



**Mark Speakman**  
Attorney General

## **MEDIA RELEASE**

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### **OMBUDSMAN LEGISLATION AMENDMENT BILL 2022**

The NSW Government last week introduced the Ombudsman Legislation Amendment Bill 2022 into the NSW Parliament to clarify and update laws governing the NSW Ombudsman, one of the state's independent integrity agencies.

The NSW Ombudsman oversees the NSW public sector and investigates complaints regarding most NSW government agencies, local councils and community service providers.

Attorney General Mark Speakman said, if passed, the Bill will make 25 amendments to two pieces of legislation governing the functions of the Ombudsman.

"The *Ombudsman Act 1974* and the *Community Services (Complaints, Reviews and Monitoring) Act 1993* have not been significantly reviewed or substantively amended for a number of years," Mr Speakman said.

"The proposed amendments in this Bill were requested by the Ombudsman, Paul Miller PSM, and will clarify and enhance the Ombudsman's powers, resolve inconsistencies, and update the legislation."

In particular, the Bill proposes an amendment to the Ombudsman Act to enable the Ombudsman to review the systems used by public authorities for handling complaints.

Currently, the Ombudsman has audit and monitoring powers over agencies performing functions under particular Acts, for example, a power to review the complaint handling systems of service providers, and has broad powers to conduct investigations about the conduct of a public authority, but does not have a general power to review the complaint handling systems of public authorities. The proposed power will enable the Ombudsman to assist agencies, in a collaborative manner, to improve their own complaint-handling systems.

Some other important changes proposed by the Bill are:

- extending the Ombudsman's powers in relation to a public authority to a 'former' public authority;
- ensuring that a detained person is able to make an oral complaint about the conduct of a public authority in a way that is not recorded or monitored; and enabling the Ombudsman to refer a complaint about the conduct of a public authority to the public authority for investigation.

The Bill has been prepared after extensive consultation with the Ombudsman and was introduced into the NSW Parliament and second read in the Legislative Assembly last week.

It will be debated when Parliament returns in August.