

Ombudsman
Tasmania



Annual Report

2024–25



Independence
Impartiality
Fairness
Respect



Ombudsman
Tasmania

The Honourable President
of the Legislative Council
The Speaker of the House of Assembly

Pursuant to s30 of the *Ombudsman Act 1978*,
I present to the Parliament the Annual
Report of the Ombudsman for 2024–25.

Yours sincerely

Dr Grant Davies

OMBUDSMAN
17 October 2025

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Acknowledgement of Country

In recognition of the deep history and culture of this Island, we would like to pay our respects to all Tasmanian Aboriginal people, the past and present Custodians of the Land.

Section 1

From the Ombudsman



Finally, after more than eleven years in office, this will be my last annual report as Ombudsman. My term is due to come to an end soon and I have not sought reappointment for another.

My time in office has seen many changes to the work we do, with a number of new jurisdictions and functions added over the years. The office now administers six major jurisdictions, and this has not been without its challenges. Historically new functions have been added as a matter of utility – and because we have always managed to rise to the task and successfully take on the extra work – but new functions have not always been accompanied by additional resources. As the population and Government have grown, the work and responsibility has increased, and I find myself spread increasingly thinly. The office is at capacity and could not take on any other new functions without real commitment and adequate resourcing.

I referred in last year's annual report to the United Nations Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) implementation project report, *Preventing torture and ill-treatment in Tasmania*. This report recommends, amongst other things, that the Tasmanian National Preventive Mechanism (NPM) be established as a new specialised institution, separate from the Ombudsman, and that the person appointed as Tasmanian NPM concurrently serve as Custodial Inspector, which is also to be separated from the Ombudsman. Those two offices would then be combined into one. It is further suggested that this new entity come under the administrative umbrella of a department other than the Department of Justice, given that so many of the facilities that are inspected are also under Justice's purview. Given the requirement of OPCAT that an NPM be

operationally and financially independent, I see this as a good path to follow, and one which would return the office to its historic core functions.

Unfortunately, the report, and the 2024 Supplementary Implementation Report, have not been formally responded to though both have been tabled in parliament. In addition, whilst government provided generous funding for the implementation phase of the NPM, it has not provided sufficient ongoing funding for the NPM to perform its functions. This is disappointing, and means that Tasmania will not meet its international obligations.

Having said that, it has been an honour and a privilege to serve as the State's Ombudsman (including Right to Information and Energy), Health Complaints Commissioner, Custodial Inspector and NPM, all of which perform important work for the benefit of the Tasmanian community. I am proud of that work and what we have been able to achieve over the years, and once again wish to thank all the staff over time for their considerable contributions. It takes a certain kind of commitment and sense of purpose to do what we do, and I have been very fortunate to have had highly professional and dedicated support throughout my term at all levels, including business administration, investigation officers, principal officers and Deputy Ombudsman.

I am also grateful for the high level of cooperation from, and the recognition and respect for the office shown by government agencies – or most of them at any rate – and secretaries and responsible Ministers. The office of Ombudsman is an important part of our democracy and that it is viewed as such is also important.



The office has been a good place to work, and while there have been challenges, there have also been many rewards. I don't propose to attempt to list all of these here, but they have been manifold, and include the development of professional networks and relationships – both locally and with counterparts in other jurisdictions – and most significantly, obtaining tangible and positive outcomes for Tasmanians.

I will be handing the reins over to Dr Grant Davies, who I think will be a good appointment, and I wish him all the best in continuing to carry out the various functions of the office.

Richard Connock
Former Ombudsman

July 2014 to July 2025

It is my privilege to be appointed as Tasmania's Ombudsman and Health Complaints Commissioner. I thank Richard for his generosity and availability during my transition into the role. His wise counsel was very helpful.

As a person new to Tasmania, my first order of business is to meet as many stakeholders as I can and establish productive relationships with them. My firm view is that it is only by working together that improvements in public administration and systemic improvements can occur.

It is an opportune time to be leading the office as well with the Strategic Plan expiring this year. This affords me the opportunity of developing a new Strategic Plan and ensuring the office remains relevant and contemporary.

As has been noted in previous annual reports, and cannot be said often enough, without the dedication, commitment and professionalism of all staff members, this office would not be able to perform to the high level that it does – in all the jurisdictions it administers – or carry out its functions as well as it does. Those functions cover a number of jurisdictions, and the office provides a range of services to the community.

In addition to being the Parliamentary Ombudsman, I am also the:

- Health Complaints Commissioner;
- Energy Ombudsman;
- de facto Tasmanian Information and Privacy Commissioner;
- Tasmanian Custodial Inspector; and
- Tasmania's NPM for the purposes of OPCAT.

“

My firm view is that it is only by working together that improvements in public administration and systemic improvements can occur.

In relation to the latter, the *OPCAT Implementation Act 2021*, under which I was appointed, does not require me to report publicly on the performance of my NPM functions, but this report contains some information as to how the implementation of OPCAT is being approached.

The *Custodial Inspector Act 2016* requires me as Custodial Inspector to report separately on the functions and activities of that role. The Custodial Inspector's Annual Report will be available on the website custodialinspector.tas.gov.au.

As Health Complaints Commissioner, I am also required by the *Health Complaints Act 1995* to report separately. The Health Complaints Commissioner's Annual Report will be found on the website healthcomplaints.tas.gov.au.

I am not required to produce a separate report under the *Energy Ombudsman Act 1998*. I therefore include information about that role in this report.



As well as fulfilling the responsibilities of the above positions, and by virtue of holding one or other of those offices:

- I am also the Principal Mental Health Official Visitor and the Coordinator of the Prison Official Visitors Scheme;
- I am the inspection entity under the *Police Powers (Controlled Operations) Act 2006*, the *Police Powers (Surveillance Devices) Act 2006*, and the *Telecommunications (Interception) Tasmania Act 2006*; and
- I have a reporting function concerning Tasmania Police's compliance with certain provisions of the *Misuse of Drugs Act 2001*.

Richard and I continued to meet regularly with counterparts in other jurisdictions. During the reporting year we attended meetings with:

- Parliamentary Ombudsmen;
- the Australia and New Zealand Energy and Water Ombudsman Network (ANZEWON);
- Health Complaints Commissioners;
- the Australian and New Zealand Ombudsman Association (ANZOA); and
- the Association of Information and Access Commissioners (AIAC).

Our current Strategic Plan is due for review and will be one of the first things I progress. The review of the *Right to Information Act 2009* is due for completion early in the next financial year and will have implications for the work of the office. This will become clear in the next reporting period.

Dr Grant Davies
Ombudsman

Section 2

Our people and workplace



Our people

The office has a number of discrete teams including Ombudsman, Energy Ombudsman, Right to Information, Official Visitors, Custodial Inspector, Tasmanian National Preventative Mechanism, Health Complaints and Corporate Administration. We work under a range of statutes and the subject matter of our work is diverse.

We have 34 people who work in the office, amounting to 30.55 full-time equivalents and only two vacant positions at financial year end. Many of our staff have legal backgrounds but we have a wide range of other backgrounds including policing, public health, criminology, science and sociology. Our managers are Band 8 under the State Service Award, Senior Investigation/Review/Inspection Officers are Band 6, Investigation/Review Officers are Band 5, Intake Officers are Band 4 and administrative staff vary from Band 3 to Band 7.

The office

We are based in the centre of Hobart and are housed in a multistorey office building over two floors. We have a flexible workplace that allows some working from home when organisationally appropriate and requested by staff members, and we use a flex-time model. Many of our staff work part-time and we endeavour to accommodate the needs of our people as best we can. We are also an inclusive workplace and keep up to date with training on LGBTIQ+ issues, child-safe practices, trauma-informed approaches and other important issues. Although we have several separate teams and we often deal with challenging subject matter, the office is a friendly and collegial place to work with lots of interaction between different team members.

Strategic planning

Our current strategic plan is for the period 2022–2025 and is due for renewal. The whole office is working towards ensuring all Tasmanians receive safe and high-quality healthcare, ensuring excellence in public administration, resolving customers' issues with energy providers, and providing external oversight of the prison and youth justice systems. Each of the separate teams concentrates on a particular area but the focus is a united one, and that focus is best practice and accountability.

Our core values are to conduct our work with:

- independence;
- impartiality;
- fairness; and
- respect.

Over the next year, we will continue to seek systemic improvements in the administration of government, health care, water and energy services, and prison and youth detention services by:

- strengthening relationships with key government stakeholders;
- reviewing deficient legislation;
- drafting and publishing meaningful reports;
- proactively engaging with media on public issues; and
- continuing to advocate for resources in key areas.

We will continue to review and strengthen the internal mechanisms and operations of the office as a whole, working as a team to maximise efficiency and share resources. A new strategic plan will be developed in 2025.

The office at a glance 2024–25*



34
Staff



7
Jurisdictions



6
Permanent
positions including
promotions recruited



5
Fixed term
positions
recruited



9%
Remote
workers



2
Vacant
positions



1
Ombudsman
and one Deputy
(vacant)

3.8
Principal
Officers

5.35
Senior Investigation
Review/Inspection/
Conciliation Officers

7.4
Investigation
Review/Research
Officers

2
Intake
Officers

5
Corporate
administration
staff

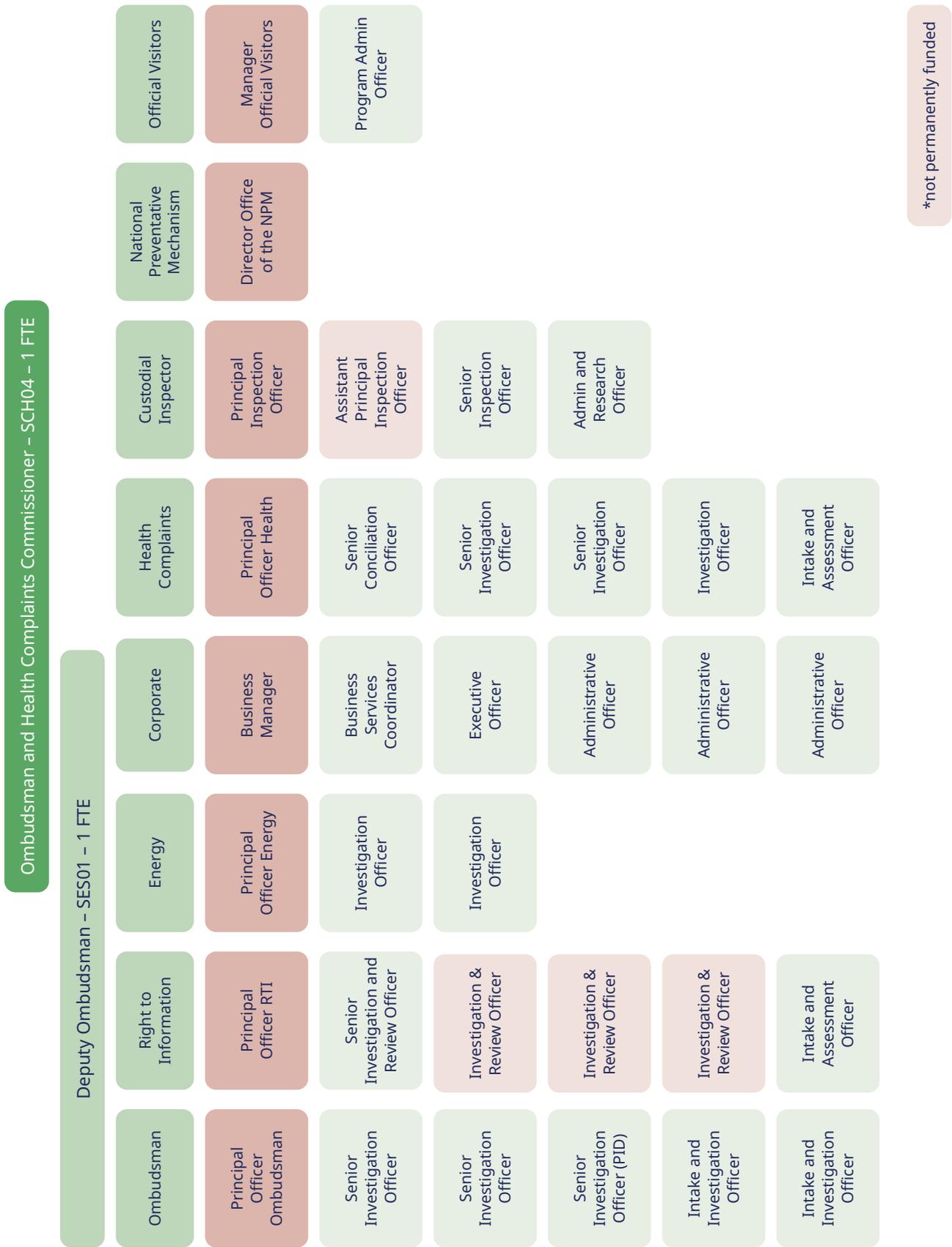
1
Director
NPM

1.2
Official
Visitor Program

3.8
Custodial
Inspector

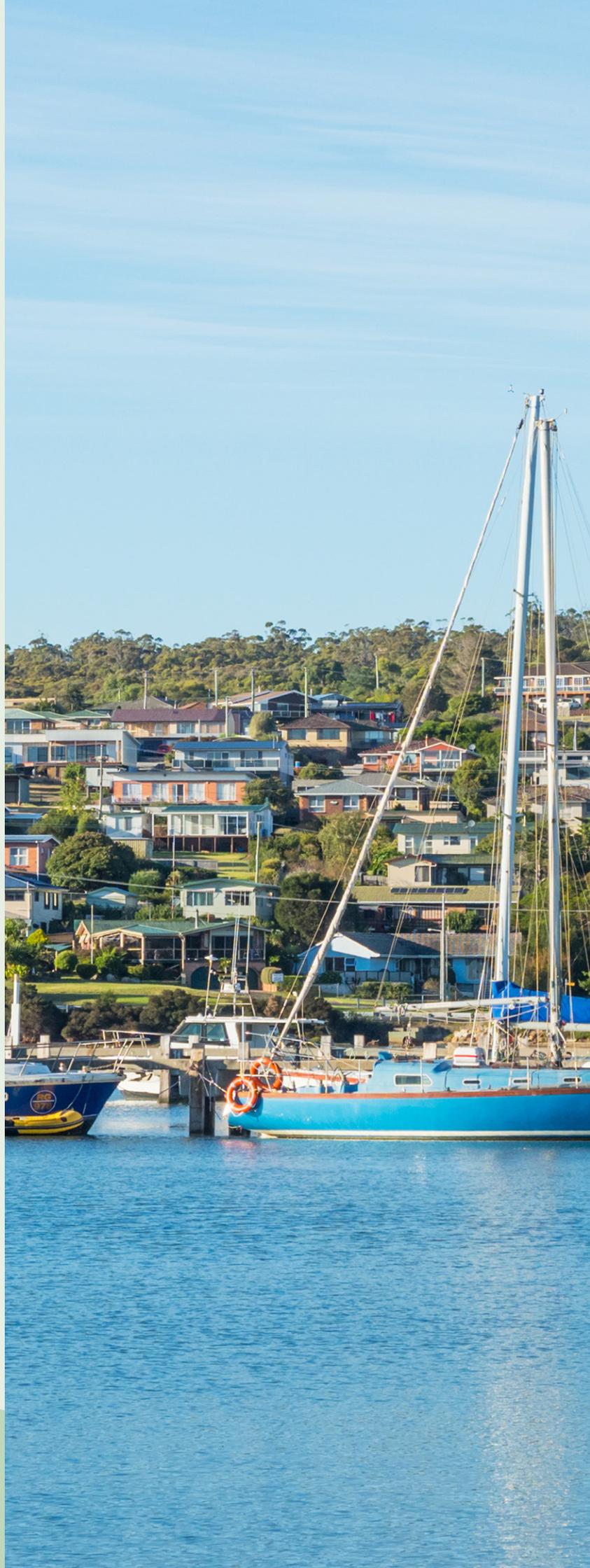
*As of 30 June 2025

Organisation chart



Section 3

Our role



The Ombudsman is an independent statutory officer appointed by the Governor pursuant to the *Ombudsman Act 1978* and answerable to the Parliament.

