

- the total reported cost attributable to the FOI Act during 1995-96 was \$14,827,461 compared to \$11,955,482 for the previous year (a 24.02% increase) – a summary of the costs reported by all agencies, including labour and non-labour costs are set out at Appendices K and L of the Report.

The Ombudsman

Release of A Good Practice Guide for Effective Complaint Handling

In early 1996, the Ombudsman's office wrote to agencies seeking details of any internal complaints systems and review mechanisms which clients could access before seeking external review or redress. Approximately 80 agencies responded.

The Ombudsman reports that, apart from the review systems required of particular agencies by statute, less than 20% of agencies had a complaint system in place to deal with general service delivery issues which would probably satisfy the Australian Standard on *Complaints handling* (AS4269-1995). Another 10% of agencies indicated that they were in the process of reviewing their current systems with a view to improving them.

These results are discussed in the Foreword to a new publication *A Good Practice Guide for Effective Complaint Handling* published by the Ombudsman's office in April. The Guide describes the essential elements of an effective complaint handling system from the theoretical standpoint and then discusses how these principles can be put into practice in any agency. The Foreword also notes that, during the 1995/96 financial year, over a quarter of the complaints received by the Ombudsman's

office were about basic service delivery issues, such as timeliness and staff behaviour.

The Ombudsman's survey is also discussed in her Focus Article in this edition of *Admin Review*.

ATSIC Complaints System

Over the past year the Ombudsman's office has been assisting the Aboriginal and Torres Strait Islander Commission (ATSIC) to develop processes for dealing with internal review of decisions and for handling complaints from the public. The majority of matters involved relate to decisions on funding of community organisations and the subsequent administration of funded programs.

ATSIC's unique structure of elected and administrative arms and its delivery of programs through a large number of community-based organisations throughout the country pose particular challenges in the development of a complaint-handling mechanism.

ATSIC is launching a pilot complaint program in New South Wales. According to the Ombudsman, complaint issues and locations will be monitored during the pilot program to enable the ultimate establishment of an effective national ATSIC complaint system.

Public Report on Activities for 1995-96

This report was released by the Ombudsman's Office at the end of 1996. The report outlines the types of complaints received with case studies to show how complaints are resolved. Copies of the report were circulated to community organisations and Members of Parliament.

Copies of publications and information material are available from the Ombudsman's Office or check the Ombudsman's Home Page on the Internet: <http://www.comb.gov.au>

ADMINISTRATIVE LAW WATCH

In this edition:

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Human Rights Legislation Amendment Bill 1996

Parliamentary Inquiries:

Parliamentary Inquiry into Legal Aid

Parliamentary Inquiry into Criminal Deportation

Parliamentary Inquiry Into Competitive Tendering of Welfare Service Delivery

Senate Committee Comments on Legislative Instruments Bill 1996

Australian Law Reform Commission:

Australian Law Reform Commission Report No 82 - *'Integrity: but not by trust alone'*

Australian Law Reform Commission - Review of the *Archives Act 1983* - Release of Issues Paper

Australian Law Reform Commission - Review of the adversarial system of litigation - Release of Issues Paper

Australian Law Reform Commission/Human Rights and Equal Opportunity Commission - Release of Draft Recommendations Paper on Children and the Legal Process

Review of the Social Security Review and Appeals System

On 20 December 1996 the Minister for Social Security, Senator the Hon Jocelyn Newman, announced the establishment of an independent review of the Social Security Review and Appeals system. The review is being conducted by Dame Margaret Guilfoyle.

The Minister said that "the review was being set up to look at existing appeal mechanisms to ensure an efficient system which was appropriate and accessible to the people who need to use it. The Government is committed to the appeal and review mechanism and wants to improve it."

Dame Margaret Guilfoyle has had a distinguished career in community affairs and as a Senator for Victoria from 1971 to 1987. During her time in Federal Parliament Dame Margaret held several Ministerial appointments including Minister for Finance and Minister for Social Security. Since leaving Parliament Dame Margaret has been involved with the Australian Children's Television Foundation, the Deakin University Council, the Institute of Family Studies and assisted with the Burdekin Inquiry into mental health. Dame Margaret has professional qualifications that include both law and accountancy.

The Terms of Reference for the review state

"The elements currently present in the system have existed since 1988. Some - for example the Social Security Appeals Tribunal (SSAT) - have been a part of the system for very much longer.

The Government is concerned to ensure that the Social Security Review and Appeals system: