



## PARLIAMENTARY OVERSIGHT OF THE COMMONWEALTH OMBUDSMAN

By giving a parliamentary committee oversight of the Ombudsman's Office the Ombudsman will have a parliamentary advocate for review of his funding and work levels. This will assist in ensuring the Executive remains arms length from the Ombudsman while simultaneously ensuring the Ombudsman has adequate resources.

- Under the Australian Greens proposal, the Joint Parliamentary Committee of Public Accounts and Audit will have its duties expanded to be able to:
  - Examine the receipts and expenditure of the Ombudsman
  - Examine the Ombudsman's reports that are tabled in Parliament
  - Report to Parliament on any matters within those receipts, expenditure or reports that the Committee thinks should be drawn to the attention of the Parliament
  - Report to both Houses any alteration the Committee thinks desirable
- The Public Accounts and Audit Committee already perform a similar role for the Auditor-General.
- The former commonwealth ombudsman, Philippa Smith 1993-1998, has called for the establishment of a parliamentary committee oversight
- New Zealand has a Government Administration Committee which undertakes financial review of the performance and current operations of the Office of the Ombudsmen. The committee makes recommendations to the Executive on the budget and reports of the Ombudsman.
- New South Wales has a Committee on the Office of the Ombudsman which monitors, reviews the functions and reports to both Houses of the NSW Parliament on any matters arising out of the reviews or the Ombudsman's annual reports

"I am concerned about the trajectory of our budget and our ability to continue to deliver quality complaint-handling services" *SOURCE: OPENING STATEMENT, ADDITIONAL ESTIMATES, 17 COTOBER 2011*

"We need to think seriously about the placement of the Ombudsman's office as an Officer of the Parliament or, at the very least, establish a Parliamentary Committee to oversight the Ombudsman and to whom the Ombudsman can report". *SOURCE: OPENING STATEMENT, ADDITIONAL ESTIMATES, 17 COTOBER 2011*

"The problem of detention in some of the very remote high-security, high-cost areas comes at a very, very high price. The price of a financial one to Australian taxpayers and the provision of services, being able to resupply, say, Christmas Island and providing staff up there and interpreter services, mental health issues and all of those are just exacerbated when they're way, way away from urban centres." *SOURCE: 7:30 report, ABC-TV, 10/10/2011*

"The detention values do not appear to be applied equitably for irregular maritime arrivals in comparison with the approach taken to unlawful non-citizens onshore. Under the values, detention was to be a last resort and for the shortest duration for completion of initial health, identity and security checks. Our observation is that this is not consistently practiced and that the timeframe has extended well beyond the period initially anticipated. In contrast to the detention values, substantial numbers of irregular maritime arrivals are subject to prolonged detention in restrictive facilities as a first resort." *SOURCE – Ombudsman's submission to joint select committee on Australia's immigration detention network, Sept. 2011.*

"I was alarmed that in the week of June that I visited Christmas Island more than 30 incidents of self-harm by detainees held there were reported to the contracted health services provider, International Health and Medical Services (IHMS)," Mr Asher said. "This reflects an upsurge in the number of incidents of self-harm and attempted suicide reported to IHMS across all immigration detention facilities." *SOURCE: Media statement, 29 July 2011*

"As long as there are families with children, unaccompanied minors and other vulnerable people in immigration detention facilities on Christmas Island, and as long as there are risks to their health and well-being as a consequence of inadequate services, I consider that DIAC is in breach of the Australian Government's own detention values." *SOURCE: Lecture to Melbourne Law School 14 April 2011*

"We remain concerned about timeliness in processing refugee applications, delays in security agency clearances and various health issues—particularly those related to mental health," said Allan Asher." *SOURCE: Media Release 2 Feb 2011 (Christmas Island Report)*