The primary role of the Ombudsman and my staff is to investigate the administrative actions of public authorities to ensure that those actions are lawful, reasonable and fair. We work in an independent, impartial and objective way to resolve complaints and to address systemic problems in order to improve the quality and standard of Tasmanian public administration. The services of the Ombudsman are free.

Public authorities that come within the jurisdiction of the Ombudsman include government departments, local government councils, TasWater, the prison service, state owned companies and government business enterprises (GBEs). The Ombudsman also has a broad range of functions and roles conferred by a number of other statutes.

Ombudsman Act functions

The Ombudsman can accept a complaint from any person who is personally aggrieved by the administrative actions of a Tasmanian public authority, and who has tried unsuccessfully to resolve their complaint directly with the authority. The great majority of matters are resolved by way of preliminary inquiries made pursuant to s20A of the Act, and involve a cooperative approach where public authorities provide information and evidence and work with us to address complaints and improve administrative process.

If the circumstances warrant it, I may also choose to conduct an investigation either on the basis of a complaint or, particularly where systemic issues are involved, on my own motion.

At the conclusion of an investigation, whether it be of a complaint or on my own motion, a report is prepared for delivery

to the authority concerned. S28 of the Act provides that if I have formed the opinion that the action investigated:

- (a) appears to have been taken contrary to law;
- (b) was unreasonable, unjust, oppressive, or improperly discriminatory;
- (c) was taken in accordance with a rule of law or a provision of an enactment or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory;
- (d) was taken in the exercise of a power or discretion and was so taken for an improper purpose or on irrelevant grounds or on the basis of irrelevant considerations;
- (e) was a decision made in the exercise of a power or discretion and the reasons for the decision were not, but should have been, given;
- (f) was based wholly or partly on a mistake of law or fact; or
- (g) was wrong

I can, among other things, make recommendations to address and rectify the subject action.

A report can also be delivered to the relevant Minister and/or Parliament. My office has no coercive power in relation to the adoption of recommendations but relies on constructive negotiation and persuasive argument. My recommendations are ordinarily accepted and acted upon.

Right to Information reviews

My office is the avenue for the external review of decisions made by public authorities not to release the information sought in applications for assessed disclosure under the *Right to Information Act 2009*. If, at the conclusion of a review, I am of the view that the authority's decision was incorrect, I can make a fresh determination.

Public interest disclosures

The Ombudsman has a significant role under the *Public Interest Disclosures Act 2002* to receive and investigate public interest (or ‘whistleblower’) disclosures and oversee the manner in which public authorities deal with such disclosures.

Personal information protection

My office can also take complaints concerning alleged breaches of the *Personal Information Protection Act 2004* when the person has complained of the alleged breach to the relevant personal information custodian and is not satisfied with the response.

Health Complaints Commissioner

The Ombudsman is also the Health Complaints Commissioner under the *Health Complaints Act 1995* and receives complaints relating to the provision of any health service by a health service provider in both the public and the private sector. The Commissioner’s functions are outlined in s6 of the Act and include:

- preparing and regularly reviewing a Charter of Health Rights;
- providing information, education and advice in relation to the Charter, health rights and responsibilities, and the procedures for resolving complaints;
- receiving, assessing and resolving complaints from health service users;
- identifying and reviewing issues arising out of complaints and suggesting ways of improving health services and preserving and increasing health rights; and
- inquiring into and reporting on any matter relating to health services at the Commissioner’s discretion or on the direction of the Health Minister.

Energy Ombudsman

A person who has a grievance concerning any service relating to the sale and supply of gas or electricity by an energy entity may lodge a complaint with the Ombudsman for investigation and resolution under the *Energy Ombudsman Act 1998*. The office has the power under the Act to make determinations and awards against the entities where appropriate.

Custodial Inspector

The Custodial Inspector provides external scrutiny of custodial centres in Tasmania through onsite inspections and the subsequent publication of reports detailing findings and recommendations. The Office of the Custodial Inspector focusses on systemic issues relating to the care and welfare of people in custody and the management and security of Tasmania’s prisons and youth detention centre.

Water and sewerage

Pursuant to the *Water and Sewerage Industry Act 2009*, a customer of a water and sewerage corporation, who has made a complaint to the corporation under its customer complaints process and is not satisfied with the outcome of the complaint, may make a complaint about that outcome to the Ombudsman. It is a condition of a corporation’s licence that it will be bound by recommendations from the Ombudsman in relation to the complaint. Because water and sewerage corporations are constituted or established by or under an Act for a public purpose, they also come within the Ombudsman’s general jurisdiction.

Police compliance audits

My office has responsibility for ensuring compliance by Tasmania Police with the procedural requirements of the *Telecommunications (Interception) Tasmania Act 1999*, the *Police Powers (Controlled Operations) Act 2006* and the *Police Powers (Surveillance Devices) Act 2006*. I also have a reporting function under the *Misuse of Drugs Act 2001*.

Other statutory functions

I am able to review certain decisions of the Commissioner of Police under the *Witness Protection Act 2000* and decisions about the release of information under the *Adoption Act 1988*.

Referral service

The office plays an important role in referring members of the public to the body best able to address their concerns when those concerns relate to matters that are out of the Ombudsman's jurisdiction. In most cases, we are able to advise a complainant of the best place to have their complaint dealt with. We regularly refer people to the Integrity Commission, the Commonwealth Ombudsman, the Telecommunications Industry Ombudsman, the Australian Financial Complaints Authority, the Office of the Anti-Discrimination Commissioner, and the Office of Consumer, Building and Occupational Services.

OPCAT and the Tasmanian National Preventive Mechanism

As Richard reported in previous years, OPCAT was ratified by the Australian Government on 17 December 2017, and requires member states such as Australia to:

- facilitate visits by the United Nations Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to places within Australia's jurisdiction where persons are or may be deprived of their liberty; and

- establish an NPM to undertake the monitoring of all places where people are deprived of their liberty in order to prevent torture and other ill treatment.

In Australia, each state and territory has responsibility for establishing its own NPM, and the Commonwealth has appointed the Commonwealth Ombudsman to act as the national coordinator. *The OPCAT Implementation Act 2021* was passed by the Tasmanian Parliament and received Royal Assent on 29 November 2021. The Act establishes an NPM for Tasmania as a new, permanent monitoring body to undertake regular, unannounced inspections of places of detention in order to strengthen protections against torture and ill treatment.

Following Richard's retirement, I was appointed as Tasmania's NPM in July 2025. This is separate from my other appointments, but the term is linked to the terms of those other appointments.

It is important to note that the NPM is an independent entity which complements rather than replaces existing oversight bodies such as the Ombudsman, Health Complaints Commissioner and the Custodial Inspector. It is one of OPCAT's strict requirements that NPMs must be operationally and financially independent.

In previous annual reports, Richard had included progress updates on his OPCAT Implementation Project. The purpose of this project had been to provide Government with an accurate estimate of the resourcing and other requirements needed to make Tasmania compliant with its OPCAT responsibilities, and to evaluate the best way to structure an NPM office in this state.

This project was finalised in November 2024, with the publication of the Supplementary Implementation Report focusing on the Tasmanian NPM's functions in health and social care settings. Coinciding with this important milestone, Richard tabled both implementation reports in the Tasmanian Parliament and briefed Members of

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I want to acknowledge and thank the many experts, stakeholders and representatives, and wider public who contributed to this nation-leading project and provided valuable consultation feedback.

Parliament on the project's outcomes and recommendations. On Richard's behalf, I want to acknowledge and thank the many experts, stakeholders and representatives, and wider public who contributed to this nation-leading project and provided valuable consultation feedback.

I am encouraged by the Legislative Council of the Tasmanian Parliament passing a motion on 19 November 2024 which called for the implementation recommendations to be accepted in full. It is essential that the implementation recommendations are considered and a response is provided, notably because they intersect with parallel reforms underway to establish a new Commission for Children and Young People.

Following the project's completion, steps were taken to begin exercising the Tasmanian NPM's statutory functions, albeit in a limited capacity given resource constraints. In January 2025, the Association for the Prevention of Torture (APT) was engaged to provide expert assistance on an inaugural examination of police and court custody in Tasmania. Between May and June 2025, APT Senior Advisor, Mr Ben Buckland, joined my office Director, Mr Mark Huber, on visits to police stations, watch houses and court buildings around the state.

This is the first time in Tasmania's history that the conditions and treatment of people in police and court custody has been reviewed by an independent statutory body. I accordingly would like to acknowledge the positive and cooperative engagement that my office has received from Tasmania Police, the Tasmania Prison Service, and the Supreme and Magistrates Courts as this examination has progressed. I anticipate that a report will be released in the second half of 2025.

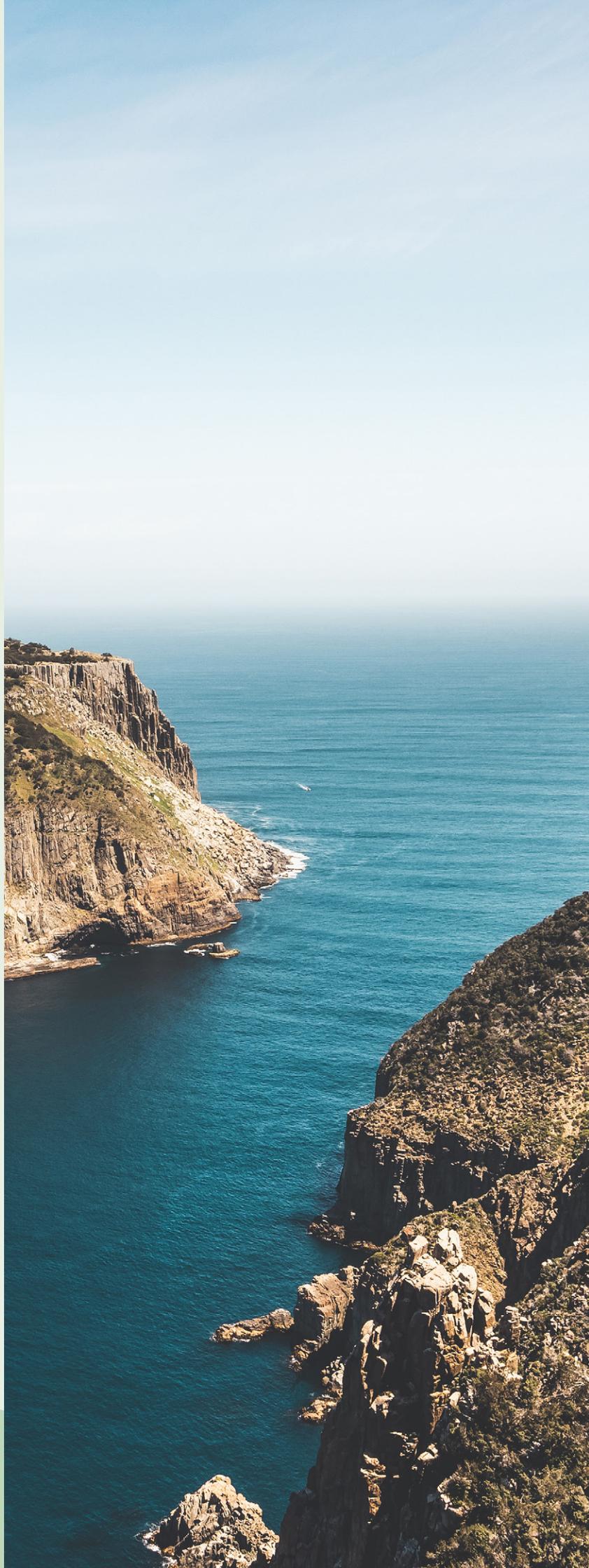
ANZOA

I am a member of the Australian and New Zealand Ombudsman Association (ANZOA). Established in 2003, ANZOA is a professional association and the peak body for Ombudsmen in Australia and New Zealand. ANZOA's members are individual Ombudsmen working in not for profit, industry-based, parliamentary and other statutory offices, which meet accepted high standards of independence, impartiality and effectiveness, and which observe the Benchmarks for Industry Based Customer Dispute Resolution (CDR Benchmarks).

Through my membership of ANZOA, staff benefit from the professional development opportunities offered by participation in ANZOA's interest groups with staff from other jurisdictions who perform similar roles. See: anzoa.com.au

Section 4

Topical issues



Children and young people

We continue to work closely with the Commissioner for Children and Young People and the Advocate for Young People in Detention to facilitate the receipt of complaints from young people in detention. We have increased the number of visits we are making to Ashley Youth Detention Centre (AYDC) so that staff and young people are familiar with us, and we are better able to explain our role.

The number of complaints we have received from young people in detention has reduced, but the issues of concern have remained consistent. We are continuing to receive complaints about use of force, interactions with staff, and young people being confined to their rooms for extended periods.

Young people have also complained to us about Tasmania Police and the Tasmania Prison Service, with issues raised relating to searches, use of force, and periods spent in adult facilities.

We have experienced delays in obtaining responses to some concerns that have been raised by young people, primarily in relation to matters managed by the Department for Education, Children and Young People (DECYP). These delays can have significant impacts on the complainant, and it has been a source of frustration for us not to be able to provide young people with timely outcomes. It is heartening to note that DECYP has responded appropriately to the concerns we have raised about these delays, and it has undertaken some significant changes to how it responds to and manages complaints. We acknowledge the improvements we are seeing in terms of the material and information provided in response to our inquiries.

In addition, the Ombudsman has joined with several other oversight bodies, such as the Commissioner for Children and Young People, the Custodial Inspector, the Independent

Regulator and senior officers from AYDC and DECYP, to create the AYDC Oversight Network (Oversight Network). The purpose of the Oversight Network is to ensure effective and efficient oversight of AYDC, while trying to reduce duplication of work between the individual oversight bodies. We are hopeful that this collaboration and information sharing will reduce the burdens experienced by DECYP and AYDC, and continue the focus on the safety and wellbeing of children and young people at AYDC.

Tasmania Prison Service

Complaints from people in custody continue to form a significant portion of our work. Lockdowns and confinement within cells remain longstanding areas of concern. Information provided by the Tasmania Prison Service (TPS) indicates that the lockdowns are primarily due to staff shortages and as this is an operational issue, it is outside of our jurisdiction. However, we continue to make note of these high numbers and now take the opportunity to comment that these ongoing lockdowns are unacceptable, especially as the resulting detrimental effects experienced by people in custody are so well documented.

I am grateful for TPS's ongoing willingness to adopt suggestions from us that have arisen from completed preliminary inquiries and its commitment to updating policies. Following receipt of a complaint from a person in custody, we identified there was a discrepancy between the policy for male and female inmates' permission to wear earrings. In response, TPS reviewed the policy and made relevant changes to allow for a consistent approach across all prisons. Similarly, when TPS was advised of concerns relating to meals available to a person in custody who suffered from an unusual food allergy, it undertook a thorough investigation and instituted changes to ensure that food labelling was improved, and that correctional and catering staff were properly trained to manage special dietary requirements.

Tasmania Police

There was a notable increase in the number of complaints and enquiries received in relation to Tasmania Police. When reviewing complaints about Tasmania Police, we are limited to reviewing how it responds to formal complaints that are made about it. We are unable to review police operation matters or complaints about individual officers.

Most of the complaints received involve us providing information to the complainant about the Tasmania Police complaint process, and an explanation of the Ombudsman's role in relation to complaints about Tasmania Police and the justice system.

Where complaints have proceeded through to preliminary inquiries, Tasmania Police has been cooperative in providing the necessary response material, however, there have at times been delays in responding to our requests. These delays have been explained as being the result of staffing issues and the requirements associated with responding to urgent issues.

