-newsletter on PID matters.
- A website 'Blog' post links to public announcements and new publications and resources.

Other methods adopted by the office to engage with agencies and the public about good decision making and the services provided by the office include the following:

- *Networks:* The office convenes two networks for agency officers – the Complaint Handlers Network and the Public Interest Disclosure Agency Network Training (PIDant).
- *Event participation:* The office participates in events staged by other bodies for community and agency engagement, often by hosting an information stall or making a presentation. Three examples in 2025 were the NAIDOC Family Fun Day, the Community Legal Centres conference, and the Local Government Association of Queensland practitioner workshops. At various times over the years the office has solely or jointly managed an information stall at regional community events.
- *Presentations:* The Ombudsman has periodically made presentations to agency and similar gatherings. Three recent examples were at the induction briefing for new members of parliament in 2025, a briefing for senior ministerial staff in 2024, and a 'good decisions' presentation to senior staff of the Department of Premier and Cabinet in 2025.

The office advised this Review that it periodically engages in discussion with individual agencies about issues of a systemic nature that have been identified during complaint investigation. A common example is deficiencies in the way that complaints are managed by the agency. This liaison work was also referred to positively by several agencies during consultations for this Review, with the agencies noting that the discussions had triggered valuable improvements to the agency's complaint management system.

## Observations

The Queensland Ombudsman has commendably taken the initiative to engage in a diverse range of activities that aim to improve decision making and public administration. These include publications that are framed to have broad appeal and to reach a wide audience. The publications distil the work of the office and clearly articulate standards for good decision making. A strong message in the consultations for this Review is that this work is warmly welcomed and highly regarded by agencies.

This work also supports the effective discharge of the Ombudsman's complaint handling and investigation roles. Agencies are likely to be better predisposed to working cooperatively with the Ombudsman office if they respect its overall professionalism and objectivity. The work of the office to improve decision making and public administration will likely garner that respect.

Understandably, others will always encourage the Ombudsman office to do additional work of this kind. Two examples mentioned several times during consultations was a request for the office to update the guidance on managing unreasonable complainant conduct and to explore options for providing guidance on emerging topics such as complainant use of AI tools.

The practical resourcing reality facing the Ombudsman office is that it relies on a small Communications team of between 2-4 staff to handle reports, web publishing, online training modules, casebooks and newsletters. It is evident that the team is very diligent and that its output is highly regarded. Little more could be expected from a small office team. This is taken up in **Finding 21**, without any accompanying recommendation.

## 9.2 Drawing public attention to wrongful administration

A hallowed feature of Ombudsman culture is that the effectiveness of the office in taking up public grievances ultimately rests on two ‘soft’ powers – the power of persuasion and the power of publicity. A customary comment on Ombudsman method is that reliance on the first power – persuasion – poses less overall risk for the office and can be a safer path to tread.

As that suggests, there is a leeway of choice for an Ombudsman office as to when and how to draw public attention to instances of wrongful administration. Customary methods of doing so are the annual report and special investigation reports and public statements. Beyond that, there will quite naturally be differing views on the preferred style and frequency of public statements by the Ombudsman.

As discussed in Chapter 8, that debate played out in the consultations for this Review. A view expressed – by no means unanimously – both inside and outside the Queensland Ombudsman office, is that it could go further in publicly drawing attention to specific instances of wrongful administration. Doing so, it was argued, would reinforce the public profile of the office as an independent oversight body, and implicitly place pressure on agencies to conform to high standards in complaint management and decision making.

To place this discussion in context, it is already distinctly part of the method of the Queensland Ombudsman to publish details of wrongful administration. A chief way this is done (noted above) is through the annual casebooks that provide examples of complaint investigations during the previous year which resulted in adverse evaluations of agency administration. In addition, the annual report of the office also describes the investigation work of the office, as well as providing statistics on complaints received against individual agencies, the overall outcome of Ombudsman investigations, and a breakdown of the types of recommendations made following those investigations.

Special investigation reports are also published from time to time, including the following five reports in 2024-25:

- Three reports were published in 2025-26 on whether adequate steps were taken by three government departments – the Departments of Education, Housing and Public Works and Health – to ensure the safety of children in, respectively, the education system, public housing and child health care.<sup>96</sup> The office undertook the investigations following a recommendation from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. The reports made several recommendations for improved practices by all departments. A feature of the 2025 reports is that they were supplemented by an ‘Easy Read’ version of the report that was published alongside the formal report.
- An own-initiative investigation report was published in 2024 on the Forensic Disability Service, to examine the steps taken by the Service to implement the recommendations from an earlier Ombudsman investigation in 2019 that examined the detention of people by the Service.<sup>97</sup> The 2024 report examined compliance by the Service with legislative requirements, including human rights standards.
- Following a reference from the Legal Affairs and Safety Committee of the Queensland Parliament, the office published a report in 2024 on overcrowding in Queensland prisons

<sup>96</sup> Queensland Ombudsman, *Preventing harm to children with disability in Queensland*, Report 1: Department of Education (April 2025); Queensland Ombudsman, *Preventing harm to children with disability in Queensland*, Report 2: Department of Housing and Public Works (Nov 2025); Queensland Ombudsman, *Preventing harm to children with disability in Queensland*, Report 3: Queensland Health (April 2026).

<sup>97</sup> Queensland Ombudsman, *Forensic Disability Service – second report* (August 2024).

generally and specifically at the Maryborough Correctional Centre.<sup>98</sup> The report made several recommendations for improved correctional practice.

The public profile of the Ombudsman is also linked to the public reports of the Inspector of Detention Services that are discussed in Chapter 10.

Two other contextual features are also relevant to this discussion. One is that the Ombudsman does not have a general discretion under the Ombudsman Act to release a statement at any time in the public interest. As discussed in Chapter 5, the standard information disclosure channel is through the Parliament. Accordingly, the Casebook series are published with the authority of the Speaker of the Parliament.

The other consideration is resourcing. The preparation of reports or statements for public release is likely to place added pressure on the investigation and communications teams in the office. Some other Ombudsman offices in Australia that have built a higher public profile are better resourced for that role.

Against that background, there were nevertheless views expressed to this Review that it would be desirable for the Queensland Ombudsman to have a higher public profile in drawing attention to wrongful administration. It was said that, in addition to web publications that may not by themselves attract public recognition, the Ombudsman office could more actively draw attention to its work.

A couple of suggestions as to how this could be done were noted in Chapter 8. One is for the Ombudsman to place added reliance on the power in ss 49 and 50 of the Ombudsman Act to conclude investigations with a formal finding and recommendation to address instances of wrongful administration. This could be done in relation to individual agency actions or systemic problems affecting more than one agency.

A second and related suggestion is for a finding of that nature to be released in a special report – perhaps in addition to being noted in the annual report or covered in the casebook series. A special report and accompanying media statement are likely to draw greater public attention to the Ombudsman’s oversight work.

Another approach is for the Ombudsman to publish an annual or bi-annual report card. This would be a special report that listed all recommendations made under s 50 during the reporting period, the agencies to which those recommendations related, and the implementation action taken by the agencies either at the time or subsequently.<sup>99</sup>

## Observations

There is no straightforward model or answer as to the style or methods an Ombudsman office should adopt to draw public attention to instances of wrongful agency administration. As this discussion illustrates, there are a host of competing considerations, and ultimately it is for the Ombudsman – who has personal and final responsibility for the method and culture of the office and its relations with government and the community – to decide the approach to be adopted, over time and in particular instances.

That said, a healthy discipline is for the Ombudsman to encourage a vibrant internal discussion with Ombudsman staff on the approach to be adopted, both generally and in individual investigations. That is occurring within the Queensland Ombudsman office and is to be encouraged as taken up (in Chapter 8) in **Finding 20** and **Recommendation 11**.

<sup>98</sup> Queensland Ombudsman, *Prison overcrowding and other matters report* (Feb 2024).

<sup>99</sup> An example is a Victorian Ombudsman bi-annual report, of which the most recent is *Ombudsman’s recommendations – fourth report* (Sept 2022).

## 9.3 Training

As noted above, training is expressly mentioned in the Ombudsman Act as an activity the Ombudsman office can undertake to improve decision making and administration within agencies. The office has acted on that direction by conducting training programs and activities for over twenty years. For much of that time there was a separate Training Services Team within the office. Presently, training activities are undertaken by the Intake and Training Services unit that reports to the Deputy Ombudsman.

