



STANDING COMMITTEE ON PUBLIC ACCOUNTS

Elizabeth Kikkert MLA (Chair), Michael Pettersson MLA (Deputy Chair),
Andrew Braddock MLA

Inquiry into ACT Budget 2021–22
ANSWER TO QUESTION TAKEN ON NOTICE
26 October 2021

Asked by Mrs Elizabeth KIKKERT MLA on 26 October 2021: Ms Penny McKAY took on notice the following question(s):

[Ref: Hansard Transcript 26 October 2021, page 37]

In relation to:

Complaints received in 2020-21 by the ACT Ombudsman about ACT Corrective Services (ACTCS)

How many complaints about access to medical treatment did you refer onto the ACT Human Rights Commissioner?

ACT Ombudsman:

The answer to the Member's question is as follows: –

The ACT Ombudsman (the Office) received 25 complaints that included references to medical treatment at the Alexander Maconochie Centre (AMC).

Eighteen were referred to the Human Rights Commission (HRC) by the Office.


In relation to the remaining 7 complaints:

- two callers were referred to the internal complaints process at ACTCS
- in two matters, the email complaint was also sent to the HRC
- one caller acting for a detainee was advised to call the HRC to make their complaint
- one complaint was closed when the Office did not get a response after requesting consent to transfer the complaint
- the Office is currently liaising with a complainant in relation to one matter.

Section 5(2)(o) of the *Ombudsman Act 1989* (the Act) states the Ombudsman is not authorised to investigate action taken by an agency in relation to a health service.

Sections 6A and 6B of the Act provide for the referral of complaints to another statutory office holder or entity. This includes mandatory referral to the HRC, if the Ombudsman decides it would be more appropriate for a complaint to be investigated by the HRC.

Approved for circulation to the Standing Committee on Public Accounts.

Signature: 

Date: 4/11/2021

By the Acting ACT Ombudsman, Ms Penny MCKAY