Social housing

We have commented on the availability of social housing in the last four annual reports. We continue to receive complaints from people who have been on the waiting list for social housing for extended periods, and are either at risk of homelessness or are homeless. This remains an ongoing issue and is a result of a limited pool of social housing stock. People come to the Ombudsman as a last resort hoping that we can assist but, unfortunately, if there are no houses available and proper processes have been followed, we are unable to provide the help that is being sought. We are limited to ensuring that providers have followed proper processes.

University of Tasmania

February 2025 saw the commencement of the National Student Ombudsman (NSO), a free and independent service for students to resolve complaints about higher education providers. This has greatly reduced the number of complaints we manage about the University of Tasmania. We still receive emails and complaint forms relating to the University of Tasmania, however, most complainants provide permission for us to refer the complaint to the NSO for management.

Right to Information issues

As has been the case for most of the right to information scheme's history, the issue of delays and backlogs has persisted and continues to hinder access to public information. Application numbers and the complexity of those applications are increasing. Complaints about delays in people accessing their own information from DECYP have continued, with even more significant delays reported. This is a concern noted in previous annual reports and which appears to be worsening. I urge the Tasmanian Government to ensure the recommendations of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, aimed at improving information access, are fully implemented.

The historical backlog of external review applications awaiting finalisation remains a concern. It remains a barrier to timely review and detrimentally impacts the RTI scheme. However, we have made substantial progress to clear this backlog over the 2024-25 period and delays have been markedly reduced. Open external reviews at the end of the financial year were at their lowest numbers since the 2015-16 financial year and average days open were 41% lower at

the end of this financial year than at the end of the last. This illustrates a major reduction in delays to applicants.

Limited training opportunities and the lack of updated reference materials for RTI decision makers, particularly new delegates, remains an issue. Last report noted it was unfortunate the rollout of training for delegates planned by the Right to Information Uplift Project, run by the Department of Premier and Cabinet, had not occurred and did not occur in this reporting year either. We sought additional funding to expand our ability to conduct training and to respond to the Commission of Inquiry's recommendations but the office was unable to prioritise the delivery of a full training program in the 2024–25 financial year. We have continued to run a limited training program and provide guidance in an ad hoc fashion, while dedicating the majority of our resources to the reduction of the backlog of external review requests. Our success in reducing this backlog means that we will be able to spread our resources more evenly in the next financial year and will be able to work to revitalise reference materials for delegates in addition to progressing external review applications.

Smart Meters

Smart meters, also known as Advanced Meters or Type 4 meters, are being rolled out throughout the National Energy Market under rules introduced by the Australian Energy Market Commission (AEMC). Smart meters record energy usage remotely in short intervals and transmit the data to an energy retailer through its meter data provider. Smart meters are useful tools allowing greater insight into energy usage. For the Energy Ombudsman team, the use of real-time data has been extremely helpful in pinpointing the reasons behind high bill complaints. However, there can

be issues in obtaining timely data from metering data providers and new types of complaints specific to smart meters have emerged. Currently, meter data providers do not fall under the jurisdiction of the *Energy Ombudsman Act 1998*. Therefore, the relationship between an energy retailer and its meter data provider is essential in facilitating complaint outcomes.

In November 2024, the AEMC published a determination to accelerate the roll out of smart meters by 2030. The Tasmanian Government has also made a commitment to roll out advanced meters to all Tasmanians by the end of 2026. Consequently, the Energy Ombudsman team has noticed a gradual increase in complaints regarding smart meter exchanges over the last few years. The reasons behind the opposition to smart meters are mostly related to either health or privacy concerns. There are also concerns that private infrastructure may need to be upgraded in some homes and businesses to facilitate a new meter. The Energy Ombudsman team review smart meter complaints on a case-by-case basis to provide information and assistance to resolve these concerns as necessary.

Section 5

Ombudsman Act 1978

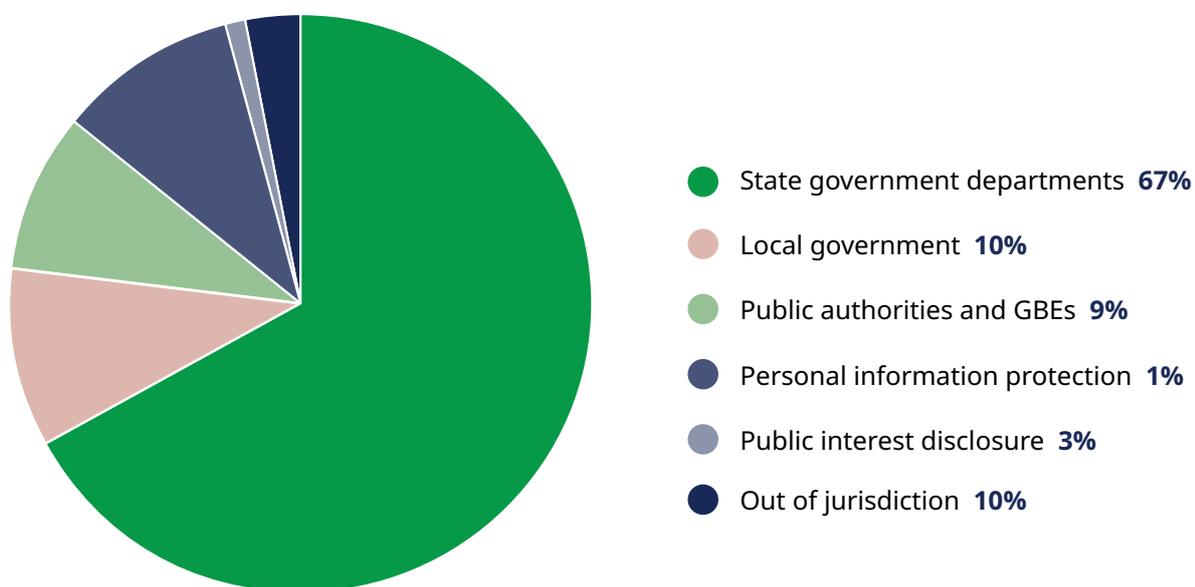


Complaints and enquiries

Table 1 – Breakdown of number of complaints received including percentages

Agency	2023-24	2023-24 (%)	2024-25	2024-25 (%)
State government departments	386	56%	464	67%
Local government	63	9%	67	10%
Public authorities and GBEs	76	11%	63	9%
Out of jurisdiction	135	20%	72	10%
Personal information protection	21	3%	7	1%
Public interest disclosure	10	1%	23	3%
Total	691	100%	696	100%

Figure 1 – Who is being complained about?



A sample of the wide variety of complaints we deal with

We continue to receive a wide variety of complaints and enquiries relating to the administrative actions of Tasmanian public authorities, including some smaller and less well-known statutory bodies that have not been the subject of complaints in the past. Positively, even in situations where statutory bodies have not had contact with our office in the past, responses to enquiries and requests for information are met with cooperation and a willingness to assist.

The Ombudsman team has addressed complaints relating to issues across a broad spectrum of Tasmanian public authorities, including the availability of menstrual products to people in custody, and a situation where an individual was incorrectly released from custody early. We have also received complaints about access to the Patient Transport Assistance Scheme, reviews of decisions to prescribe narcotic or psychostimulant medicines, and applications for out of area schools.

We have continued to receive various complaints relating to the services provided by local government. These have included concerns about rates, the provision of waste management services, management of dogs, and planning concerns. The Ombudsman team has received enquiries and complaints relating to a number of public authorities, GBEs, and other authorities such as Sustainable Timber Tasmania, the Retirement Benefit Funds Board and TasWater.

The Ombudsman team provides training to Tasmania Police, TPS and AYDC recruits. The training we offer facilitates and improves communication between us and the public authorities responsible for responding to so many of our requests for information.

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We try and provide as much information to complainants as possible which correctly identifies where the complaint should be directed and what support services may be available.

The Ombudsman team receives large numbers of enquiries relating to complaints and issues falling outside of our jurisdiction. We try and provide as much information to complainants as possible which correctly identifies where the complaint should be directed and what support services may be available.

Agency complaint analysis

Table 2 – Summary of complaints against state government

Department	Received 2023–24	Closed 2023–24	Received 2024–25	Closed 2024–25
DECYP	82	92	63	68
Health	8	7	9	7
Homes Tasmania	39	29	36	42
Housing Authority	38	32	33	41
Justice	158	152	221	220
Natural Resources and Environment	6	10	10	7
Ombudsman and Health Complaints Commissioner	2	2	3	2
Police, Fire and Emergency Management	20	26	51	42
Premier and Cabinet	7	8	5	5
State Growth	15	19	14	10
Tasmanian Health Service (THS)	2	5	9	5
Treasury and Finance	9	10	9	7
Total	386	392	463	456

Table 3 – Summary of outcomes of complaints against state government 2024–25

Department	Declined, referred, withdrawn or OOJ	Discontinued	No defective administration	Partly or fully substantiated
DECYP	19	0	14	34
Health	5	3	1	1
Homes Tasmania	6	0	23	13
Housing Authority	9	2	14	16
Justice	129	4	45	40
Natural Resources and Environment	2	0	2	3
Ombudsman	2	0	0	0
DPFEM	25	1	10	6
Premier and Cabinet	2	1	2	0
State Growth	3	1	4	3
THS	3	1	0	1
Treasury	3	1	1	2
Audit Office	1	0	0	0
Total	209	14	116	119

Most common issues

Issues against Agencies



77
Housing

60
Administrative
practices/
policies

24
Financial
issues*

22
Communication/
Customer
Service

Complaint objectives



238
Explanation

214
Other
Objective

207
Register
Concern

142
Change Procedure/
Practice/Policy

Issues with prisons



37
Classification/
placement

21
Property

19
Officer
misconduct

19
Administration

Issues against councils



31
Administration
and general
management
of councils

13
Planning

11
Rates and
charges

7
Nuisance

Issues against DECYP



11
Allegations of
sexual abuse/
harassment/
discrimination/
racism/bullying/
assault

6
Access to
educational
and other
services

5
Administration –
refer to general
agency listing

5
Fees/charges/
levies

*(allowances, concessions, costs, charges, fees, levies, fines)

Summary of complaints and enquiries

Table 4 – Enquiry activity – Ombudsman Tasmania

Enquiries	2023-24	2024-25	Variance
Enquiries opened and closed in the period	612	588	-4%
Out of jurisdiction (OOJ) enquiries	509	696	37%
Total	1121	1284	15%

Table 5 – Complaint activity – Ombudsman Tasmania

Complaints	2023-24	2024-25	Variance
Opened in period	691	696	1%
Closed in period	708	723	2%

Note: Includes Personal information protection (PIP) matters and public interest disclosures (PID) cases

Table 6 – Summary of complaints outcomes

Outcome	2023-24	2024-25	Variance
Discontinued	14	23	64%
No defective administration	203	155	-24%
Fully or partially substantiated or determination made	146	160	10%
Declined, referred, out of jurisdiction or withdrawn	314	338	8%
Total	677	676	0%

Note: Excludes Personal information protection (PIP) matters and public interest disclosures (PID) cases

Table 7 – Summary of out of jurisdiction complaints

	2023-24	2024-25	Variance
Received in period	145	75	-48%
Closed in period	145	76	-48%

Table 8 – Time taken to resolve complaints

Timeframe	Number	%
1 week or under	242	33%
8 to 30 days	131	18%
1 to 6 months	283	39%
More than 6 months	67	9%

Note: Includes Personal information protection (PIP) matters and public interest disclosures (PID) cases

Case summaries

State Revenue Office Tasmania

Breach of Personal Information Protection Principles – March 2025

The office received a complaint from a member of the public who had been selected for investigation by the State Revenue Office (SRO). The SRO had identified the person was the owner of property which had not been declared/assessed for Land Tax. The complainant raised concern about how the SRO obtained information to inform its investigation and alleged a breach of their personal information had occurred. The SRO identified discrepancies from property bond, electricity, and address information it received about the complainant from other entities.

The SRO has broad data matching powers available to it under Part 9 of the *Taxation Administration Act 1997* and the *Personal Information Protection Act 2004* (PIP Act). Under the PIP Act, the SRO is a law enforcement agency that can use and disclose personal information about an individual for a purpose other than the purpose for which it was collected for the protection of public revenue. The SRO can make a specific request compelling another entity to provide it with requested information, or it can receive information voluntarily from other entities in periodic bulk data by agreement. Tasmanian public authorities are personal information custodians under the PIP Act and can release information to SRO under the provisions of the PIP Act.

Consequentially, we determined the use and disclosure of the complainant's personal information was permitted or required by law, and consequentially no breach of the PIP Act had occurred.

Tasmania Prison Service Complaints

Visitor Searching – June 2025

The office received a complaint from a visitor to Risdon Prison, concerning search processes by the TPS. The complainant advised us she was subject to two full personal searches on consecutive days and a vehicle search on the second day after a drug detection dog indicated the presence of contraband. Although the complainant provided consent to the searches and no contraband was found, her booked visits did not proceed. The complainant raised concerns about the process of personal searching and the impact this had on her.

We undertook preliminary inquiries with TPS based on the concerns raised.

Under the Director's Standing Order (DSO) in relation to searching, TPS can conduct a full personal search of a visitor in circumstances where multiple anomalies are identified first using non-intrusive search tools, or where a body scan is not a viable option. A full personal search involves the removal of the top half and the bottom half of clothing at separate times. A person may be asked to bend at the waist and part their buttocks. No touching of the person or the full removal of clothing at any one time is permitted, and a visitor may not be searched unless their written consent is obtained.

TPS advised after a sit response from a drug detection dog and a full personal search occurs, a visitor is only able to have a non-contact box visit, as opposed to a contact visit. TPS can impose conditions on visits reasonably necessary to ensure the safety, security and good order of the prison in accordance with the DSO relating to visits and s19 of the *Corrections Act 1997*.

TPS advised it did not cancel the visits on these occasions. The visits did not occur as no boxes remained available for a non-contact visit after the searches were completed. TPS advised it has

limited boxes and a high demand for use, meaning they are often booked in advance. When multiple search processes are undertaken, the timeframe for booked visits may also have lapsed.

We identified this information does not appear in the *Searching Officer's Instructions*, a written document provided to visitors and used to record a visitor's consent prior to a personal search being undertaken. TPS agreed to review this document and indicated it will be updated to reflect the current wording of the DSO to specifically advise a visitor of what will occur during a search. This will enable visitors to make an informed decision about whether they wish to proceed with a search or decline their booked visit.

TPS acknowledged that an oversight occurred in this instance as approval for the searches was provided by telephone but not formally documented as required by the DSO. TPS has taken steps to implement a new procedure whereby the approval will be emailed when relevant staff are away from their desks, to ensure proper recording of the authority for the search.

Policy review after complaint about restriction to education privileges – June 2025

The office received a complaint from a person in custody regarding a decision of TPS to restrict his access to the education area. The decision was made based upon the alleged prior conduct of the complainant. The complainant did not think this was fair.

The complainant believed the restriction formed part of a sanction for a prison offence he had been found guilty of committing some time ago. He thought the duration was contrary to the time limits set out in s61(a) of the *Corrections Act 1997* which provides that sanctions cannot endure for over 30 days.

The restriction did not form part of the sanction for the prison offence, but had been implemented straight after the hearing for the prison offence and in response to a culmination of issues which allegedly happened before this point.

While my office considered it was open to TPS to restrict the complainant's access to the education area, the restriction had not been implemented in a procedurally fair way. We suggested restrictions be implemented, managed and documented separately if they were not part of sanctions which are subject to the timeframes in the *Corrections Act 1997*.

We suggested additional procedural improvements including, but not limited to, improving communication with people in custody about behavioural expectations and allowing for procedural fairness when decisions are made to limit access to services.

The Director of Prisons emphasised it was her expectation people in custody should have access to education and learning opportunities while in prison. The Director acknowledged the issues identified and advised that a review of the relevant policy would occur.

Accommodation assistance for people serving short sentences – March 2025

A complaint was received by a person in custody about difficulties he experienced when trying to obtain assistance from TPS to organise emergency accommodation in preparation for his upcoming release from prison.

In this case, the complainant was serving a short sentence and was concerned he would be homeless on release from prison in a few weeks' time. He expressed distress about this when he contacted the office. He advised us he had been unable to obtain assistance from the Planning and Reintegration team at TPS because this team only assisted people serving sentences of more than six months.

In addition, when he approached correctional officers, he said he was advised they were not trained in this area.

TPS' policy provides that case officers are responsible for making referrals to support services and completing basic reintegration plans for people serving short sentences of six months or less. This did not occur in this case. Other correctional officers did contact accommodation providers for the complainant, however this appeared to be done on an ad-hoc basis. It was not clear if the referrals were effectively followed up and most of the assistance seemed to be provided by Prison Fellowship volunteers.

Unfortunately, the correctional officers who had made referrals for the complainant did not appear to handover this responsibility to alternative officers when they went on leave, and the complainant was unable to obtain an update.

We suggested TPS provide effective assistance to people serving short sentences to assist in preparing for life outside of prison. This assistance should be provided by one correctional officer, and there should be provision made for handover of responsibility to another officer to cover periods of leave.

TPS advised the provision of housing to people released from prison is difficult and it is beyond TPS' control if accommodation services decline to accommodate people, or if they are full. TPS acknowledged that the uncertainty of the complainant's future accommodation would likely have caused him distress, and that some matters which were managed by the Prison Fellowship in this case should have been managed by TPS.

TPS advised new recruits receive training in case management, and recently there has been a greater focus on how to make case management referrals. Training should be provided to wider staff and not just to new recruits, and up to date reference materials should be available to staff so that they can perform this role effectively.

TPS advised that training and case management, and particularly case management for people serving short sentences, are significant areas for improvement. TPS advised it will consider our suggestions for improvement as part of its review of the policy.

Births, Deaths and Marriages

Assumed names and passport applications – May 2025

A complaint was received after an individual had difficulties obtaining a passport due to an incorrect name printed on her marriage certificate.

The complainant's birth certificate had her surname listed as the same as her mother's, but shortly after the complainant had assumed her stepfather's surname. No formal name change was completed at that time, and the complainant used her assumed name throughout her life. When the complainant married in the mid-1990s, the name used on the application for marriage was the assumed name and the marriage certificate showed this as her maiden name. She then formally changed to her husband's surname.

However, when applying for a passport the complainant could not provide a link between her birth name as printed on her birth certificate, her assumed name as printed on her marriage certificate and her formal change to her married name. The complainant raised her concerns with Births, Deaths and Marriages (BDM) following the rejection of her application to amend a record. She also was dissatisfied with how BDM suggested the issue be rectified.

The information on a certificate issued by BDM, such as a marriage certificate, reflects the correct information at the time of the event as recorded on the Register. Information on the Register can only be corrected in certain circumstances such as when ordered by a Court. An application to amend a record can be made if there is a spelling error, incorrect date or to remove a parent with DNA evidence. This is in accordance with s42 of the *Births Deaths and Marriages Registration Act 1999*.

When responding to the complaint, BDM checked the complainant's marriage documentation to see if there had been a transcription error. There had not been an error as the complainant had used her assumed name when completing a Notice of Intention to Marry (NOIM) and had signed acknowledging the information provided was correct and true. This is why her application to amend a record had been rejected as there had been no error by BDM.

The complainant was provided with a Change of Name (CN) application as this is the appropriate avenue to help individuals overcome inconsistencies in their identity documents. The CN certificate would satisfy the linkage between the complainant's birth record and the name she is currently using. As part of the application process, an applicant needs to be able to provide reasons for the change. An example BDM provides is to formalise the use of an assumed name which may be required to support another government agency such as the Australian Passport Office (APO).

The Commonwealth Guidelines for Marriage provides information to celebrants about what identification is now required to confirm a person's name and identity which includes sighting the identity documents. BDM staff also check the NOIM and marriage certificate submitted by the Minister of Religion/celebrant to identify any potential errors and seek clarification of details that need confirming prior to registering the marriage. While it does not change the complainant's situation, we were satisfied this situation is unlikely to occur again due to the administrative and technological improvements since the mid-1990s.

The complainant was urged by BDM to speak with the APO further about other documentation it may accept, such as a Statutory Declaration, that would be sufficient to prove her identity. As the APO is a Commonwealth authority, it is not within jurisdiction of the Tasmanian Ombudsman.

Based on the information provided, no administrative oversights were identified.

Northern Midlands Council

Notification of Council roadworks – February 2025

A complaint was received from a resident of Northern Midlands Council (Council) concerning the lack of communication by Council regarding the installation of a pedestrian outstand on the road opposite their driveway. The complainant had not been notified of the works and only became aware when contractors arrived on site. The outstand's location was directly opposite the complainant's driveway, which impacted their ability to use their driveway safely.

On receipt of the complaint, the office made preliminary inquiries with Council. Council advised that the outstand was ordered by Council to be installed by the owners of the property opposite the impacted driveway to address traffic visibility and safety concerns due to a large overhanging hedge. The hedge, which was several metres high, extended from the property boundary over the footpath to the carriageway and reduced visibility for cars and pedestrians entering the street. By Council resolution, the owners of the hedge were ordered to install the outstand to resolve these safety concerns. However, the works were paused following this complaint.

In response to our inquiries, Council confirmed installation of the outstand did not require planning approval because it was exempt works under s4 of the *Tasmanian Planning Scheme – State Planning Provisions*. Because no planning approval was required, the usual notice provisions to affected residents did not apply. Instead, the works were ordered as part of a resolution from Council after commissioning a report into how to address the safety issues caused by the hedge. Council unfortunately did not include in that resolution any requirement for affected residents in the vicinity of the works to be notified, although the tabled report listed that as an option.

At the time, Council believed the hedge owners would advise the neighbouring affected parties, but Council did not have any records to support this view or any procedures in place to ensure this occurred. The failure by Council to ensure affected parties were appropriately notified highlighted a clear policy and procedure gap which resulted in the complainant not being notified.

Council immediately arranged for the works to be paused when the issue was raised, and it subsequently commissioned another report to consider the concerns raised by the complainant. Council ultimately passed a new resolution to remove the incomplete outstand and agreed to an alternative solution addressing the safety issues caused by the hedge, which satisfied all affected parties.

Council also recognised the gap in its policies around notification to affected parties of exempted Council works and determined to review and update its *Private Works and Driveway Entrances Policy* to include such notifications.

As Council had resolved the issue to the complainant's satisfaction, and had taken steps to improve its administrative policies to protect against such events occurring in the future, the office was satisfied that the matter did not require further investigation under the *Ombudsman Act 1978*.

University of Tasmania

External review of Notice of Intention to Report (NOIR) – August 2024

A complainant requested an external review of a decision by the University of Tasmania (UTAS) to report him to the Department of Home Affairs for breach of his visa conditions.

The complainant was an international student who was not meeting the attendance requirements of UTAS for his course, and was not therefore meeting his visa conditions.

During the external review, numerous deficiencies in the procedure followed by UTAS in relation to issuing the complainant with the NOIR were identified.

Notably, my office identified that UTAS did not comply with its obligations under the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 to effectively intervene before students' attendance levels dropped below the minimum required levels of 80%. In this case, UTAS warned the complainant when his attendance was at 81% and only offered assistance to the complainant on the date the NOIR was issued, when his attendance had fallen below 80%.

UTAS accepted the suggestions made by my office and undertook a full review of its procedures relating to NOIRs. In particular, UTAS developed an intervention strategy for students enrolled in certain courses, which details the action UTAS will take in response to absences.

UTAS also changed its attendance procedure to intervene earlier when students' attendance dropped to 90%, rather than 85%.

It is hoped that these changes will allow UTAS to intervene in sufficient time before students' attendance-related visa conditions are breached.

External review of a fee refund decision – August 2024

A complainant requested external review of a decision by UTAS to only refund 50% of her fees when she withdrew from her course.

The complainant was an international student at the Melbourne campus, who withdrew from her course due to a change in her visa status, and also for medical reasons. Her refund request was managed by the Education Centre of Australia (ECA), as UTAS had entered into an agreement with ECA for the delivery of tertiary education programs at that campus.

During the external review undertaken by my office, deficiencies were identified in the procedure followed by UTAS/ECA in making the original decision. Notably, it was identified that UTAS/ECA had not carried out an internal review of the original decision and had not considered the medical evidence submitted by the complainant in support of her request for a full refund.

UTAS/ECA carried out an internal review of the original decision and determined to issue the complainant with a full refund of her course fees.

My office also identified that the ECA had not previously managed a refund request of this nature, and UTAS agreed to provide additional training and support to ECA staff.

Department of Education, Children and Young People

TasTAFE International student fees – September 2024

A complaint was received from an international student regarding fees she had been charged for a certificate course at TasTAFE. International students are required to pay for the entire course upfront, in this case approximately \$11,000 for 32 units. Upon accepting the place and paying the course fees, the student received notification she would only be required to complete four of the 33 units. The student requested a refund of the units she did not have to undertake, which was denied.

My office made preliminary enquiries with TasTAFE. TasTAFE advised that international student enrolments in Tasmanian Government Schools, UTAS and TasTAFE are managed by the state government organisation GETI (Government Education and Training International). Information was provided that explained courses are sold as a package and the Letter of Offer stated that students must pay tuition and administration fees as set out in the offer letter and future fees letter. The TasTAFE Credit Transfer Policy and website outlines that a fee reduction does not apply if a credit transfer is applicable.

In this case it did not appear reasonable that the student had not been made aware, prior to paying for the course, that she would only be required to undertake four units. Whilst it may not have changed the amount required to be paid by the student, the student would have been able to make an informed decision about whether she was willing to continue with this course.

In response, TasTAFE advised that it is not responsible for the marketing, recruitment and admission procedures for international students as this is done on behalf of TasTAFE by GETI. TasTAFE said in reviewing the information on the GETI webpage, it does allow for an application for credit transfer however TasTAFE is unable to comment on whether an application was received by GETI, and if it had considered this.

TasTAFE advised that in this instance, there appears to be miscommunication issues with GETI and whilst enrolment procedures and credit transfers are the responsibility of GETI, it does reflect on TasTAFE. The CEO of TasTAFE then authorised a fee waiver of the credit transfer and the student will receive a refund for the units she did not complete.

TasTAFE advised it is currently undergoing changes in relation to its recruitment and management of international students. This change includes a separation of the current relationship with GETI and its responsibilities as an agent of TasTAFE. Enrolments are now being managed by TasTAFE directly.

As TasTAFE is undertaking significant changes to the way international student enrolments are managed, and had provided the student a refund, my office determined further investigation of the matter was unnecessary pursuant to s21(1)(d) of the *Ombudsman Act 1978*. In closing the matter with TasTAFE, the Ombudsman again suggested that international students are made aware of any credits for past study, and how many units they will be required to undertake and pay for, prior to accepting an offer of enrolment.

Homes Tasmania

Maintenance charges in tenancy termination for insurance works – October 2024

The complainant was a tenant at a property managed by Homes Tasmania (Homes). Insurance works were required to be carried out at her property, and she was required to relocate to an alternative property during these works.

Homes issued an invoice to the complainant for vacated maintenance charges, on the basis that the lease for the property had ended when she relocated. The complainant asserted that she thought it was a temporary relocation only. She raised that she had been permitted to leave some belongings at the property, and she was unaware that she would need to carry out repair and maintenance works at the property before she left.

The complainant applied to Homes for the charges to be reviewed and Homes determined that the charges would remain (the decision).

My office identified deficiencies in the procedure followed by Homes, namely that Homes did not take reasonable steps to mitigate its loss by explaining to the complainant that when she relocated, she would need to fulfill the end of tenancy obligations in the lease; or by giving the complainant the opportunity to address the issues, before the works were carried out by Homes.

In relation to the decision, it was identified that the reasons for the decision were inadequate and did not address the points raised by the complainant in her application for a review of the charges; the decision did not provide any information about internal reviews or appeals and Homes' policy in relation to internal reviews of decisions was unclear.

As a result of this complaint, Homes committed to the following procedural improvements including that all usual pre-vacating procedures for tenants are followed in all termination of tenancies, including insurance relocation terminations; providing more detail in reasons for decisions and developing an internal review policy and reviewing its complaints procedures.

In recognition of the procedural errors by Homes in this case, Homes waived the charges on the complainant's account.

Department of Natural Resources and Environment Tasmania

Appointment of body corporate administrator by the Land Titles Office – December 2024

The office received a complaint from two people who were unhappy with the actions of the body corporate administrator for their property.

The body corporate administrator had been appointed to this role by the Recorder of Titles in 2020, following an application for relief under s127 of the *Strata Titles Act 1998* (STA), and in the context of longstanding disputes between the property owners.

The complainants were concerned about the decisions being made by the body corporate administrator while she was managing significant building works at their property. They were also unable to obtain copies of the body corporate's documents relating to these works.

The complainants raised issues with my office about the initial appointment of the body corporate administrator and the terms of the powers granted by the Recorder of Titles. They said that they did not have adequate opportunity to object to the appointment. They also indicated that they thought that the Recorder of Titles should take responsibility for the actions of the body corporate administrator he appointed.

Before appointing a body corporate administrator under s127 of the STA, the Recorder of Titles must be satisfied of various conditions set out in s127(1), which justify the need for the appointment to be made.

In its response to my office, the Department of Natural Resources and Environment Tasmania (the Department) confirmed that it was unable to locate any records of the assessment carried out by the Recorder of Titles under s127(1) of the STA. Therefore, my office could not be satisfied that the assessment required under this section had been made, and if it had, that the appointment of the administrator was appropriate in the circumstances and in accordance with law.

We could not be satisfied that the complainants were afforded procedural fairness when the body corporate administrator was initially appointed, because they did not appear to have been provided with key documents which should have been provided to them when they were notified of the application for relief.

We also could not be satisfied that the complainants had sufficient information to enable them to reasonably object to the application and/or appeal the order.

As a result of this complaint, the Department confirmed that it will implement a documented internal process evidencing the assessment under s127(1) of the STA. The Department also confirmed that applications for relief will now be handled by Senior Legal Officers. We consider this to be appropriate, given the potential complexities with appointments of body corporate administrators.

Fortunately, the law is currently subject to reform, and my office is hopeful that the changes proposed will improve this area significantly and will also align with the approaches in other states.

In this case, the complainants were frustrated that their only avenue for the Recorder of Titles to investigate their concerns was to make another application for relief. My office agreed that the current law is limited, however, we considered that until the law is reformed and more options for dispute resolution become available, the current processes set out in the STA must be followed.

Section 6

Other legislation

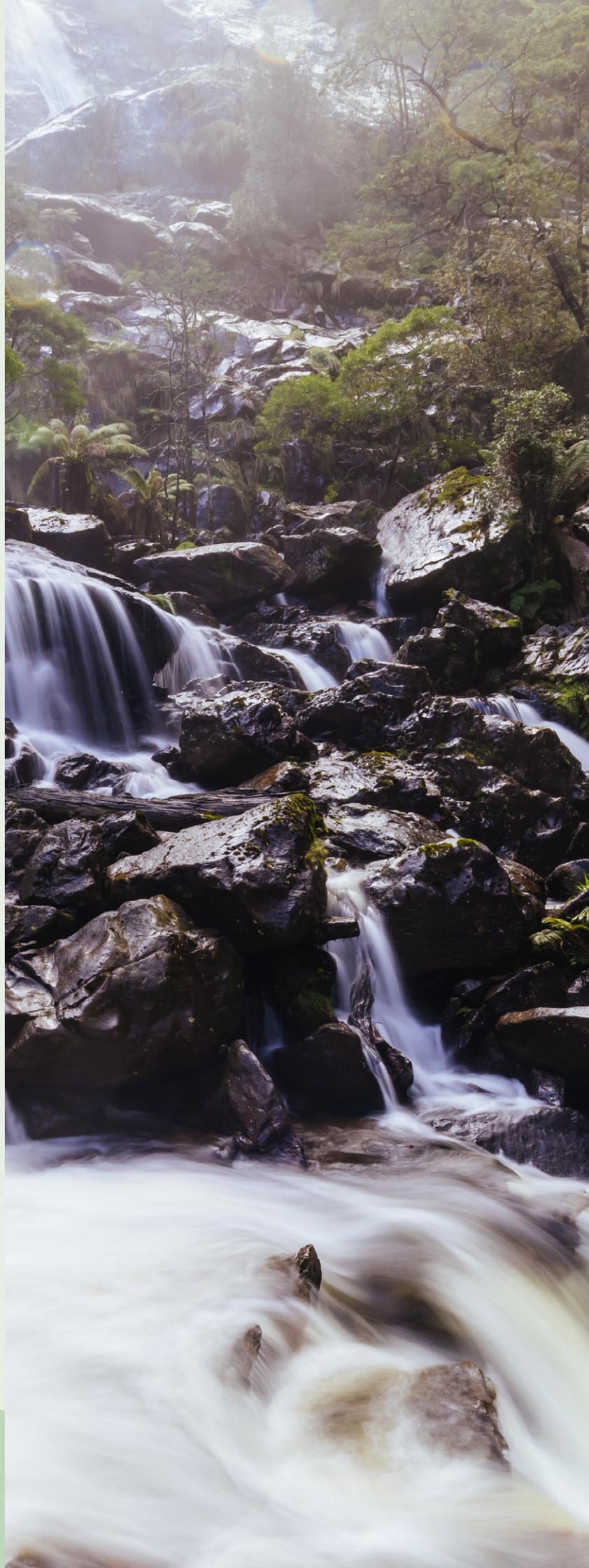


Figure 2 – Who was investigated

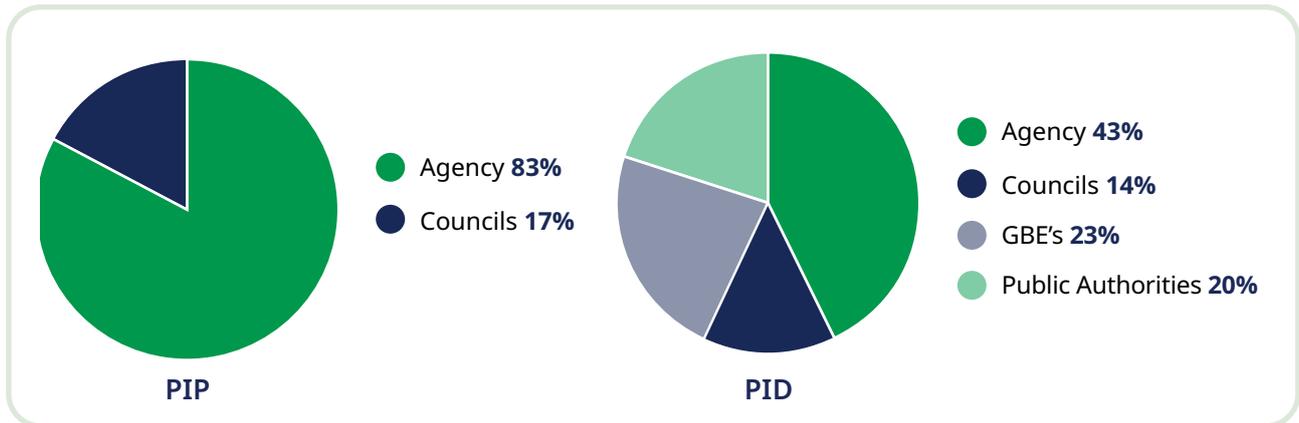


Table 9 – Personal information protection (PIP) matters and public interest disclosures (PID)

	Received 2023-24	Closed 2023-24	Received 2024-25	Closed 2024-25
Personal information protection matters	21	21	7	12
Public interest disclosures	10	10	23	35

Table 10 – Closure outcomes

Issue	2024-25
PID	35
Declined, referred, out of jurisdiction or withdrawn	3
Fully or partially substantiated or determination made	1
PID – Agency Determination	13
PID – Determination Investigated	1
PID – Disclosure not PID	17
PIP	12
Declined, referred, out of jurisdiction or withdrawn	1
Fully or partially substantiated or determination made	1
PIP – Case declined	7
PIP – Case substantiated	2
PIP – Case unsubstantiated	1
Total	47

Public Interest Disclosures Act 2002

My responsibilities under the *Public Interest Disclosures Act 2002* (PID Act) include:

- receiving and assessing potential public interest disclosures of improper conduct by public officers and public bodies;
- determining whether a disclosure is a public interest disclosure;
- investigating such disclosures where appropriate;
- reviewing public bodies' decisions under the PID Act;
- preparing and publishing guidelines and standards for the procedures to be followed by public authorities when implementing the provisions of the PID Act;
- approving those procedures once developed;
- preparing and publishing guidelines to assist in determining whether improper conduct is serious or significant;
- monitoring the progress of investigations being undertaken pursuant to the PID Act by public bodies; and
- advising public bodies in relation to the operation of the PID Act.

The year in review

The office has now had the benefit of a dedicated Senior Investigation Officer (Public Interest Disclosures) for over 12 months. During this time, the officer completed a review of large public bodies' procedures under Part 7 Division 1 of the *Public Interest Disclosures Act 2002*. The officer also worked with the Office of the Solicitor-General to present public interest disclosures training through the Tasmanian Training Consortium and presented to the executive branch of a GBE on the topic. Specific public interest disclosure training is something that the office hopes to build on and offer in the future.

S84 of the PID Act requires me to include in my Annual Report specific information in relation to various aspects of its operation. In satisfaction of that requirement, I report that in the reporting year:

- copies of current guidelines and standards published by the Ombudsman under Part 6 of the PID Act could be obtained or accessed on the Ombudsman website at ombudsman.tas.gov.au or by calling 1800 001 170 and requesting a copy – s84(a);
- the Ombudsman received 20 disclosures about improper conduct;
- 17 determinations were made that disclosures were not public interest disclosures – s84(c);
- one investigation from the previous reporting year into alleged improper conduct continued this reporting year – s84(d);
- one new investigation was commenced into improper conduct this reporting year – s84(d);
- no disclosed matter was referred under s41 to the Commissioner of Police, the Auditor-General, a Commission under the *Commissions of Inquiry Act 1995* or any other prescribed bodies or the holder of a prescribed office to investigate – s84(e)(i);
- no disclosed matter was referred to a public body to investigate under Part 7 of the PID Act – s84(e)(ii);
- the Ombudsman did not decline to investigate any disclosed matters under s40 of the PID Act – s84(f)(i);
- no disclosed matter was referred to the Ombudsman by a public body for investigation – s84(f)(ii);
- no disclosures were referred to the Ombudsman by the President of the Legislative Council or by the Speaker of the House of Assembly – s84(g);

- the Ombudsman took over no investigations of any disclosed matter – s84(h);
- no recommendations were made during the year – s84(i);
- no recommendations were made during the year – s84(j);
- no recommendations were made in relation to the procedures established by a public body under Part 7 – s84(k); and
- no action was taken during the year on any recommendations of the Ombudsman – s84(l).

I am also required to oversee the determinations made and the investigations conducted by public bodies.

Personal Information Protection Act 2004

Schedule 1 of the *Personal Information Protection Act 2004* (PIP Act) creates the Personal Information Protection Principles (PIPPs) that bind all public authorities. These principles and other provisions of the PIP Act regulate the manner in which an authority can collect, maintain and use personal information and the limited circumstances in which such information can be disclosed.

The PIP Act makes a distinction between basic information and sensitive information, and the steps to be taken by public authorities to ensure compliance with the different protection principles. The PIP Act gives people the right to complain to the Ombudsman about an alleged breach of the PIPPs.

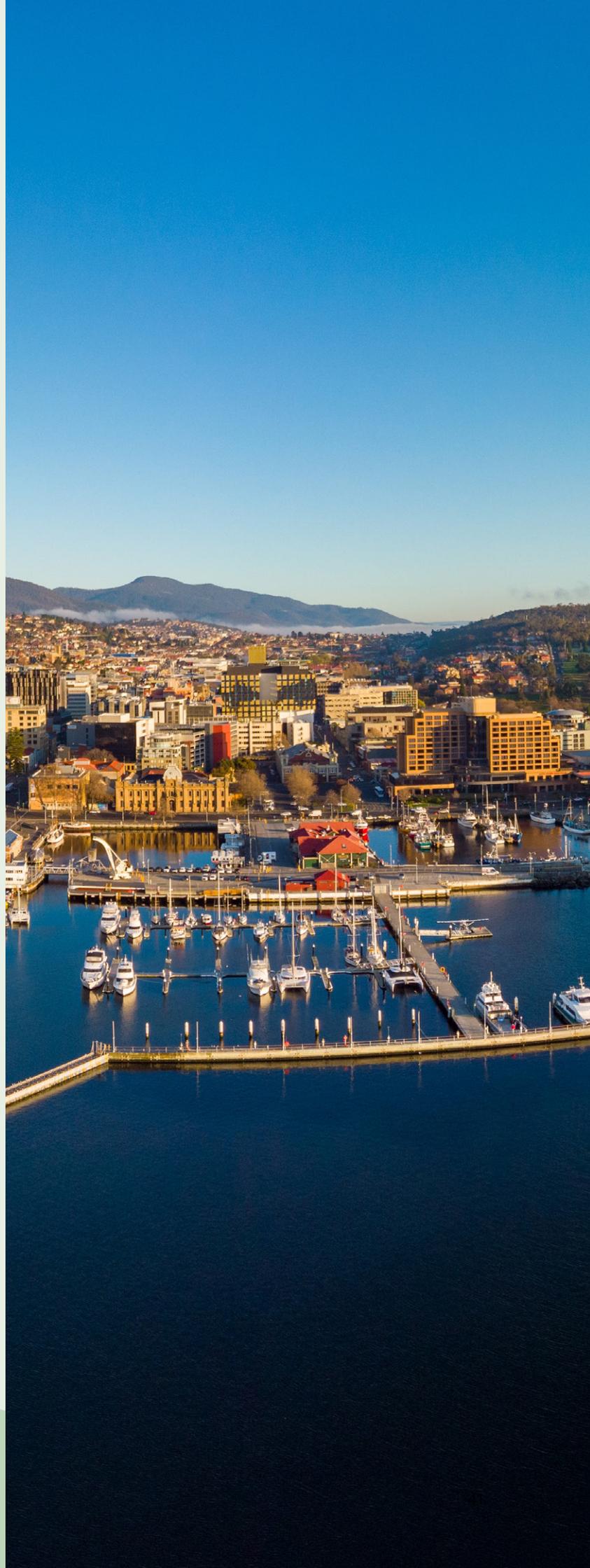
I can only deal with a complaint regarding an alleged breach of a PIPP that applies to the complainant, not another person. The complainant, however, must first have raised the matter with the relevant personal information custodian and then have been unsatisfied with the response they received.

We received 7 and closed 12 PIP Act complaints in the reporting year. The closed complaints included:

- one case where contraventions were found to be substantiated following an investigation;
- three that were out of jurisdiction as they did not relate to a potential breach of a PIPP;
- seven that were closed under s19(1A) after having regard to the nature and seriousness of the complaint, the Ombudsman believed the complaint could be resolved expeditiously;
- two notifications from public information custodians identifying breaches of a PIPP and extensive information about how the breach had been managed.

Section 7

Inspections under police legislation



The Ombudsman is the inspection entity in relation to certain records that must be retained by law enforcement agencies.

Police Powers (Surveillance Devices) Act 2006

This Act provides for the installation, use, maintenance and retrieval of surveillance devices in criminal investigations and other matters. It is the role of the inspection entity to ensure that law enforcement agencies in Tasmania (principally Tasmania Police and the Integrity Commission) comply with their record-keeping obligations under the Act.

My delegated officers conduct inspections of records held under the Act at least once every year and I make a written report to the relevant ministers on the results of each inspection. The Minister for Justice then causes a copy of the report to be laid before each House of Parliament. A copy of my latest report on this financial year's inspection can be obtained through Hansard on the Parliamentary website.

Police Powers (Controlled Operations) Act 2006

This Act provides for the authorisation, conduct and monitoring of controlled police operations. As with the Surveillance Devices Act, it is the role of the inspection entity to ensure that law enforcement agencies comply with their record-keeping obligations under the Act and, again, a copy of my latest report on the inspection can be obtained through Hansard on the Parliamentary website.

Telecommunications (Interception) Tasmania Act 1999

Tasmania Police is obliged to keep certain specified records relating to telecommunications interceptions.

These records must be inspected by my office at least once every six months to ensure Tasmania Police is complying with its obligations. I am required to report to the relevant minister on the inspections at the end of each financial year. The minister must then provide a copy of the report to the relevant Commonwealth minister. My officers conducted inspections in December 2024 and June 2025. Tasmania Police was at all times cooperative in facilitating inspections and I was satisfied with the comprehensiveness and adequacy of the records maintained.

Misuse of Drugs Act 2001

Section 38B of the *Misuse of Drugs Act 2001* allows the Commissioner of Police to issue authorisations for police officers, employees or correctional officers (authorised persons) to possess and supply controlled substances, such as heroin, cocaine, cannabis, and methylamphetamine hydrochloride. The purpose of the Commissioner of Police issuing an authorisation under s38B to authorised persons, is to allow for the possession and supply of controlled substances to be used for the training and assessing of drug detection dogs, and the transport of the controlled substances to other police officers, interstate or federal police officers, or correctional officers. I am required under s38I of the Act to prepare a report, after receiving an operational report from the Commissioner of Police, setting out:

- (a) a summary of the matters provided in the operational report;
- (b) my opinion as to the comprehensiveness and adequacy of the records of the Commissioner of Police kept under s38G;
- (c) my opinion as to whether the authorisations to which the operational report relates have been effective and appropriate; and my comments and suggestions as to how the issue, supervision and implementation of authorisations may be improved.

The operational report, pursuant to s38H(1), is required to contain:

- (a) the number of authorisations issued during the financial year;
- (b) the purposes for which the authorisations were issued; and
- (c) a summary of the details specified in each report received by the Commissioner of Police under s38F(1).

Summary of the operational report

Acting Commissioner Higgins APM advised that eight police officers (six primary handlers and two relief handlers) and two correctional officers were issued with authorisations for the 2024–25 financial year. The Commissioner provided a copy of each authorisation as well as each of the authorised person's written reports required under s38F of the Act. These reports detail:

- (a) the quantity and description of each controlled substance that was possessed by the authorised person, or supplied by the authorised person to another person under the authorisation
- (b) Any ancillary action taken by the authorised person
- (c) The name of any other person to whom a controlled substance was supplied by the authorised person under the authorisation and the address to which the controlled substance was supplied
- (d) If the controlled substance was supplied by the authorised person to another person for delivery to a third person, the name and address of the third person to whom the delivery of the controlled substance was to be delivered; and
- (e) Each day the authorised person was in possession of the controlled substance.

The authorised person's reports provided by the Acting Commissioner outline the following details:

- The Southern district reports prepared by authorised police officers show regular possession of the controlled substances recorded with detail and accuracy.
 - On 18 June 2025 a Sergeant reported that during a training exercise, a Constable observed what appeared to be a minute hole in a sample bag of methylamphetamine while being used for training police dogs to the scent. This was noted when the Constable removed the sample from the glass jar it was stored in. An audit weight of the sample revealed a loss of 0.03 grams (from 1.56grams to 1.53 grams). The hole was determined to be consistent with, and likely caused by, a dog having located and damaged the package during a training exercise. The sample was immediately sealed in a tamper proof evidence bag and forwarded to Forensic Science Services Tasmania for reauditing and repackaging.
 - Reflected in the relevant Constable's report is that he is the handler of a dog which detects explosives and has less need to access controlled substances. The Constable may provide relief handling of a drug detection dog when the Sergeant and another Constable are absent.
 - A further Constable is a relief handler whose primary role is in another Division.
- The Northern district reports show regular possession of the controlled substances recorded with detail and accuracy.
 - A Constable is a relief handler whose primary role is in another division.

- The Western district reports show regular possession of the controlled substances recorded with detail and accuracy.
 - A Senior Constable is the handler of a dog that detects explosives and firearms, and has less need to access controlled substances which is reflected in his report. Since the 2023–24 report a Constable appointed as the primary handler for the drug and detection dog in the Western District has transferred and is no longer a primary handler. The Constable’s authorisation will be retained until it expires (1 September 2025) as there may be a need to assist in training the new officer, which may require accessing controlled substances.
 - An authorisation is being sought for the new officer for 2025–26.
- The Tasmanian Prison Service reports show possession and supply of the controlled substances recorded with appropriate detail and accuracy. A controlled substances audit was conducted on 1 July 2025. No issues were observed in relation to the storage, management, and supervision of the controlled substances.

No authorisations were cancelled during the 2024–25 period.

The Acting Commissioner advised that for the coming financial year thirteen police officers (six primary handlers and seven relief handlers) and two correctional officers will be issued with authorisations under s38B of the Act. The increase in relief handlers seeking exemption relates to the provisions of a course in 2024, where additional relief dog handlers were trained.

The Acting Commissioner advised Tasmania Police has four drug detector dogs, two based in Hobart and one each in Launceston and Devonport. Each dog has a primary handler who uses the dog operationally and trains the dog on a regular basis. The remaining police officers with authorisations are relief handlers

who manage the dogs when the primary handlers are on leave or unavailable. The TPS has two drug detector dogs and two handlers both based at Risdon Prison.

The Acting Commissioner advised no details were omitted from his operational report to me on the basis they would compromise the lawful carrying out of any duties by a police officer.

My opinion

I am required to express an opinion as to the comprehensiveness and adequacy of the records of the Commissioner of Police kept under s38G and whether the authorisations to which the operational report relates have been effective and appropriate.

The Acting Commissioner’s report required no clarification regarding the matters reported. The Acting Commissioner provided copies of all the records that were made in the reporting year under s38G of the Act. I was satisfied on reviewing the report and those records that the records were comprehensive and adequate. The authorised person reports required under s38F contained all the required details.

Having reviewed those reports I was also satisfied that the authorisations to which the operational report relates have been effective and appropriate. The authorisations were required by the dog handlers and relief dog handlers so they could fulfil the requirements of their roles.

I am required to make comments or suggestions in relation to how the issue, supervision and implementation of authorisations may be improved. I have no comments or suggestions this reporting year.

Section 8

Right to Information Act 2009



Highlights of 2024–25 in the Right to Information (RTI) jurisdiction

- 43 external review decisions were issued in the 2024–25 financial year. This is the highest number of decisions ever issued in a reporting period.
- Further reductions were achieved to the historical backlog of external review applications awaiting finalisation, with cases at their lowest end of year level since the 2015-16 reporting year, and average days open falling by 120 days over the reporting period.
- A successful and well-attended training session was conducted on *Working with the Right to Information Act 2009*, which was offered to all public authorities. The session was recorded and has subsequently been provided to many others.

Report on the *Right to Information Act 2009* (in compliance with s53)

The Ombudsman plays a central role in information access, as the external review entity under the *Right to Information Act 2009* (RTI Act). The RTI Act gives a legally enforceable right to members of the public to access government information, and my office's work is directed at ensuring that the maximum amount of official information is released by public authorities in accordance with the objects of the RTI Act.

Public authorities include all government departments, local councils, ministers, government business enterprises, and other statutory bodies (such as the University of Tasmania). Reviewing the decisions of public authorities to ensure that they are properly made, and that relevant information which is not exempt is released, is the primary function in this area.

We also provide advice and guidance as to the operation of the RTI Act to public authorities, ministers, RTI users and members of the public.

My office's activities in relation to the operation of the RTI Act in the 2024–25 reporting year included:

- responding to enquiries from public authorities and potential applicants;

- handling complaints about issues to do with the administrative action of public authorities connected to RTI under the *Ombudsman Act 1978*, including commencing an investigation into issues around personal information management when implementing RTI decisions;
- publishing a monthly Delegate Newsletter to RTI decision makers, circulating recent external review decisions, RTI news, and practice tips;
- publishing a monthly Decision Bulletin further circulating published external review decisions to the wider RTI community;
- providing a training session to all public authorities on 17 September 2024 entitled *Working with the Right to Information Act 2009* which was attended by 134 people and was recorded, subsequently being provided to many other delegates on request;
- publishing external review decisions online for educational and transparency purposes;
- providing access to published guidelines and a practice manual;
- responding to requests for expert input into training materials being developed by the RTI Uplift Project being run by the Department of Premier and Cabinet and the Independent Review of RTI in Tasmania commissioned by the Premier;

- hosting interns from the University of Tasmania to provide knowledge and exposure to RTI and administrative law in practice;
- collating and refining data provided to the National Dashboard regarding information access across Australia to improve the accuracy of data reported; and
- participating in the Association of Australian Information and Access Commissioners forum and associated working groups, sharing national insights.

Performance

The current recurrent funding of my RTI team provides for three full-time equivalent staff – a Principal Officer, a Senior Investigation and Review Officer and an Intake and Assessment Officer.

I have continued to utilise savings to employ several additional staff on temporary contracts to assist with the reduction of the historical backlog of external review applications. This has been assisted by the grant of \$100,000 additional funding for the 2024–25 financial year to comply with Recommendation 17.8(4)(b) of the report of the *Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings*. The use of these savings and additional funding allowed us to employ three Investigation and Review Officers on a fixed term basis during the reporting year.

As indicated in the highlights on the previous page, the hard work of these RTI team members meant that significant further progress was achieved in reducing the backlog of external reviews. Eighty-five external reviews were closed this financial year, of which 43 were closed after a formal decision – the most in any reporting year to date. Only 67 new external review requests were received, so this trend has meant that the number of open external review applications are at their lowest point since the 2015-16 reporting year.

Our focus on early resolution continued and I issued sixteen Preliminary Views to external review parties. A Preliminary View is an indicative document issued to the parties when there appears to be a clear misapplication of the legislation by a public authority or a lack of substance in a review request. It is an effective mechanism to more quickly resolve matters. We also prioritised a high number of more urgent external review requests to further mitigate the impact of the backlog on applicants. I commend the RTI team for their diligent efforts which have resulted in this continued progress on the elimination of the backlog and for the high standard of their work.

However, I acknowledge the backlog is not yet fully eliminated and its full reduction will continue to be a high priority in the next reporting period. The updating of guidance materials is also of pressing importance and work commenced in the reporting period to review and redraft my guidelines. My practice manual, which unfortunately remains in its 2010 form, was not updated in this reporting year but increased staffing levels and the progress on the clearing of the backlog means that this project will be able to commence in the next reporting period. I am conscious of the deleterious impact of such outdated guidance materials on delegates, particularly those who are new or inexperienced, and am pleased to finally be in a position to be able to redress this issue in the near future.

Priorities

Priorities for 2024–25 were to:

- continue to reduce the backlog of external review requests, with the goal of having no unfinalised external reviews which were received before 2024 by 30 June 2025;
- ensure at least one training session on RTI was offered to all public authorities;
- update guidance materials to increase RTI decision-maker capacity and promote RTI best practice; and

- seek additional funding to ensure adequate staffing levels are reached to enable my external review and educational functions to be fully effective.

I am pleased to report we achieved or made progress with each priority. All external reviews received prior to 2024 were closed by 30 June 2025 and major progress on eliminating the backlog was achieved. A highly successful training session was offered to all public authorities and work commenced on updating guidance materials. My office sought additional funding and I was grateful that some of what was requested was granted, albeit on a non-recurrent basis. This has assisted with achieving our priorities, though the goal of obtaining sustainable ongoing funding to ensure continuing high performance remains ongoing.

Our priorities for 2025-26 are to:

- continue to reduce the backlog of external review requests, with a goal of having no unfinalised external reviews over 12 months old by 30 June 2026;
- review and reissue current guidelines, and issue new ones as required;
- commence updating the RTI Manual, as required under s49(3) of the *Right to Information Act 2009*, to ensure this is a useful resource for delegates with relevant external review decisions referenced; and
- seek additional funding to try to ensure staffing levels are able to be maintained at an optimal level, which should enable my external review and educational functions to be fully effective.

Year in review

The right to information scheme continues to be a vital part of the Tasmanian system of government and is regularly used by many individuals and organisations. External review application numbers remained relatively steady from the previous financial year, dropping very slightly from 69 to 67 applications received.

The positives:

- significant engagement from the RTI community with training offered by my office to delegates across all public authorities;
- continued progress on the elimination of the backlog, with the highest ever number of external review decisions issued (43), a high number of applications closed (85), and the lowest end of year case numbers since the 2015–16 reporting year (42);
- frequent approvals of applications under our Priority Policy to fast-track urgent applications and mitigate the negative impact of the backlog; and
- continued high levels of positive engagement from public authorities with attempts by my office to resolve matters without a formal decision, or to promote more transparent practices.

The ongoing challenges:

- 86% of my decisions varied or set aside the public authority's findings, continuing to reflect a very high percentage of errors in decision-making (though I note that some variations to decisions are minor);
- increasing backlogs and delays, particularly at DECYP, in relation to the processing of high numbers of applications to public authorities for access to applicants' own personal information;
- continued lack of regular training and up-to-date guidance materials to assist RTI delegates, particularly those new to the sector;
- the slow external review process, though this is much improved on previous years;
- instances of poor record keeping and information management, which has led to the inadvertent release of personal information in implementing RTI decisions and issues in effectively responding to information access requests; and
- regular complaints about poor communication by public authorities to applicants, and the failure to provide appropriately detailed reasons in decisions.

Case examples

Early Resolution

Department of Natural Resources and Environment Tasmania (the Department)

The Department released a decision to an applicant, however the decision did not include the timeframe within which the applicant could seek review. Due to confusion regarding the process, the applicant submitted an external review application outside of the required timeframe. Following intervention from my office, the Department agreed to reissue the original decision to the applicant to permit an external review to occur. A review commenced under s45(1)(e) of the RTI Act regarding whether the Department's search for information was sufficient, and additional information about the searching conducted was requested. The Department reviewed the matter and located additional information. It released a fresh decision to the applicant providing this information and a further explanation of related matters. The applicant was satisfied with this fresh decision and the external review was finalised.

Environment Protection Authority Tasmania (EPA)

An applicant sought information from the EPA regarding the identity of the person or company which had made a complaint against them. The EPA released a decision to the applicant stating it had no relevant information. The applicant applied to the Ombudsman for external review, questioning how this could be possible when the EPA had previously advised the applicant of the existence of the complaint. My office sought information from the EPA regarding the searching conducted and was advised that no information had been identified as the complaint had been received anonymously. Following intervention from my office, the EPA agreed to provide this further information to the applicant to explain its decision. After receipt of this further context, the applicant was satisfied and withdrew their external review request.

Notable decisions

D and Department of Justice – June 2025

This decision related to a document authored by a victim-survivor in the records of the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings*, which included a clear request for the information to be kept confidential. The information had been sought by another victim-survivor. The external review decision affirmed the Department of Justice's finding that the relevant information was exempt under s39 of the *Right to Information Act 2009* as information provided in confidence. The decision gave great weight to the author's unequivocal request for confidentiality and determined if victim-survivors' specific requests of this nature were routinely revisited or disregarded it would be likely to deter future submissions to similar inquiries or investigations.

Z and City of Launceston – April 2025

This decision examined emails sent to and from a senior City of Launceston (Council) officer's official email address, which Council had decided to release. Some of the emails were work related, but a significant amount were purely personal correspondence. The Council officer lodged an external review request disputing that they could be released as they did not relate to the official business of Council. The external review decision noted that this assessment was a decision of Council's which was not itself externally reviewable and the conclusion that the emails were relevant information was open to it. The Council officer's concerns were considered in relation to whether the personal emails should be exempt under s36 as personal information. The decision acknowledged that, while the extensive use of an official email address for purely personal matters was ill-advised, there remained a reasonable expectation of privacy regarding personal matters. The external review determined that to release this purely personal email correspondence would be contrary to the public interest and it was found to be exempt under s36.

Right to Information snapshot

External review applications



67

Applications received

85

Applications closed

42

Total number of open external review applications at 30 June 2025

Types of applicants



48

Members of the public/ organisations

3

Persons other than the original RTI applicant

7

Journalists

9

MPs

Common topics of external reviews



Concerns about cancellations of public space bookings for gender identity events

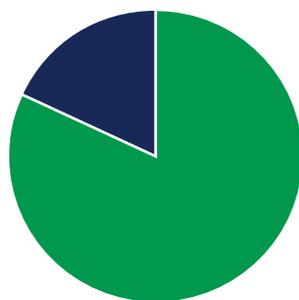
Difficulty accessing personal information connected to child sexual abuse in government institutions

Concerns regarding the Tasmanian salmon farming industry

Enquiries

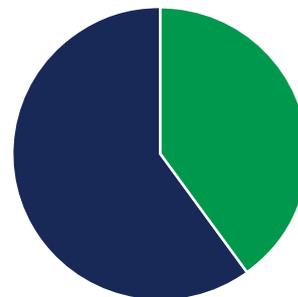
187

RTI enquiries received



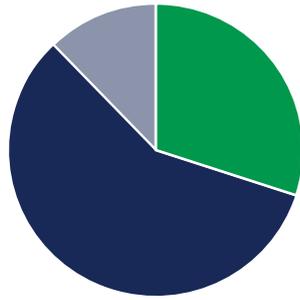
- Verbal response provided 18%
- Written response provided 82%

Received from:



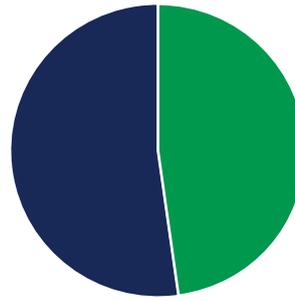
- The community 60%
- Public authorities 40%

Types of requests



Related to:

- Local Government council **30%**
- State Government departments **58%**
- Statutory authorities and other bodies **12%**



- General topic of interest **48%**
- Personal interests of applicant **52%**

Most common exemptions appealed to the Ombudsman

35%

s36
Personal information

20%

s35
Internal deliberative information

10%

s39
Information obtained in confidence

9%

s30
Information relating to the enforcement of the law

8%

s37
Information relating to business affairs of a third party

Reasons for external review requests

29%

Public authority did not provide decision within the required timeframe (**19**)

28%

Dispute only the use of exemptions (**18**)

28%

Dispute the refusal of their application or only that all relevant information found (**18**)

9%

Dispute the use of exemptions and that all relevant information found (**6**)

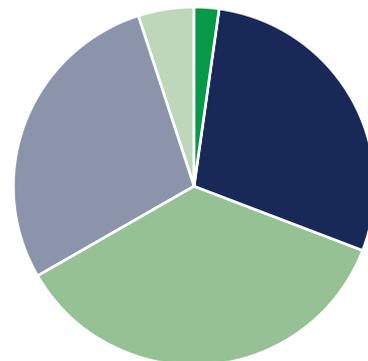
6%

Prevent the release of their personal or business information (**4**)

Early closure

Of the 42 external reviews closed without a formal decision:

- Invalid **1**
- Declined for lack of substance/ not progressed by applicant **12**
- Withdrawn **2**
- Resolved between the parties **15**
- Resolved through assistance from Ombudsman Tasmania **12**