Current training activities are chiefly of two kinds:

- A 'Good Decisions – Essentials' self-paced one-hour training module is available on the web. It is directed at officials across government and at all levels, including officials of non-government entities that are contracted to deliver government services to the community. The web-link to the module explains that it is currently offered free-of-charge during a pilot period, but a fee-for-training option may be introduced following review of the pilot program.
- Specialist PID training is delivered, as detailed in Chapter 11. Briefly, in the 2024–25 reporting year, 1,480 officers participated in PID training sessions; the office delivered 4 webinars and 1 workshop to more than 341 attendees; and in early 2026 a 'Public Interest Disclosures – Essentials' self-paced online training module was launched. The PID training includes face-to-face training, usually through internet engagement.

In former years the office offered five face-to-face training programs on a half and full day basis (in addition to shorter training presentations): 'Good decisions'; 'Managing unreasonable complainant conduct'; 'Complaints management – frontline'; 'Complaints management – internal review'; and 'Public sector ethics for state government'. In 2022-23 these courses were presented in over 85 training sessions to 1,766 public sector officers, who registered a 96.4 per cent high satisfaction rating. This positive assessment was also noted in the 2018 Strategic Review of the Ombudsman office, which commented that the 'most common theme across written submissions and in agency interviews was that the training programs delivered by the Office were highly-regarded for their relevant, useful content and exceptional trainers'.<sup>100</sup>

The Ombudsman website advises that 'At present, the office has paused training-led delivery (in person or via webinar) for good decisions training'. The background to this development is explained below.

The office training program was discussed in most of the consultation sessions held with government agencies for this Review, and was mentioned in a few of the submissions. The agency commentary was along two lines. Firstly, agencies commented (often quite enthusiastically) that they derived great value from the Ombudsman training services. They particularly valued the Ombudsman's accumulated experience and insights on the principles of good decision making and common administrative failures.

Secondly, many officers commented – invariably unprompted – their regret that face-to-face training sessions were not currently being offered. This comment was usually based on the person's experience of having participated previously in a face-to-face session that was highly valued as an opportunity to interact with other participants and the trainer in exploring the essence of good decision making. There were also comments that the first online module offered by the office was well-designed and informative, but was pitched at a lower baseline level than the tenor of discussion in face-to-face training sessions.

Generally, while agencies understood the rationale for the current Ombudsman office focus on online training, agencies hoped this would be supplemented by advanced and specialist training sessions,

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<sup>100</sup> Dr Simone Webb, *Strategic Review of the Office of the Queensland Ombudsman* (Final Report, January 2018) 81.

both online and face-to-face. An example mentioned several times was a demand for specialist training on handling unreasonable complainant conduct.

The background to the transition from face-to-face to online training should be sketched briefly. The Ombudsman office was unable to continue training in the accustomed in-person and face-to-face manner when the COVID-19 pandemic severely impacted workplace arrangements. This coincided with the departure from the office of some of the members of the Training Services Team. The office was also cognisant of the way that technological advances were altering both the range of training options and the expectations across agencies of how training could be delivered.

In response, the office contracted a private firm, Sagacity Consulting, to undertake a review of the training services function. It reported in August 2024, with the following findings:

- The Training Services Team had received high levels of positive feedback for the training that it had delivered in the past, but staffing changes and technology limitations limited the Team's ability to continue this success. It would be difficult at that time for the Ombudsman office to assemble a training team with the expertise and skills required to deliver the previous style of training.
- The reach of face-to-face training is limited as to the number and geographical spread of public officials who can undertake and benefit from it.
- Online self-paced training modules are increasingly being used by agencies and can be accessed by a larger number of staff on a time-flexible basis.
- Some of the current course offerings of the Ombudsman office – such as the introductory level courses – were suitable for adaptation to online modules and could be delivered more effectively and efficiently by this method. Courses requiring deeper or more advanced learning could be delivered in face-to-face modules that allowed for discussion and inquiry-based learning. In-person training may still be necessary where access to IT services is limited, for example, for some remote communities.
- Greater automation of training would be less of a resource burden for the Ombudsman office, and allow resources to be directed to other training and educational activities.
- In managing a transition to online training the Ombudsman office should consult with other government agencies that have a like interest in the training format and curriculum.
- The 'Public sector ethics' course should be discontinued by the Ombudsman office as this should more appropriately be delivered by another agency, such as the Public Sector Commission.

The findings and recommendations of the consultant's report were accepted shortly after by the Executive team in the Ombudsman office. Following the consultant's report, the office began to develop online training modules. There is a project underway internally to consider the re-introduction of specialist and advanced face-to-face training courses to complement existing offerings. The project is considering areas where training activity could improve the quality of decision-making and administrative practice, drawing from the office's investigative and complaint management insights. Other considerations include the reach and accessibility of training options across a diverse and dispersed government workforce, and developing training delivery modalities that are ongoing and cost-efficient.

This Review met with and received a detailed and strongly-worded submission from an Ombudsman staff member who was highly critical of the transformation of the training function in the office. The officer was critical of the findings and methodology of the consultant's report and their acceptance by the Ombudsman Executive team. The main thrust of the submission was that the office was wrong to discontinue the face-to-face training program that had enjoyed such high success and impact throughout Queensland government. The same contentions were raised earlier within the Ombudsman office when the Executive team was considering the consultant's report.

While the face-to-face training conducted by the office over many years is highly regarded, the present situation is that a transition towards online training has occurred and was based on a range of considerations, including an independent consultant’s report, training experience available to the Ombudsman office, resource burdens facing the office, and a general move across government to embrace online training. The thinking behind the transition was addressed by the Ombudsman in a public hearing of the Legal Affairs and Safety Committee of the Parliament.<sup>101</sup>

Going forward the main point to note is the strong demand conveyed to this Review for the delivery where possible of specialist face-to-face training programs. As noted, the senior management of the Ombudsman office has confirmed their interest in and preparedness to embrace that development, and a project to consider options is currently underway internally. These points are taken up in **Finding 22** and **Recommendation 12**.

Chapter 9 Findings	
<b>Finding 21</b>	With limited resources, the Office of the Queensland Ombudsman has undertaken a diverse range of activities (including publications) in pursuit of its separate function of improving decision making and public administration. The resources are of a high quality and are positively received and accessed across Queensland government.
<b>Finding 22</b>	The Office of the Queensland Ombudsman currently provides training on good decision making through online modules, rather than face-to-face training of the kind that was formerly provided. The face-to-face training sessions were highly regarded across Queensland government, and strong interest was conveyed to this Review for the Ombudsman office to continue providing specialist or advanced training sessions on good decision making and complaint management on a face-to-face basis, resources permitting. Face-to-face training is currently provided in relation to public interest disclosure management.

Chapter 9 Recommendation	
<b>Recommendation 12</b>	The Queensland Ombudsman note the strong interest expressed to this Review for training sessions to continue being provided on a face-to-face basis, particularly on specialist or advanced topics on good decision making and complaint management. These would be in addition to the online training modules that are being developed by the office.

<sup>101</sup> Queensland Parliament, Legal Affairs and Safety Committee, ‘Public Hearing – Queensland Ombudsman’, Transcript of Proceedings, 14 June 2021,

# 10 Inspector of Detention Services

## 10.1 Outline of the detention inspection function

On 1 July 2023 the Ombudsman office operationally commenced the new Inspector of Detention Services function under the *Inspector of Detention Services Act 2022*.<sup>102</sup> The IDS Act (s 3) declares the purpose of the Inspector role and function as follows:

- (1) *The main purpose of this Act is to promote the improvement of detention services and places of detention with a focus on –*
  - (a) *promoting and upholding the humane treatment of detainees, including humane conditions of their detention, and*
  - (b) *preventing detainees from being subjected to harm, including torture and cruel, inhuman or degrading treatment.*
- (2) *The main purpose is to be achieved by providing a framework for –*
  - (a) *the review of detention services and inspection of places of detention, and*
  - (b) *independent and transparent reporting.*

In short, the Inspector's role is to inspect and monitor detention facilities to ensure that detainees are treated humanely and are not subjected to harmful treatment. The findings of the inspections are to be reported to the Parliament, both in an annual report and in separate inspection reports (ss 21, 22). The annual operational report under s 21 must include the Inspector's recommendations on legislative or administrative action that may be required as a result of inspections, and the Inspector's evaluation of the actions taken by agencies to implement those recommendations.

