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17 APR 2020

Hon Ivan Dean, MLC
Chair
Parliamentary Standing Committee of Public Accounts
Parliament House
HOBART TAS 7000

Email – pac@parliament.tas.gov.au

Dear Chair

**Parliamentary Standing Committee of Public Accounts Inquiry
Office of Ombudsman and Health Complaints Commissioner**

Thank you for your letter dated 3 April 2020 regarding the Public Accounts Committee's inquiry into the resourcing for the Office of the Ombudsman and Health Complaints Commissioner. In answer to your questions contained in that letter, I wish to provide the following information.

With regard to the Ombudsman's statutory responsibilities to deliver the Custodial Inspectorate functions and Official Visitors training programs:

What is the current budget allocation for these responsibilities?

The current budget allocation for the Custodial Inspectorate is \$266,000.00.

Has the Ombudsman requested additional resources to deliver and provide for these responsibilities?

Additional resources have been sought by the Ombudsman to deliver and provide for these responsibilities. The Principal Officer position has recently been reclassified from Band 7 to Band 8 and additional funding has been sought to cover that change. Funding to recruit an additional full time Band 6 and to increase the existing Band 5 from 0.5 to 0.8 FTE has also been requested. Funding was also sought for consultancy fees, professional development, vehicle costs and IT equipment and access.

Additional funding was requested to increase delivery of both responsibilities as part of the 2019-20 Budget Process.

Are you satisfied that appropriate resourcing is currently allocated for the Ombudsman to fulfil these responsibilities?

As you can appreciate, in the current difficult times the Government is doing its best to ensure that all Government departments and statutory bodies are appropriately resourced so that they continue performing their important responsibilities. Further work will of course be undertaken to ascertain the resourcing needs of the Ombudsman in order to ensure that he can adequately perform his functions as Custodial Inspector and to deliver the Official Visitors training programs.

With regard to the Ombudsman's new inspectorate role in relation to the Protocol to the Convention Against Torture and other Cruel, Inhumane or Degrading Treatment of Punishment (OPCAT):

What is the likely timing of and budget allocation for the Office of the Ombudsman to implement OPCAT?

A budget bid has been prepared for the 2020-21 State budget process by the Department of Justice on behalf of the Office of the Ombudsman. It is expected that the Custodial Inspector will be nominated as the National Preventative Mechanism for Tasmania under OPCAT. The development of standards and guidelines for the inspection of all the relevant facilities, including the extent and frequency of inspections will need to be undertaken. These standards and guidelines will inform future funding submissions.

Has the Ombudsman requested additional resources for the role to meet the Office's responsibilities in this area when OPCAT is implemented?

The Ombudsman has not asked for specific additional funding because it is not yet possible to quantify what the financial implications associated with the implementation of OPCAT will be.

Are you satisfied that appropriate resourcing is currently, or will be, allocated to fulfil this role?

As stated above, during the current challenging period caused by the COVID-19 pandemic, the Government is doing its best to ensure that all its Departments and statutory bodies are appropriately resourced. Further work will of course be undertaken to ascertain the resourcing needs of the Ombudsman in his capacity as Custodial Inspector and National Preventative Mechanism for Tasmania.

With regard to additional requirements related to the Office of the Ombudsman and Health Complaints Commissioner's role, has consideration been given to, and will additional funding and resources be provided, to meet the additional workload related to the impending enactment of the *Health Complaints Amendment (Code of Conduct) Act 2018*?

As it is not possible to say at this stage how many notifications might be received once the Code of Conduct provisions commence operation, no additional funding has been provided at this stage. However, this will be reassessed if the need arises.

Yours sincerely



Hon Elise Archer MP
Attorney-General