Decisions of the Ombudsman



43

Decisions issued on external review applications

28%

Related to prioritised external review applications

21%

Reviewed the sufficiency of searching for information

MOST COMMONLY CLAIMED EXEMPTIONS:

- Personal information of a person (s36) – **58%** (fully affirmed in 16% of uses)
- Internal deliberative information (s35) – **30%** (no uses of exemption affirmed)
- Information obtained in confidence (s39) – **26%** (fully affirmed in 9% of uses)
- Information relating to enforcement of the law (s30) – **26%** (fully affirmed in 18% of uses)
- Legal professional privilege (s31) – **16%** (fully affirmed in 43% of uses)

External review requests

Table 11 – Summary of Right to Information Reviews

Local Government Council	Received	Closed	Reviewed
Break O'Day Council	0	1	0
Brighton Council	7	8	2
Central Coast Council	1	2	0
Circular Head Council	1	0	0
City of Hobart	4	10	4
City of Launceston	2	7	7
Derwent Valley Council	1	5	2
Devonport City Council	0	1	1
George Town Council	1	0	0
Huon Valley Council	1	2	1
Northern Midlands Council	1	3	1
Waratah-Wynyard Council	0	1	1
West Tamar Council	1	0	0
Total	20	40	19

Table 11 – Summary of Right to Information Reviews continued

State Government Department	Received	Closed	Reviewed
Department for Education, Children and Young People	8	3	2
Department of Economic Development, Tourism and the Arts	0	1	1
Department of Health	3	4	2
Department of Justice	3	1	1
Department of Natural Resources and Environment Tasmania	3	5	2
Department of Police, Fire and Emergency Management	6	5	4
Department of Premier and Cabinet	4	3	3
Department of State Growth	10	10	3
Department of Treasury and Finance	2	0	0
Total	39	32	18
Statutory Authority or Other Body			
Environment Protection Authority	1	1	1
Hydro Tasmania	0	1	1
Macquarie Point Development Corporation	1	1	0
Marinus Link	0	1	0
Minister for Innovation, Science, and the Digital Economy	1	0	0
Office of the Premier	0	4	2
Tasracing Pty Ltd	2	2	1
TasTAFE	1	0	0
The Office of Tasmanian Assessment, Standards and Certification (TASC)	1	2	0
University of Tasmania	1	1	1
Total	8	13	6
GRAND TOTAL	67	85	43

Figure 3 – Summary of Right to Information external reviews

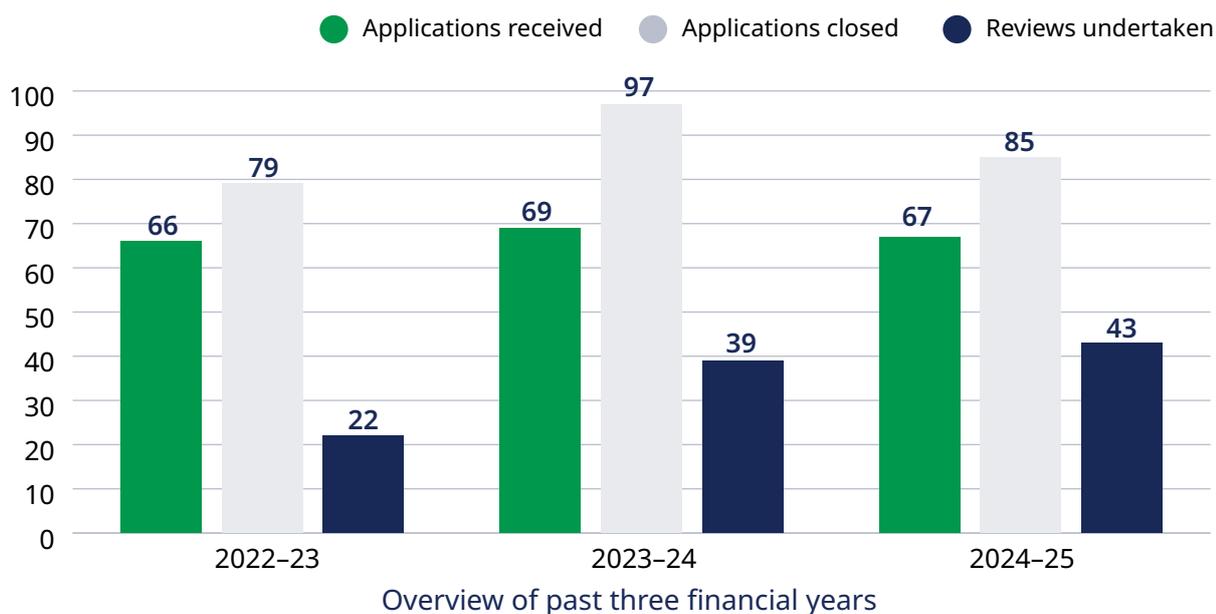
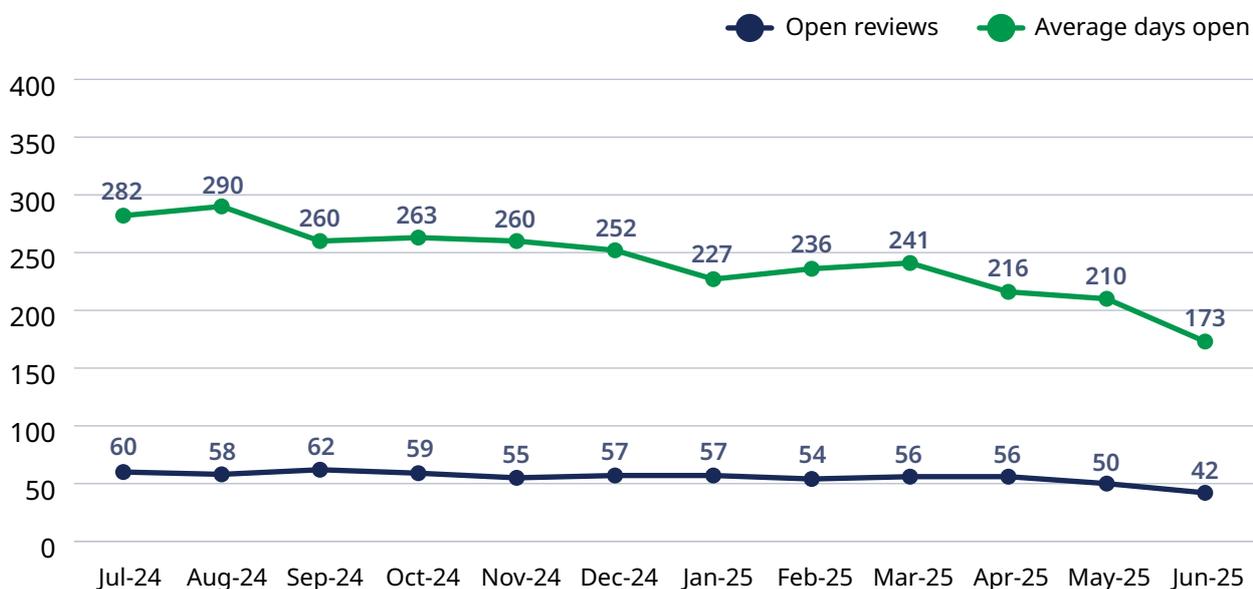


Table 12 – Right to Information external review outcomes

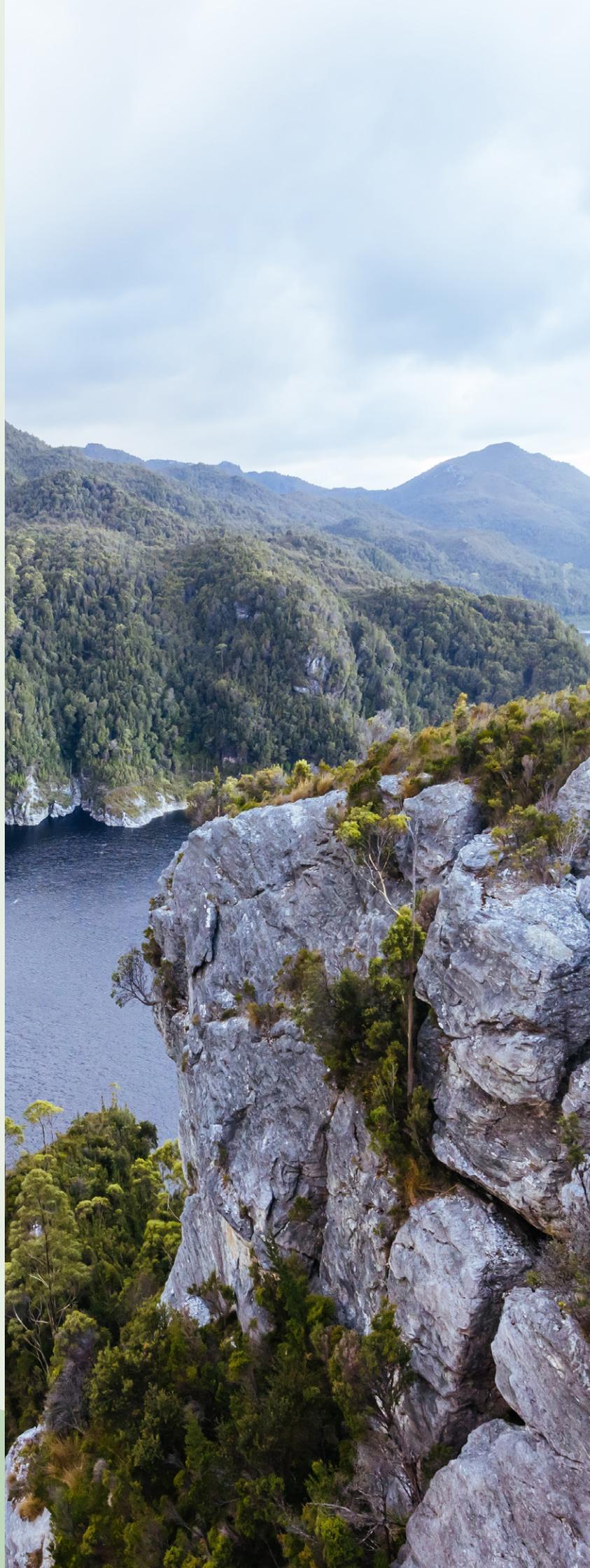
Decision	2021-22	2022-23	2023-24	2024-25	Variance
Public authority decision affirmed	3	3	8	6	-25%
Public authority decision varied	12	14	27	33	22%
Public authority decision set aside	4	5	4	4	0%
Other outcome	25	57	58	42	-28%
Total	44	79	97	85	-12%

Figure 4 – External reviews – average days open and active reviews by month



Section 9

Energy Ombudsman Act 1998



Introduction

As Ombudsman I have various functions under the *Energy Ombudsman Act 1998*, and I perform these functions with the assistance of three staff – a Principal Officer and two Investigation Officers, together with support from the general office administration team.

There was a minimal decrease in the number of enquiries and complaints closed for the 2024–25 financial year (see Tables 13 and 14). The Energy Ombudsman team received complaints regarding six different energy entities and one embedded network operator.

During the year, the Energy Ombudsman team met with energy entities operating in Tasmania regularly to discuss open complaints, receive updates on trends and to facilitate appropriate pathways for complaint resolution. The benefit in fostering these relationships can be seen in the high number of complaints resolved by a negotiated outcome (see Table 16). In most cases, a negotiated outcome is where the energy entity has agreed to provide an ex-gratia payment, credit, partial bill waiver or specific service to resolve the complaint. Complaints can also be resolved by way of a facilitated outcome which means that a detailed explanation has been provided to the complainant.

Complaint issues were recorded under the following major groups (see Table 15):

- **Billing** – Issues with generating and sending customer bills; processing payments; information on bills; disputed high bills; estimated bills.
- **Credit** – Disconnections; payment difficulties; debt collection; credit ratings.
- **Customer service** – Failure to consult, inform or respond; incorrect advice or information provided; unprofessional attitude; lack of service received.
- **Land** – Issues with distribution assets on or near private land; vegetation management; easements and property damage.

- **Provision** – Changes to existing connections; issues with new connections.
- **Supply** – Planned and unplanned power outages.

Billing issues were the most common complaint type for the year 2024–25. However, there was a slight decrease in the number of billing complaints when compared to 2023–24 financial year (see Table 15). The types of billing issues were varied, however the most common was “high bills” (see Figure 6). There was a slight increase in the number of billing complaints received regarding rebate and concession issues. This was largely due to the administration of the Energy Bill Relief Fund and Supercharged Renewable Energy Dividend during the period. Notably, complaints about estimated bills reduced from the 2023–24 year. This may be due to the greater number of smart meters now installed in Tasmania.

There was a notable decrease in customer service complaints compared to 2023–24. This is a positive development and appears to demonstrate that energy retailers are improving internal complaint processes to reduce unnecessary escalation.

There was an increase in supply complaints for the 2024–25 financial year. This is not surprising given there was a major weather event in August/September 2024 which resulted in extended power outages across Tasmania. Some of the complaints received related to TasNetworks’ response times to reconnect, and others related to issues arising after the power was restored. There were also a number of planned outages affecting residences and business over the 2024–25 year to facilitate upgrades to the distribution network.

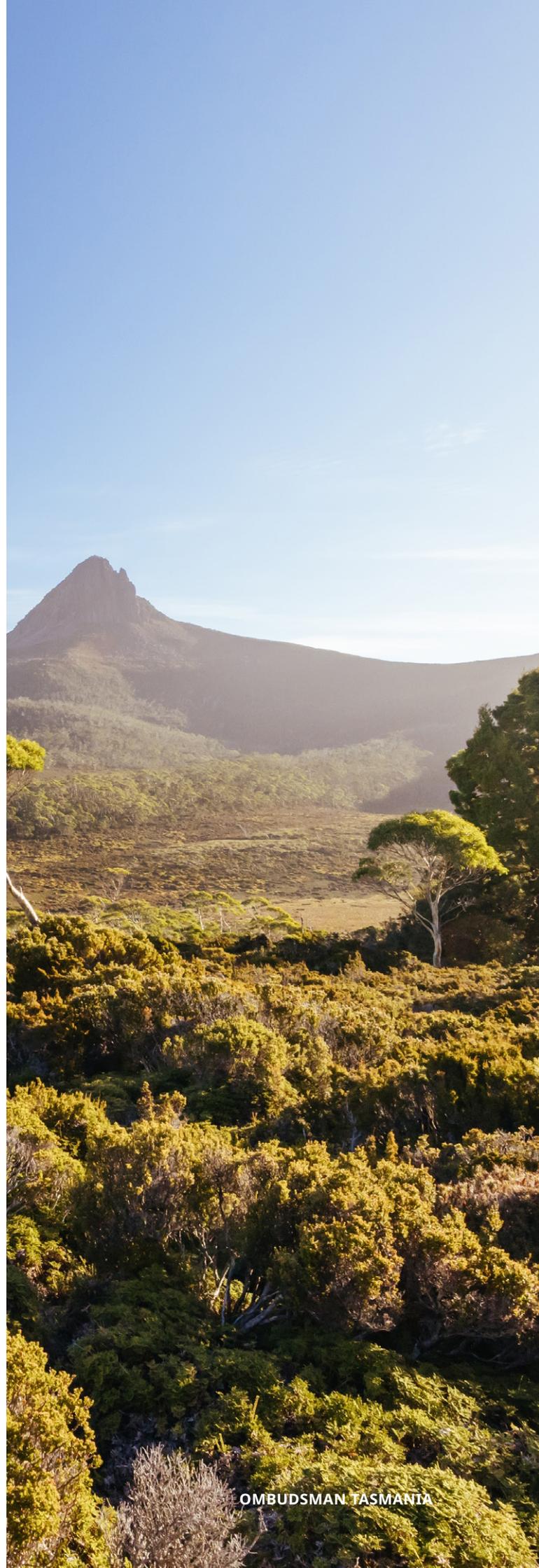
Generally, energy complaints are becoming more complex as consumers adopt new energy products and services. The Energy Ombudsman team has become proficient at reading and interpreting large amounts of meter data, and understanding how new technologies operate to isolate issues or find

reasonable explanations. However, some new energy technologies fall outside our jurisdiction, such as solar installations and electric vehicles. In these cases, the team will provide guidance to a complainant on appropriate referral pathways.