The places of detention to which the inspection function applies are community corrections centres, prisons, watch-houses, work camps and youth detention centres (s 6). The Inspector is required to inspect each prison that is a secure facility at least once every five years, and each youth detention centre every year (s 8). To guide the inspections, the Inspector may prepare and publish standards.

There are matching inspector offices in some other Australian jurisdictions, more commonly established as a separate statutory agency. An example is the Western Australian Office of the Inspector of Custodial Services, that was established in 1999.<sup>103</sup>

The Bill to create the Inspector of Detention Services function in Queensland was the subject of a substantial inquiry in 2021–22 by the Legal Affairs and Safety Committee.<sup>104</sup> The Committee consulted and received submissions from a wide range of government agencies, legal services, community organisations, unions and representative bodies. In supporting the Bill and the appointment of the Ombudsman as the Inspector, the Committee noted that the legislation 'establishes the Inspector as a separate and functionally independent statutory appointment with distinct functions and powers who will report separately to Parliament on its operations, and following inspections and reviews'.<sup>105</sup> The Committee further noted that it was important the Ombudsman was adequately resourced to ensure the independent Inspector role could be fulfilled effectively.

<sup>102</sup> The IDS Act partially commenced in December 2022 to enable the Inspector to establish the structure and staffing for the function to commence on 1 July 2023.

<sup>103</sup> *Inspector of Custodial Services Act 2003* (WA).

<sup>104</sup> Queensland Parliament, Legal Affairs and Safety Committee, *Inspector of Detention Services Bill 2022*, Report No 21, 57<sup>th</sup> Parliament, January 2022.

<sup>105</sup> *Ibid*, 9.

The IDS Act requires the Minister administering the Act to review it after five years to determine if the policy objectives of the Act remain valid, and if the provisions of the Act are appropriate to achieve those objectives (s 50). The report of the review is to be tabled in the Legislative Assembly.

## 10.2 Establishment and inspection activities undertaken

The Detention Services Inspection Unit (DSIU) is established as a separate unit within the Ombudsman office, headed by an Executive Director and reporting directly to the Inspector. The DSIU has a staff complement of 17 FTE. Business support work for the DSIU is undertaken by Ombudsman office staff, such as publications and technology.

The Inspector has published two standards in 2023: *Inspection standards for Queensland prisons*, and *Inspection standards for Queensland youth detention centres*. The office is currently preparing a third standard for the inspection of watch-houses. The standards are comprehensive and lengthy (the prison standards exceeds 100 pages). They cover matters such as initial detention protocols, the duty of care owed to detainees, behaviour management, family and community contact, living conditions, health care, security and safety, and tailored standards applying to vulnerable and distinctive groups.

The Inspector has published 5 detention inspection reports:

- 2 reports relating to inspections at adult correctional centres – the Southern Queensland Correctional Centre, and the Palen Creek Correctional Centre
- 2 reports relating to youth detention centres – the Cleveland Youth Detention Centre, and a combined inspection report for youth detention centres (in November 2025)
- 1 report relating to the Cairns and Murgon watch-houses.

The inspection reports are typically lengthy, with some around 100 pages. In addition to providing considerable detail on matters observed during inspections, the reports set out the methodology adopted for the inspection, the consultation with and submissions from other government agencies, recommendations and key findings (a 'snapshot'). The reports are accompanied on the Ombudsman website by an 'Easy read' version.

The Inspector has published two Annual Operational reports, for 2023-24 and 2024-25. The 2024-25 report explains the framework developed by the office for inviting agencies to provide a self-assessment of their implementation of the Inspector's recommendations, together with a breakdown of the agency self-assessment of 71 recommendations, and the Inspector's evaluation of the implementation action.

The Ombudsman website lists other inspections that have been undertaken or are planned. As to prisons, 4 inspections have been completed and the reports are in preparation, and another inspection has commenced. As to youth detention centres, 2 inspections have been completed and the reports are in preparation, and another 3 inspections have commenced. The website announcement of the inspections that are underway invites feedback from any person with lived experience of the facility, such as previous detainees, staff, family members and service providers.

The Ombudsman, discharging the separate role of Inspector, is actively involved in the inspection work and attends many of the inspections.

An establishment project that is underway is to put arrangements in place for the separate review and monitoring functions that are conferred on the Inspector by the IDS Act.

## 10.3 Early challenges in establishing the inspection function

The implementation of the inspection function and the creation of the DSIU within the Ombudsman office was a major undertaking, akin to establishing a new agency. That work is largely complete, though some challenges continue.

Two challenges were described in earlier chapters:

- A staff recruitment challenge is to establish an inspection unit that includes people with experience and capacity to undertake the two core but different tasks of prison inspections and report writing (see Chapter 4).
- The Ombudsman Act and IDS Act together impose constraints that impede information sharing between DSIU officers and other Ombudsman staff (see Chapter 5).

Several other ongoing challenges were mentioned during consultations for this Review with members of the DSIU and Ombudsman staff:

- The novelty of the inspection function, combined with the pressure on the DSIU to undertake inspections of all detention facilities within the timeframes listed in the IDS Act, has hampered the DSIU's work in other areas, such as monitoring the implementation of report recommendations, publishing a separate standard for watch-houses, reviewing the other two standards, and conducting thematic reviews of detention services.
- The DSIU is acutely aware of the importance of completing an inspection report within a timely manner following an inspection. This can take up to a year at present, which was not altogether unexpected in the early years of the inspection function. Ways of shortening this time lag are being explored, such as the adoption of AI tools to assist report preparation, and altering the reporting format. The options are being discussed with inspection offices in other jurisdictions, and with Queensland agencies that provide information required for an inspection report.
- The efficient conduct of the inspection function relies on the prompt provision of reliable data to the DSIU by other Queensland agencies. This has not always been a smooth process, and the adoption of better protocols has been a topic of discussion with agencies.
- The inspection function can raise unique staff welfare issues that are being worked through. For example, inspection staff can face psycho-social trauma from the inspection experience, especially in youth detention facilities. Dedicated psychotherapeutic help services have been made available to inspection staff. Another risk that has been faced is staff burnout from the rigour of continual inspection cycles.
- An issue raised by some inspection staff was the professional recognition (both within the office and more generally) of inspection capability. There is, by contrast, stronger recognition of investigation, auditing and intelligence-assessment roles, both on an accreditation basis and in professional training courses. The inspection function is specialised in several ways, because of the requirement to inspect compliance by correctional facilities with detailed administrative and human rights standards, followed by preparation of a public report based on the inspections and evidence collected.

The unique nature of the inspection function and the special challenge it poses for the Ombudsman office generally and the DSIU in particular was captured in the following observation in the written brief prepared by the Ombudsman office for this Review:

*The DSIU engagement team is led by a Principal Advisor and supported by two Senior Advisors. These officers bring cultural knowledge and lived experience to the inspection process, offering insights that help shape respectful, inclusive and informed practices ...*

*The team has meaningful and culturally respectful interactions with detainees to support the broader DSIU inspection process. Given the significant overrepresentation of First Nations peoples in the Justice system, the team's work prioritises building strong, culturally grounded relationships with Aboriginal detainees and Torres Strait Islander detainees, Elders, community organisations, and stakeholders. This is essential in addressing the deep-seated distrust many Australian First Nations people hold due to historical and ongoing injustices. We do this by:*

- *Adapting our communication styles to engage in culturally appropriate, meaningful, and respectful ways. This helps ensure our service delivery is effective and culturally safe.*
- *Establishing and maintaining genuine, two-way relationships with Aboriginal First Nations detainees and communities to build trust, promote understanding, and foster collaboration.*
- *Strengthening community networks across Queensland to better understand local cultural contexts, histories, and community priorities. This helps us engage in a way that is responsive, respectful, and informed.*
- *Regularly attending cultural events in centres, as part of ongoing networking opportunities.*

## **10.4 Agency commentary on the conduct of the inspection function**

Several Queensland government agencies that have direct interaction with the DSIU and its inspection work were consulted for this Review. A couple also made written submissions.

The agencies made several positive observations regarding the Ombudsman and DSIU work:

- The Ombudsman office has established a good relationship with the agencies and holds regular meetings. This includes briefing meetings prior to an inspection being undertaken and subsequent meetings to discuss the preliminary observations and draft findings.
- The inspection and report preparation process are transparent and consultative.
- The inspection reports are thorough and professionally presented.
- The inspection staff are experienced, professional and courteous.
- The Ombudsman has personally displayed strong leadership and participation in the inspection function.

The agencies also raised several issues of concern:

- The delay of up to a year in completing an inspection report can be unfortunate and problematic. For example, an issue that was identified during the inspection may have been resolved by the time the report is published, but this may not be apparent and may provoke unwarranted criticism, including in the media.
- Several Queensland oversight agencies play a role in reviewing the management of detention facilities and issues that have been the subject of complaint. There can be overlap between their oversight work and IDS work. It would be welcomed if the IDS could take a lead in aligning the activity of the various oversight agencies and reducing duplication.
- The delay in completion of the watch-house standard is unfortunate and has clouded the reliability of the results of the watch-house inspections that have been conducted.

- The information requests from the DSIU can be extensive and impose a large resource burden on an agency. It is not always clear why particular types of information are being requested following an inspection.

It was apparent in the consultations with Ombudsman officers that they are aware of these concerns raised by other agencies and are committed to consulting the agencies about them.

## 10.5 Observations

The Inspector of Detention Services role has been separately discharged by the Queensland Ombudsman for close to three years. The role will be fully and independently reviewed in two years' time, as required by the IDS Act.

The five-year mark is an appropriate time period for the function to have been fully developed and implemented by the Inspector and Queensland Ombudsman office. It is premature in this strategic Review to attempt a full assessment of the performance of the function. However, it is timely to note – as the three year mark approaches – that on all accounts the function has been well-developed and effectively performed.

With the separate budgetary funding provided for the Inspector role, the Ombudsman office has paid special attention to ensuring the role is properly performed as envisaged in the IDS Act. The stature, independence and separate character of the role have been fully respected and developed. The Ombudsman has personally spent considerable time developing, leading and separately stamping the role.

As required by the IDS Act, the Inspector has formulated inspection standards that are detailed and comprehensive and provide an ideal framework to guide inspections and, implicitly, the management of detention facilities. The inspections of the facilities that have so far been undertaken have been described by other interested parties as thorough and professionally conducted. The reports of inspections have been of a high standard and appear to have generated considerable public interest.

The Ombudsman office and the Inspection unit have had to face challenges in rolling out the inspection function. These include recruitment and staffing, timely reporting, and development of liaison protocols with other agencies that play a role in detention management. These challenges are being squarely acknowledged and addressed.

These observations are picked up in **Finding 23** and **Recommendation 13**.

Chapter 10 Finding	
<b>Finding 23</b>	The Queensland Ombudsman and Inspector of Detention Services has successfully implemented the new detention inspection function in accordance with the <i>Inspector of Detention Services Act 2022</i> . In particular, the independence and separate stature of the inspection role is clearly recognised, and inspections have been carried out and reports prepared in a thorough and respected manner.

Chapter 10 Recommendation	
<b>Recommendation 13</b>	The Queensland Ombudsman and Inspector of Detention Services have regard to the concerns raised with this Review by other agencies (as outlined in Chapter 10) regarding the discharge of the inspection function, and in particular the delay that can occur in finalisation of a report following an inspection.

# 11 Oversight of public interest disclosures

## 11.1 The Ombudsman's role under the PID Act

The *Public Interest Disclosure Act 2010* aims to promote the public interest by laying down a comprehensive framework to facilitate the disclosure of information about wrongdoing in the public sector, and to provide protection to people who make public interest disclosures (**PIDs**).

A key element of the scheme is that the chief executive officer of each public sector agency<sup>106</sup> to which the Act applies is required to establish and publish procedures for receiving and investigating PIDs and for providing support and protection to those who make disclosures under the Act (s 28).<sup>107</sup> There were more than 204 entities subject to the Act in 2025, including parliamentary committees, courts, tribunals, government departments, public authorities, local government bodies, and Queensland higher education providers.

The Ombudsman office is designated by the Act as 'the oversight agency', with three main functions:

- monitoring the management of PIDs and compliance with the Act, including by collecting statistics and monitoring trends
- reviewing the way agencies deal with PIDs, both generally and in particular cases
- performing an educational and advisory role that includes promoting the objects of the Act (ss 58, 59).

The Ombudsman is empowered to make standards that are binding on agencies in how they deal with PIDs (s 60). A standard may, for example, set out the way a PID can be made, how those making disclosures are to be protected, and how agencies are to perform their functions under the Act.

The Ombudsman is also required to prepare an annual report on the operation of the Act (s 61). The report is customarily included as a chapter in the annual report under the Ombudsman Act.

The Ombudsman office also interacts with the PID Act in discharging other functions. For example, a member of the public may lodge a PID with the Ombudsman (s 15), or complain under the Ombudsman Act about the way an agency has dealt with a PID. This chapter looks only at the Ombudsman's oversight role under the PID Act.

Another aspect of the Act that is discussed below is the independent review of the PID Act undertaken in 2023 by Mr Alan Wilson KC (**Wilson Report**). The Report contained a chapter and made recommendations on the Ombudsman's role.

## 11.2 The performance of the Ombudsman's PID oversight role

The PID oversight role is discharged by a separate office team that reports to the Deputy Ombudsman (see Chapter 4). The unit is currently staffed by 2 FTE staff members.

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<sup>106</sup> They are described in the PID Act as 'public sector entities' (s 6).

<sup>107</sup> The PID Act also applies to members of the Legislative Assembly, but some of the obligations imposed by the Act are cast differently.

Across government, the number of PIDs reported by the Ombudsman in 2024-25 was 2,049 – an 11% decrease on the previous year.<sup>108</sup> Roughly two-thirds (65%) of the PIDs that were finalised by agencies in the reporting year were totally or partially substantiated.

The PID team in the Ombudsman office undertook the following educational and advisory activities during the 2024/25 reporting year and in early 2026:

- responded to 1,725 enquiries from agencies and officers (a 25.7% increase on the previous year, due in part to the self-assessment audit described below)
- presented PID training sessions to 1,480 participants
- delivered 4 webinars and 1 workshop to more than 341 attendees
- distributed a monthly e-newsletter (PIDmail) to more than 1,300 subscribers
- in March 2026 the office launched an online training module about PIDs – ‘Public Interest Disclosures – Essentials’.

The total number of participants in the training sessions and webinars (1,821) was an increase of 12.5% from the previous year. A quarter of the training participants responded to an evaluation survey, and all but two said the training would improve their decision-making capability.

Six other Ombudsman office activities illustrate the breadth of its PID oversight role:

- The office maintains a secure database (RaPID) for agencies to enter information online relating to PIDs they assessed and handled during the year.
- The annual report that is prepared as required by the PID Act (s 61) contains extensive statistics on the number of PIDs reported by agencies, the breakdown among agencies, the types of alleged wrongdoing, and PID finalisations, outcomes and investigations.
- The office administers a voluntary Self Assessment audit that agencies are invited to complete. The audit topics address compliance with the PID Act and Standards, areas for agency improvement, and training and support needs requested by agencies. The audit has been conducted four times since 2020, and was completed in 2024/25 by 186 of 204 entities (91%). The Ombudsman annual report explained that it used the audit results to enhance the training, educational and other resources the office provided to agencies.
- The office convenes a quarterly training network meeting of agency PID coordinators – Public Interest Agency Network Training (PIDant).
- The Ombudsman published three standards under the Act in 2019, outlining the obligations upon agencies to manage, assess and investigate PIDs, and maintain records.<sup>109</sup>
- In 2017 the Ombudsman undertook a review of the PID Act as required by s 62 of the PID Act, and published a report containing 40 recommendations.<sup>110</sup>

<sup>108</sup> The figures in this chapter are taken from Queensland Ombudsman, *Annual Report 2024-25*, 28-33.

<sup>109</sup> See *Public Interest Disclosure Standard No 1/2019 – Public Interest Disclosure Management Program*; *Public Interest Disclosure Standard No 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures*; and *Public Interest Disclosure Standard No 3/2019 – Public Interest Disclosure Data Recording and Reporting*.

<sup>110</sup> Queensland Ombudsman, *Review of the Public Interest Disclosure Act 2010*.

## 11.3 Agency comments

Many of the agencies that were consulted during this Review commented on the performance of the Ombudsman's PID oversight role. Comments were also made in some of the written submissions received from agencies and local government councils.

Two themes emerged strongly in the commentary. The first was that agencies derive great benefit from all facets of the work undertaken by the Ombudsman office. Highly complimentary remarks were made about: the quality of practical training and level-headed advice provided by the Ombudsman team; their prompt and helpful response to enquiries; the valuable guidance provided in written publications; the collegial benefit of PIDant network meetings; and the beneficial opportunity for self-reflection through the Self-Assessment audit.

The agencies were particularly grateful to receive support and assistance, as the PID Act casts a direct responsibility on agencies to manage the PID scheme internally. Some agencies felt that could be daunting without Ombudsman office assistance.

The second theme was that agencies thought there was potential for the Ombudsman office to provide greater support if its oversight function was better resourced. Generally, agencies thought the small Ombudsman team did a sterling job in providing specialist assistance in a range of ways. A better resourced function would have greater capacity for the office to devise additional and bespoke training modules, refresh the website and publications regularly, build a stronger regional presence, and conduct more active oversight of agency administration of the PID scheme.

## 11.4 Ombudsman office comments

The Ombudsman staff consulted in this Review echoed the agency comments. The office takes great pride in its PID oversight role and has a vision to develop it further in all the ways that agencies envisage.

An underlying assumption of the PID Act is that all public officers will have some degree of PID awareness, and the Ombudsman office feels that more could be done in conjunction with agencies to realise that objective. The PID Act must be taken seriously at all levels as an important element of the government integrity framework. The Ombudsman office can potentially play an even larger role in ensuring consistent practice across government.

Furthermore, the Ombudsman office is aware that managing PIDs can be a demanding and – at times – unpleasant experience for agencies. Being able to access independent and objective Ombudsman advice can reinforce agency commitment to a strong PID scheme.

## 11.5 Wilson Report on the PID Act

### (a) The proposed new role for the Queensland Ombudsman

An extensive independent review of the PID Act was undertaken in 2023 by the Hon Alan Wilson KC.<sup>111</sup> The thrust of the Wilson Report was that a new Act is needed, and the Ombudsman's oversight role should be strengthened and better resourced.

As to a new Act, the Report found that the objectives of the Act were impeded by deficiencies in clarity and unnecessary operational technicalities. Among the changes proposed were to expand the range of public sector entities subject to the Act, extend the range of individuals who can make a PID, tighten the threshold criteria for making a PID, and extend the rights and protections for those making PIDs.

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<sup>111</sup> The Hon Alan Wilson KC, *Review of the Public Interest Disclosure Act 2010*, Report (2023).

As to the Ombudsman's role, the Report noted there was strong support for the office's oversight role. Effective oversight of the PID scheme, the Report said, is 'an indispensable factor in its success and endurance', and the Ombudsman is ably suited to that task as 'an independent, well-respected and well-known body'.<sup>112</sup> However, the Ombudsman was under-resourced for its present task, and would need even stronger resourcing to play a more comprehensive and proactive role in four additional ways proposed in the Report. The additional office funding should include a new Deputy Ombudsman position.

The four additional roles proposed for the Ombudsman were:

- The Ombudsman should undertake more active auditing of agency compliance with the PID Act, drawing from the information available to the Ombudsman in the RaPID database and the agency Self-Assessment audit tool. The Ombudsman should also be empowered to require an agency to report to it about how it was handling an individual PID matter so that the office could more actively monitor the case.
- Upon application from an aggrieved person, the Ombudsman should undertake a merits review of an agency decision not to investigate or deal with a PID lodged by the person. This function would be an extension of the Ombudsman's current power to investigate a person's complaint, but go further by empowering the Ombudsman to make a binding decision following merits review. The Ombudsman's decision would, in turn, be reviewable by the Queensland Civil and Administrative Tribunal.
- The Ombudsman's current role of providing training and publishing guidance material should be expanded. The Report saw a need for more specialised and targeted training by the Ombudsman to supplement training provided internally by agencies. Examples the Report gave of appropriate topics for specialised training were interview and investigation techniques, resilience, cultural sensitivity and cultural trauma. Examples the Report gave of sectors that would benefit from targeted guidance material were whistleblowers, witnesses, local councils and government-owned corporations. The Report drew attention to the more extensive range of guidance material published by the NSW Ombudsman.
- A PID Steering Committee should be established to coordinate the work of the various integrity agencies that play a role in administering the PID scheme and Queensland's integrity landscape. The Committee should be convened and chaired by the Ombudsman, and report through the Ombudsman's annual report. This new steering committee would play the same role as a committee convened by the NSW Ombudsman.

The Wilson Report also saw a need to clarify the roles played by the Ombudsman and the Crime and Corruption Commission in the operation of the PID Act. While the Ombudsman is the oversight agency for the PID Act, the CCC also plays a large role because many PIDs contain allegations of corrupt conduct, and the CCC is primarily responsible for deciding whether and by whom such allegations will be examined.

## (b) Implementation of the Wilson Report proposals

As many as 87 of the 107 recommendations in the Wilson Report may require legislative change, both in a new PID Act and in related legislation. The responsibility for taking those forward rests with the Attorney-General and Minister for Justice and Minister for Integrity. The Ministerial Charter Letter from the Premier to the Attorney-General in November 2024 listed the introduction of a new PID Act as a key portfolio deliverable of the Department of Justice. There has not yet been a formal government announcement outlining proposed changes or a timetable.

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<sup>112</sup> The Hon Alan Wilson KC, *Review of the Public Interest Disclosure Act 2010*, Report, (2023) 8, 219.

The Ombudsman office has considered the Wilson Report and undertaken improvement activities such as preparation of new guidance materials for agencies and the public. The Ombudsman office has also undertaken preparatory work to scope how it could discharge the proposed new functions and the staffing required. This project planning explores which of the proposed new Ombudsman activities could be discharged currently without legislative change but with additional funding, such as increased monitoring of agency PID compliance.

### (c) Developments in other jurisdictions

The impetus for whistleblower reform and a proactive Ombudsman oversight role has also been playing out in other Australian jurisdictions. Two examples are illustrative.

In NSW a new *Public Interest Disclosures Act 2022* (NSW) was enacted in 2022 to replace the 1994 Act. The new Act revised central features of the PID scheme, such as what qualifies as a PID, the responsibilities of agencies upon receiving a PID, and the protections for whistleblowers. The Act outlines in detail the role of the NSW Ombudsman in promoting awareness of the Act, publishing guidance material, auditing and monitoring agency actions, instigating voluntary dispute resolution to resolve allegations, annual reporting, and convening the PID Steering Committee.

The Commonwealth Attorney-General released an exposure draft Bill to reform the *Public Interest Disclosure Act 2013* (Cth) in September 2025.<sup>113</sup> A feature element of the proposed reform is the creation of a Whistleblower Ombudsman within the Office of the Commonwealth Ombudsman. Among the functions of the new position would be to investigate allegations of reprisal action against whistleblowers, oversee PID investigations, conduct own motion investigations into the PID scheme, and resolve complaints through alternative dispute resolution and restorative engagement.

## 11.6 Observations

The Queensland Ombudsman has played an effective and well-respected oversight role in relation to administration of the PID Act. There is broad acceptance that this work has been limited by chronic under-resourcing of the role.

Pending government implementation of the Wilson Report recommendations, the Ombudsman is poised to undertake a more active role with increased powers and additional funding. The office has undertaken considerable preparatory work in anticipation of government approval. The earlier and successful implementation by the office of the new role of Inspector of Detention Services, as discussed in Chapter 10, augers well for similar successful implementation of an expanded PID oversight role.

These observations are recorded in **Finding 24**. There is no accompanying recommendation, given the imminent but tentative reform of the PID Act.

Chapter 11 Finding	
<b>Finding 24</b>	The Queensland Ombudsman office is widely respected for the way it has, with limited resourcing, discharged its oversight role under the <i>Public Interest Disclosure Act 2010</i> . The office is preparing to take on an expanded oversight role with appropriate resourcing in the event government approves the recommendations from review of the Act undertaken by the Hon Alan Wilson KC in 2023.

<sup>113</sup> Public Interest Disclosure and Other Legislation Amendment (Whistleblower Protections) Bill 2025.

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# Appendices

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# Appendix A: The Ombudsman's response to this report



Queensland Ombudsman  
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SENSITIVE

28 April 2026

Professor John McMillan AO  
Strategic Reviewer  
Department of Justice  
State Law Building  
50 Ann Street  
Brisbane QLD 4000  
**Sent by email:** [oqo.strategic.review@justice.qld.gov.au](mailto:oqo.strategic.review@justice.qld.gov.au)  
**Cc:** [REDACTED]

Dear Professor McMillan,

Thank you for providing me with a copy of your proposed report for the Strategic Review of the Office of the Queensland Ombudsman and providing me with an opportunity for feedback.

I welcome the report and support its findings and recommendations. I do not have any comments under ss 85(2) and (3) of the *Ombudsman Act 2001* that would require inclusion in, or amendment to, the report.

I look forward to being provided with the final report.

Yours sincerely

A handwritten signature in black ink, appearing to read "A Reilly".

Anthony Reilly  
Queensland Ombudsman and  
Inspector of Detention Services

# Appendix B: Terms of Reference

## REQUIREMENT FOR STRATEGIC REVIEW

Section 83 of the *Ombudsman Act 2001* (Ombudsman Act) requires a strategic review of the Queensland Office of the Ombudsman (Office) to be conducted by an appropriately qualified reviewer appointed by the Governor in Council. Section 83(10) of the Ombudsman Act requires the strategic review to include:

- (a) a review of the functions of the Ombudsman and the Inspector of Detention Services; and
- (b) a review of the performance of the functions to assess whether they are being performed economically, effectively and efficiently.

Section 12 of the Ombudsman Act provides for the functions of the Ombudsman and include investigating the administrative actions of agencies, considering the administrative practices and procedures of agencies generally and making recommendations or providing information or other help to agencies for the improvement of practices and procedures.

Since 9 December 2022, the Ombudsman is also appointed as the independent Inspector of Detention Services (Inspector) under the *Inspector of Detention Services Act 2022* (IDS Act), which fully commenced operations from 1 July 2023.

The Inspector has a preventative, proactive and independent mandate to carry out reviews of detention services provided at places of detention and inspections of places of detention, with a view to promoting the improvement of detention services and places of detention by upholding the humane treatment, management and conditions of people detained.

The Inspector's functions outlined in section 8 of the IDS Act include to review or monitor a 'place of detention' or 'detention service' at any time, conduct inspections of places of detention (including mandated frequency of visits), prepare and publish standards in relation to carrying out inspections and report to the Legislative Assembly on each review or inspection carried out by the Inspector. The Inspector is administratively supported by the Office (section 35, IDS Act) and may delegate the exercise of the Inspector's functions and powers to appropriately qualified staff of the Office, excluding an officer with delegated functions under the Ombudsman Act (section 36, IDS Act).

The Office is also the oversight agency for the *Public Interest Disclosure Act 2010* (PID Act). The Office monitors and reviews the management of public interest disclosures (PIDs) and provides education and advice about PIDs.

Section 89 of the Ombudsman Act sets out the functions of the parliamentary committee, which include:

- (a) to monitor and review the performance by the Ombudsman of the Ombudsman's functions under this Act;
- (b) to monitor and reviewing the performance by the Inspector of the Inspector's functions under the IDS Act;
- (c) to report to the Legislative Assembly on any matter the committee considers should be drawn to the Assembly's attention relating to: the Ombudsman; or

- (i) the functions, or the performance of the functions, of the Ombudsman; or
  - (ii) the inspector of detention services; or
  - (iii) the functions, or the performance of the functions, of the Inspector, including, in particular, the function of inspecting places of detention under the IDS Act, section 8(1)(c); and
- (d) to examine annual reports of the Office and any report tabled under the Ombudsman Act or the IDS Act.

## **SCOPE**

The reviewer will be required to assess, and provide advice and recommendations about:

- (a) the functions of the Ombudsman and the Inspector;
- (b) the performance of the Ombudsman's functions and Inspector's functions to assess whether they are being performed economically, effectively and efficiently.

The reviewer will also be required to examine all structural and operational aspects of the Ombudsman and Inspector, as well as their relationship with public sector entities, relevant Ministers, the parliamentary committee and the Legislative Assembly.

## **POWERS OF REVIEWER**

In accordance with section 84 of the Ombudsman Act the reviewer will have the powers of an authorised auditor under the *Auditor-General Act 2009* for an audit of an entity; and the *Auditor-General Act 2009* and other Acts apply to the reviewer as if the reviewer were an authorised auditor conducting an audit of an entity.

## **QUALIFICATIONS OF REVIEWER**

The strategic review is to be conducted by a person or corporation of high professional standing with a sound understanding of:

- modern decision-making frameworks;
- public sector administration;
- independent oversight agencies; and
- management of a public sector agency.

In addition, knowledge of contemporary managerial and organisational standards and techniques would be beneficial.

The reviewer will need to demonstrate they have no pecuniary interest in the outcome of the review and have no established relationship with the Office. The reviewer will also be required to demonstrate independence from the Office.

## METHODOLOGY

In conducting the strategic review, the reviewer must have regard to the annual reports of the Ombudsman and Inspector, the Office's organisational structure, goals, operational conduct, strategic direction, internal/external policies, operational management, corporate management and service provision, and operational models in other Australian and international jurisdictions. The reviewer should also consider the impact of the IDS Act and chapter 5 of the PID Act on the Office. Reports relevant to the review include those listed in **Appendix 1** of this document.

The reviewer's methodology may include:

- review of materials, information and documentation provided by the Ombudsman and independent research by the reviewer;
- interviews with current and former staff of the Office, both individually and in focus groups;
- consultation with Government agencies including the Department of Justice, Department of the Premier and Cabinet and Queensland Treasury; and
- consultation with other relevant stakeholders.

Interstate and international travel will not be required.

The reviewer must number any recommendations made in the proposed report or final report.

## DURATION

The final review report is expected to be provided to the Attorney-General and Minister for Justice and Minister for Integrity, as responsible Minister and the Ombudsman within four to six months of the commencement of the review.

## REPORTING

Section 85(1) of the Ombudsman Act requires the reviewer to give a copy of the proposed report to the Attorney-General and the Ombudsman before the report is finalised. Under section 85(2) of the Ombudsman Act, the Ombudsman may, within 21 days of receiving a copy of the proposed report, give comments to the reviewer on the proposed report, in which case the reviewer must comply with section 85(3) of the Ombudsman Act including by either incorporating comments into the report, or retaining the comments in the final report.

In accordance with section 85(4) of the Ombudsman Act, the final report of the review is to be given to the parliamentary committee, the Attorney-General and the Ombudsman, in a suitable format for tabling by the parliamentary committee in the Legislative Assembly. The report should be presented to the parliamentary committee, the Attorney-General and the Ombudsman no later than 10 business days after complying with section 85(1) and 85(3) of the Ombudsman Act.

## APPENDIX 1: LIST OF REPORTS

- Simone Webb, *Strategic Review 2018 of the Office of the Queensland Ombudsman*, tabled 15 February 2018.
- Legal Affairs and Community Safety Committee, Report No. 25, *Inquiry into the Strategic Review of the Office of the Queensland Ombudsman*, tabled 20 November 2018.
- Legal Affairs and Community Safety Committee: Report No. 69, *Oversight of the Office of the Queensland Ombudsman*, tabled 29 August 2017.
- Legal Affairs and Community Safety Committee: Report No. 69, *Oversight of the Office of the Queensland Ombudsman*, tabled 21 June 2018.
- Legal Affairs and Community Safety Committee, Report No. 40, *Oversight of the Office of the Queensland Ombudsman*, tabled 4 July 2019.
- Legal Affairs and Community Safety Committee, Report No. 73, *Oversight of the Office of the Queensland Ombudsman*, tabled 24 September 2020.
- Legal Affairs and Safety Committee, Report No. 17, *Oversight of the Office of the Queensland Ombudsman*, tabled 9 September 2021.
- Legal Affairs and Safety Committee - Report No. 21, 57th Parliament - Inspector of Detention Services Bill 2021, tabled 21 January 2022.
- Professor Peter Coaldrake AO, *Review of Culture and Accountability in the Queensland public sector: Final Report: 28 June 2022*, released 28 June 2022.
- Legal Affairs and Safety Committee, Report No. 35, *Oversight of the Office of the Queensland Ombudsman*, tabled 9 September 2022.
- The Honourable Alan Wilson KC, *Review of the Public Interest Disclosure Act 2010: Report: June 2023*, released 8 August 2023.
- Legal Affairs and Safety Committee, Report No. 64, *Oversight of the Office of the Queensland Ombudsman*, tabled 2 February 2024.
- Legal Affairs and Safety Committee, Report No. 21, 57th Parliament - *Inspector of Detention Services Bill 2021*, tabled 21 January 2021.
- The following annual reports:
  - Queensland Ombudsman – Annual Report 2016-17, tabled 29 September 2017;
  - Queensland Ombudsman – Annual Report 2017-18, tabled 28 September 2018;
  - Queensland Ombudsman – Annual Report 2018-19, tabled 30 September 2019;
  - Queensland Ombudsman – Annual Report 2019-20, tabled 24 September 2020;
  - Queensland Ombudsman – Annual Report 2020-21, tabled 27 September 2021;
  - Queensland Ombudsman – Annual Report 2021-22, tabled 26 September 2022;
  - Queensland Ombudsman – Annual Report 2022-23, tabled 29 September 2023;
  - Queensland Ombudsman – Annual Report 2023-24, tabled 20 September 2024;
  - Inspector of Detention Services: Annual Operational Report 2023-24;
  - Inspector of Detention Services Reports:
    - *Cairns and Murgon watch-house inspection report: Focus on detention of children*, published on 11 September 2024; and
    - *Cleveland Youth Detention Centre inspection report: Focus on separation due to staff shortages*, published on 27 August 2024.

# Appendix C: Consultation paper

October 2025

## About this Review

The Office of the Queensland Ombudsman celebrated its fiftieth anniversary in 2024. This was an important milestone in government accountability and community service. In those fifty years the office dealt with upward of half a million enquiries and complaints received about Queensland Government agencies and public entities. The Ombudsman published many reports and case studies that exposed administrative shortcomings and outlined principles for improved practice.

Appropriately, Queensland law requires a periodic independent strategic review of the Ombudsman's functions and performance. Earlier reviews were conducted in 2018, 2012 and 2006. The reports from those reviews were reviewed by a portfolio committee of the Queensland Parliament and are available on the Ombudsman's website.

This Review, like earlier reviews, will be conducted publicly and independently. Participation is welcomed from members of the public, community organisations, government agencies, researchers, and Ombudsman staff.

The report of this Review will be presented to Government and to the Justice, Integrity and Community Safety Committee of the Queensland Parliament when completed, and is expected to be made public in 2026.

The Review is being conducted by Professor John McMillan AO. John has expertise in administrative and public law, and as a Commonwealth and State agency head as Ombudsman, Information Commissioner and Integrity Commissioner. He is an Emeritus Professor at the Australian National University.

## Scope of this Review

This Review is guided by Terms of Reference prepared by the Queensland Government in accordance with the *Ombudsman Act 2001*. They are cast broadly and require the Review to examine the functions of the Ombudsman and to assess if they are being performed economically, effectively and efficiently. (The Terms of Reference are attached.)

The Ombudsman is also the Inspector of Detention Services. The Inspector's functions and how they are being performed fall within the scope of this Review.

The Terms of Reference note many other aspects of the Ombudsman's role and operations that fall within the scope of the Review – such as the strategic direction and goals of the office, its operational and corporate management, and operational models for Ombudsman offices in other jurisdictions.

This Review has identified several key issues that it will examine, to provide guidance for anyone wishing to participate in this Review. The following topics are not exclusive and are a guide only.

- **Complaint handling**

The Ombudsman's core function is to investigate the administrative actions of Queensland Government agencies and public entities. Mostly this is done after receiving a complaint from a member of the public,

though an investigation can also follow a reference from the Parliament or an ‘own initiative’ investigation by the Ombudsman.

Over 300 government agencies and entities fall within the Ombudsman’s complaint jurisdiction, including departments, local councils, public universities, and statutory and other public authorities. The enquiry, complaint and investigation figures for the 2024–25 reporting year included:

- 12,399 contacts from the public
- 7,006 of those contacts (57%) were treated as complaints
- 6,992 complaints were finalised, including 971 (14%) as investigations
- 7.4 days was the average time to complete a preliminary assessment of a complaint within the target time of 10 days
- 85% of investigations were completed within the target timeframes (against a target of 90%).

The Ombudsman’s *Service delivery charter* commits the office to responding promptly and professionally to members of the public, providing helpful advice and progress updates on the complaint process, and giving a clear explanation for complaint and investigation outcomes. The charter makes a similar commitment to agencies – to provide helpful advice, treat agency officers fairly and respectfully, and make practical recommendations.

Accessibility is a vital aspect of a complaint process. The procedure for making a complaint must be well-publicised and easy to use throughout the community. The Queensland Ombudsman office offers multiple complaint channels – telephone, online, in writing and in-person. In the last reporting year the office recorded (from those providing demographic information) that 42% of complainants identified as Aboriginal or Torres Strait Islander, 13% as having a special need, 45% as having a home language other than English, and 38% as being based outside south-east Queensland. The Ombudsman’s office has also published a video series showing individuals how to make a complaint, including with Auslan description.

This Review is required to examine whether Ombudsman functions are being performed economically, effectively and efficiently. That will be examined from all angles – from the experience of complainants, agencies, other oversight bodies, and the community generally.

### Consultation question #1

The Review invites comment on whether the Ombudsman’s complaint and investigation function is being performed economically, effectively and efficiently.

## • Improving administrative practices and procedures

Another Ombudsman function is to work to improve the administrative practices and procedures of agencies. This function is done in various ways.

One is through the recommendations to agencies that arise from individual complaint investigations. The 971 investigations the Ombudsman conducted in 2024–25 led to 185 recommendations, all of which were accepted by agencies.

Another Ombudsman practice is to publish investigation reports that deal with systemic administrative issues that have arisen in Ombudsman investigations and monitoring. Ten such reports have been published since the last strategic review of the Ombudsman’s office in 2018. The reports dealt with preventing harm to children with disability, prison overcrowding, responding to suspected fire ant activity, managing child safety complaints, responding to boat noise, detention of young people and

people with disability, the under-registration of Indigenous births, and Ombudsman insights over twenty years of complaint investigations.

The Ombudsman also publishes numerous resources on aspects of good decision-making and complaint handling. These include:

a manual, training module and video on good decision-making

- checklists for decision-making and policy development
- a quarterly newsletter on Ombudsman developments and resources
- an annual casebook with a sample of complaint investigations and outcomes
- a guide on unreasonable complainant conduct
- links to other complaint and customer service standards.

Training is also offered to government agencies, both through open and tailored in-house sessions. In 2024–25, 1,969 public sector officers participated in these sessions – mostly on public interest disclosure awareness and management (1,480 participants).

This Review will examine the effectiveness of the steps taken by the Ombudsman to improve the administrative practices and procedures of agencies. Are the various measures helpful and well-targeted? Do they have an impact? Could more be done, including in collaboration with agencies or community bodies?

### Consultation question #2

The Review invites comment on the range and value of the steps taken by the Ombudsman to improve the administrative practices and procedures of agencies.

## • Inspector of Detention Services

On 1 July 2023 the Ombudsman commenced the new role of Inspector of Detention Services under the *Inspector of Detention Services Act 2022*, s 33. As Inspector, the Ombudsman is authorised to inspect and monitor detention facilities to ensure that detainees are treated humanely and are not subjected to harmful treatment. This applies to adult correctional facilities, youth detention centres and police watchhouses. The Detention Services Inspection Unit in the Ombudsman’s office has 17 full-time staff (FTE).

In 2024–25 the Ombudsman published separate reports on inspections undertaken at two adult correction centres, a youth detention centre and police watch-houses as regards the detention of children. A further seven inspections were commenced that year.

An element of the inspection function is that the Ombudsman has formulated inspection standards that guide the inspection of Queensland prisons and youth detention centres. The standards cover matters such as initial detention protocols, duty of care owed to detainees, behaviour management, family and community contact, living conditions, health care, security and safety, and tailored standards applying to vulnerable and distinctive groups.

The Bill to create the Inspector of Detention Services function generated considerable public interest when put to Parliament in 2021. An inquiry into the Bill conducted by the Legal Affairs and Safety Committee reported in January 2022 that a wide range of government agencies, legal services, community organisations, unions and representative bodies made submissions or were consulted. The issues canvassed in those consultations included the Inspector’s functions, the conferral of the role on

the Ombudsman, resourcing of the role, the scope of coverage of detention activities, the situation of vulnerable detainees, and the interaction of the Inspector's role with other legislation.

The Ombudsman's discharge of the Inspector role is now in its third year, and evolving. This Review will examine whether the function is being performed economically, effectively and efficiently.

### Consultation question #3

The Review invites comment on whether the Inspector of Detention Services role conferred on the Ombudsman is being performed economically, effectively and efficiently.

## • Public interest disclosures

The oversight of the *Public Interest Disclosures Act 2010* (PID Act) is another of the Ombudsman's statutory roles.

The PID Act aims to promote the public interest by laying down a comprehensive framework to facilitate the disclosure of information about wrongdoing in the public sector and providing protection to people who make public interest disclosures (PIDs). Three key elements of the framework are that: agency heads are required to establish procedures for receiving and investigating PIDs; those who make PIDs are protected against reprisal and civil and criminal liability; and the Ombudsman has an oversight role to monitor the operation of the PID Act.

Among the Ombudsman's functions are to promote the objects of the Act, review how PIDs are handled by agencies, develop standards for PID handling and the protection of those making PIDs, and report annually on the operation of the PID Act. The Ombudsman reported in 2024–25 that 2,049 PIDs were reported to agencies (an 11% decrease on the previous year), and that 65% of the PIDs finalised during the reporting period were totally or partially substantiated. Educational and advisory activities undertaken during the year included PID training sessions for 1,480 participants, 4 webinars, a monthly newsletter, and a Self Assessment audit completed by 186 (of 204) agencies.

An extensive independent review of the PID Act was undertaken in 2023 by Mr Alan Wilson KC. The report recommended that a new Act be passed that would expand the range of public sector entities subject to the Act, extend the range of individuals who can make a PID, tighten the threshold criteria for making a PID, and extend the rights and protections for those making PIDs.

The report supported the conferral of the oversight role on the Ombudsman, but called for the office to play a stronger and more proactive role in auditing agency compliance with the Act and supporting people making PIDs. Additional resources would be required for this strengthened Ombudsman role and to establish a new whistleblower support unit in the office. The report also saw a need to clarify the roles played by the Ombudsman and the Crime and Corruption Commission in the operation of the PID Act.

This Review will examine the performance of the Ombudsman's PID role, within the context of the current Act. The proposals of the Wilson review for a new PID Act and additional resourcing are matters separately before government.

### Consultation question #4

The Review invites comment on whether the Ombudsman's oversight role of the *Public Interest Disclosures Act 2010* is being performed economically, effectively and efficiently.

- The Ombudsman’s role in the Queensland integrity system

Ombudsman offices are frequently described as being part of the integrity framework or branch of government. They share with other independent statutory agencies the role of examining whether executive branch agencies are complying with the law and integrity standards. This is mostly done after receiving a complaint or information from a member of the public, a referral from Parliament or by an own-initiative inquiry.

Five Queensland agencies that have this integrity oversight role featured in a report by Professor Peter Coaldrake AO in 2022 – *Let the sunshine in: Review of culture and accountability in the Queensland Public Sector*. The report described the Auditor-General, Ombudsman, Information Commissioner, Integrity Commissioner and Crime and Corruption Commission as ‘Queensland’s integrity patchwork’.

The report ranged further than the role of those bodies – discussing public disaffection with the performance of government and political leaders, the need for greater transparency in government processes, the hidden role of political lobbying, government over-reliance on external contractors and consultants, the need to rejuvenate the capacity of the Queensland public service, and the trivialising of parliamentary committees.

The five integrity oversight agencies were, however, seen to have a central role in improving government culture, transparency and accountability – they are ‘the traffic control system which enables citizens to have faith that their needs are being fairly addressed’. A strong report theme was that the integrity patchwork has become steadily more complex, crowded and difficult for people to navigate. The report called on government to consider establishing a single clearing house for complaints, relying in particular on advances in technology for receiving and directing complaints to the appropriate agency and tracking progress and outcomes.

The only specific recommendation in the report relating to the Ombudsman’s operational functions was to extend its authority to investigate complaints against private organisations that carry out functions on behalf of government. This proposal was implemented in 2024 through a new s 12A in the Ombudsman Act. The report was also critical of the Ombudsman’s telephone voice message for containing too much information about alternative complaint pathways.

The main issue arising from the Coaldrake review for this current strategic review of the Ombudsman’s office is the way the office has evaluated the report and taken on board the discussion in the report of the Queensland integrity patchwork. The extent of collaboration between the Ombudsman’s office and other integrity oversight bodies is an aspect of that issue.

#### Consultation question #5

The Review invites comment on the performance of the Ombudsman’s functions, taking account of Professor Coaldrake’s report, *Let the sunshine in: Review of culture and accountability in the Queensland Public Sector* (2022).

- Other matters

The Terms of Reference for this Review, drawn from the Ombudsman Act, broadly authorise the Review to examine any aspect of the functions and performance of the Ombudsman and Inspector of Detention Services. Following is a non-exhaustive list of other matters that may arise during this Review, and on which the Review invites comments:

- **The structure, corporate management and strategic goals of the Ombudsman's office:** The operational features of the Ombudsman's office, comprising 86 staff members (FTE) and an annual budget of \$16.3M, underpin its performance in meeting its strategic goals. These are set out in the office's *Strategic Plan 2023–27*.
- **The Ombudsman's annual reports:** The Ombudsman's annual reports are an important vehicle for keeping Parliament, government and the community informed of the operations of the office during the reporting year.
- **Use of technology in Ombudsman work:** Ombudsman operational methods, like those of other agencies, have become technology-enabled and continue to adapt. The web and online portals now provide the main interface with the public. There is a strong focus across the public service around Australia on the scope for applying artificial intelligence (AI) processes to internal operations and service delivery methods.
- **The Ombudsman's visibility:** Integrity oversight agencies such as the Ombudsman are expected to have a recognisable public profile to alert the public to their role and their oversight work. A popular term to describe this work is 'watchdog'.
- **The Ombudsman's relationship with public sector entities, Ministers and the Parliament:** A theme woven through the Ombudsman Act is that the Ombudsman will report to and liaise with other branches and offices in government. They rely on the Ombudsman to keep them informed of administrative and integrity issues identified in the Ombudsman's complaint and investigation work.
- **Other Ombudsman operational models:** There are a large number of Ombudsman (and similar) agencies in Australia and internationally. Evolutionary changes and reforms occurring from one office to another may point to options that are worthy of consideration in Queensland.
- **Implementation of the recommendations from the 2018 Strategic Review of the Queensland Ombudsman office:** The 2018 Review made 72 recommendations directed both to the Ombudsman's office and government. Action taken in the intervening years to implement those recommendations will be noted in this current Review.

## How you can participate in this Review

The Review invites your submissions and comments in response to this Consultation Paper and the Terms of Reference. You are not required specifically to address the consultation questions set out in this paper, but may find them helpful.

Please be aware that it is not the purpose of this Review to examine how the office handled an individual complaint or the office's complaint or investigation findings.

You may make a submission in two ways:

- **Forwarding a submission to the following email** [[oqo.strategic.review@justice.qld.gov.au](mailto:oqo.strategic.review@justice.qld.gov.au)]
- **Post a hardcopy to:**
  - Secretariat Support
  - Strategic Review of the Office of the Queensland Ombudsman
  - C/- Office of the Deputy Director-General, Portfolio Governance and Executive Services
  - GPO Box 149
  - BRISBANE QLD 4001

Submissions are to be received by Friday 28 November 2025.

The Review will not be publishing submissions, but may refer to them in an anonymised form in the report of the Review.

The Review will also be undertaking consultations, both in person and online. Please indicate if you wish to speak to the Review, though the opportunity to do so cannot be guaranteed.