Throughout the year, my Principal Officer reported to the Office of the Tasmanian Economic Regulator's Customer Consultative Committee quarterly and engaged with the Australian Energy Regulator regularly to discuss trends and systemic issues.

Energy statistics at a glance

- Improvements to internal record keeping processes has resulted in variance to enquiries closed in the period. However overall, enquiries remain relatively consistent.
- There was a small decrease in opened and closed complaints.
- Billing continues to be the major issue in complaints.
- There was a significant increase in complaints relating to provision and supply issues for the period.
- The majority of enquires and complaints were closed in under 6 months.



Summary of complaints and enquiries

Table 13 – Enquiries

	2022-23	2023-24	2024-25	Variance
Enquiries opened in the period	277	336	341	1%
Enquiries closed in the period	76	225	322	43%
Out of jurisdiction enquiries closed	106	159	31	-81%
Total closed	182	384	353	-8%

Table 14 – Complaints

Complaints	2022-23	2023-24	2024-25	Variance
Opened in period	154	244	202	-17%
Closed in period	178	263	235	-10%

Table 15 – Summary of issues

Issue	2022-23	2023-24	2024-25	Variance
Billing	134	266	205	-23%
Credit	10	19	20	5%
Customer Service	22	38	28	-26%
Land	10	15	20	33%
Provision	21	12	19	58%
Supply	21	10	21	110%
Total	218	360	313	-13%

Figure 5 –
Complaint Issues
2024-25

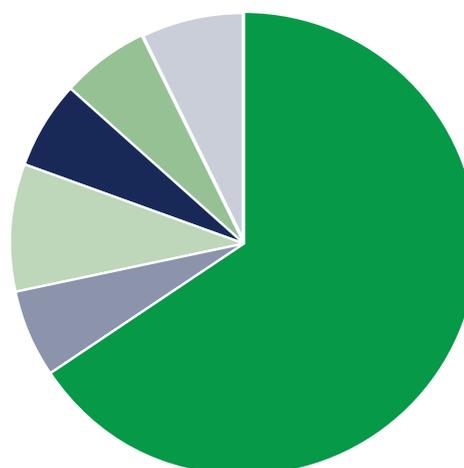
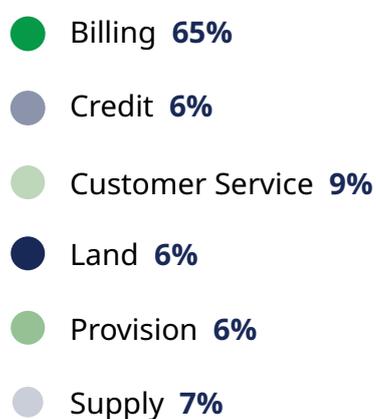
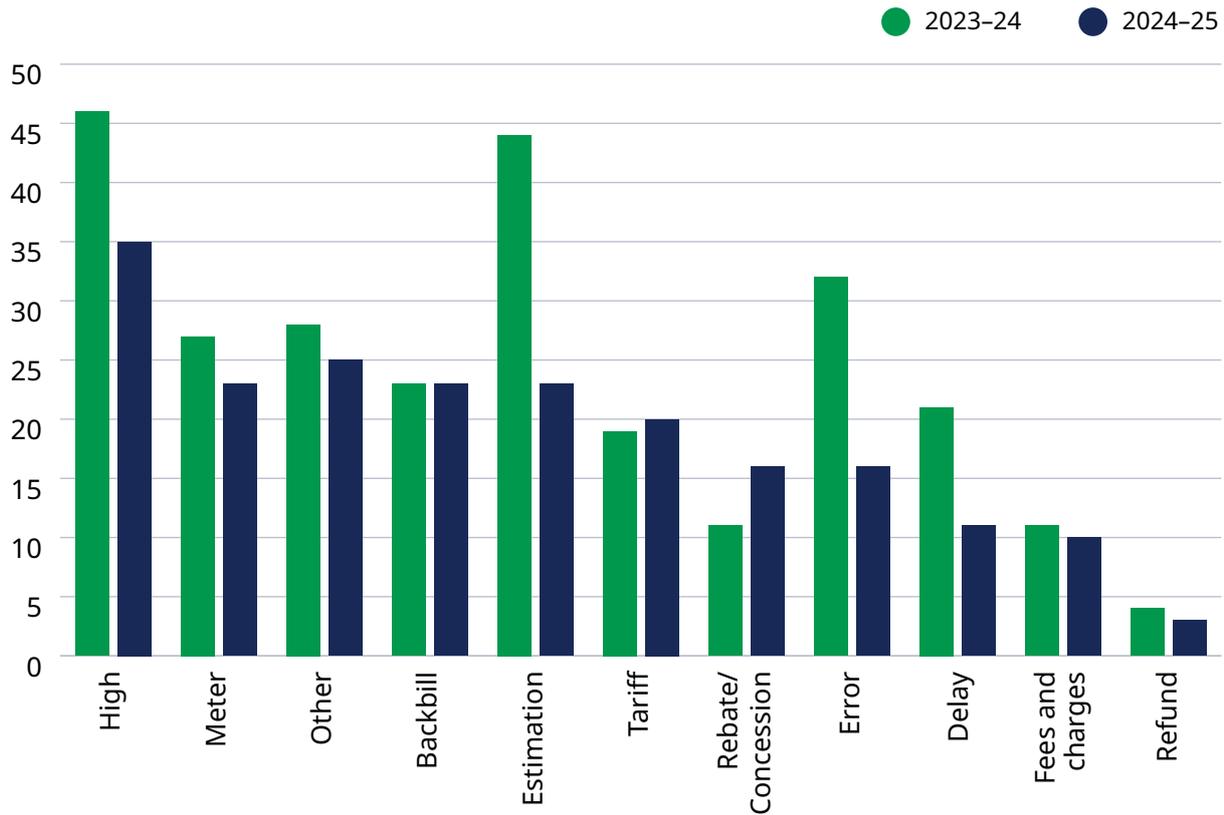


Figure 6 – Billing subcategories 2023–24 vs 2024–25



Closure reasons

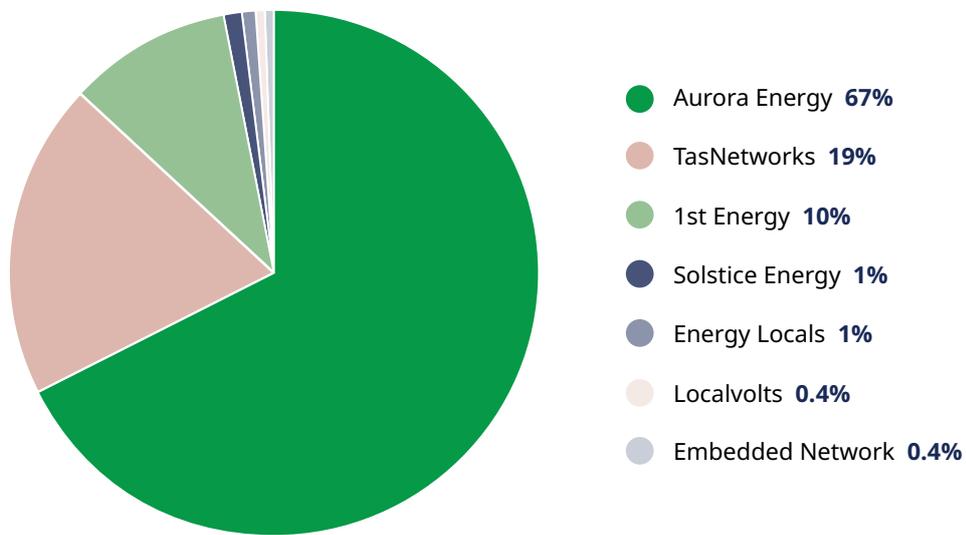
Table 16 – Complaint closure reasons

Entity	Withdrawn, referred to higher level, dismissed, out of jurisdiction	Resolved – facilitated resolution	Resolved – negotiated resolution	Total
Aurora Energy	27	70	62	159
TasNetworks	4	29	13	46
1st Energy	3	7	14	24
Solstice Energy	0	1	1	2
Energy Locals	1	0	1	2
Localvolts	0	1	0	1
Embedded Network	1	0	0	1
Grand Total	36	108	91	235

Table 17 – Time taken to resolve complaints

Timeframe	Number	%
1 week or less	287	49
8 to 30 days	83	14
1 to 6 months	185	31
More than 6 months	33	6

Figure 7 – Total complaints and enquiries



Case summaries

Aurora Energy

Eligibility for the Supercharged Renewable Energy Dividend payment – August 2024

A complaint was received from Mr P regarding his eligibility to receive the Supercharged Renewable Energy Dividend (RED) payment on his second residential account.

My Investigation Officer undertook enquiries with Aurora Energy and confirmed that the decision of only one payment per customer was outlined in the RED Grant Deed agreement between the Department of Treasury & Finance and Aurora Energy.

Mr P raised concerns that Aurora Energy's website was misleading as it referred to one payment per household. He also advised that the second account was only in his name to assist a family member who lived at the premises. Upon review, feedback was provided to Aurora Energy advising that its website information was inconsistent with the wording of the agreement, specifically households vs account holder.

An explanation was provided to Mr P that the conditions of the grant meant that the second account would be ineligible for a RED payment. My Investigation Officer suggested that Mr P consider changing the customer of his second residential account to ensure future government grant payments are passed on appropriately.

The enquiries undertaken by my Investigation Officer resulted in an update to Aurora Energy's website which improved eligibility transparency.

Hardship Program Refusal – August 2024

A complaint was received from Mr G in relation to a threat of disconnection on two of his three accounts with Aurora Energy.

It appears that Mr G had unexpectedly found himself in financial hardship and had been attempting to manage payment of his accounts with Aurora Energy through short term payment plans.

Mr G's attempts to manage payments towards his accounts were ineffective, with all accounts becoming overdue and two under review for disconnection. Mr G claimed to have asked Aurora Energy for entry onto its hardship program, known as the Your Energy Support (YES) Program, to manage the accounts but was refused.

My Investigation Officer undertook enquiries with Aurora Energy concerning Mr G's eligibility for the YES Program.

As a result of my Investigation Officer's enquiries, Aurora Energy agreed that Mr G should have been offered YES Program assistance when viewing his overall financial position. Aurora Energy also made improvements to his internal processes so that customers experiencing difficulty, outside of the standard payment plan offerings, are now being transferred to the specialist YES Program Team for assessment rather than being determined by the first point of contact. Additionally, updates and coaching have been provided to the YES Program Team to clarify eligibility of account types.

Mr G was granted entry onto the YES Program which prevented the immediate disconnection threat and resolved the complaint.

TasNetworks

Vegetation clearance – December 2024

I received a complaint from Ms J concerning vegetation management undertaken by TasNetworks contractors.

Ms J had large pine trees along the boundary of her property that need to be trimmed by TasNetworks to ensure clearance from its distribution powerlines. Ms J noted in her complaint that she felt the method used to trim the trees and the timing of the pruning had caused a significant decline in the health to several of the trees.

A previous complaint had been made by Ms J to TasNetworks about the issue in 2023. At the time, Ms J had hired an arborist who suggested that the trees should be trimmed in the cooler months to prevent further deterioration. This suggestion was accepted by TasNetworks and a note was placed on its internal systems.

Unfortunately, TasNetworks contractors were not always able to adhere to the agreement due to difficulties accessing the area in the cooler months. Consequently, Ms J escalated her concerns to me.

Enquiries were undertaken by my Investigation Officer, and it was determined that the property is classified as being in a High Bushfire Loss Consequence Area (HBLCA). I understand that there are over 80,000 spans of distribution powerlines subject to regulatory obligations within the HBLCA. Therefore, I accepted that it may not always be possible to adhere to an agreement regarding the timing of a trim.

To address whether the pruning of the trees had caused further decline, particularly during the cooler months, my Investigation Officer sought the advice from a Consultant Arborist to review the trees and provide an independent report.

Regrettably, whilst awaiting the consultant's inquiries for the report Ms J advised that two of the trees in question had fallen during a particularly windy day.

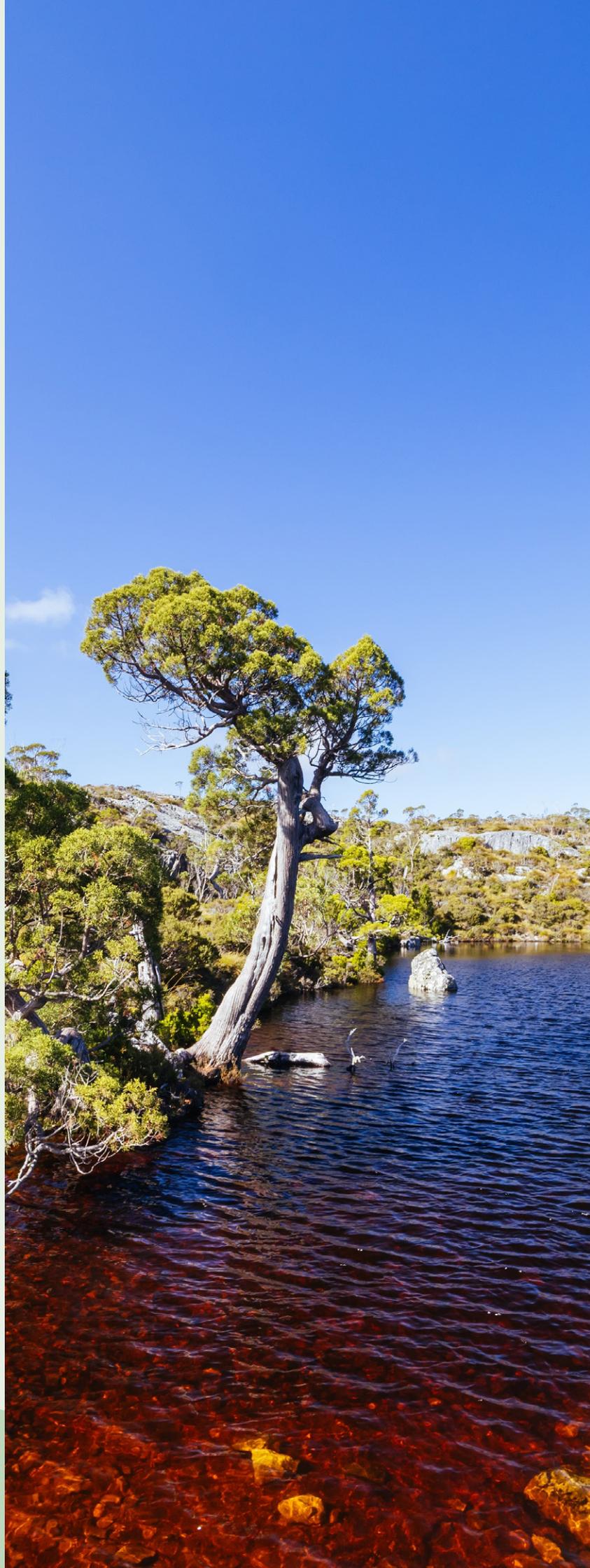
Nevertheless, my consultant attended the property and determined that pruning at any time of year would cause undesirable wounds. My consultant did not agree that pruning in the cooler months would mitigate the effects of these wounds. Ultimately, my consultant found that rot had caused the trees to decline and shallow roots had played a large factor in the tree falling.

There was no evidence to suggest the pruning techniques undertaken were incorrect or excessive. Therefore, it did not appear that TasNetworks or its contractors were liable for the decline and eventual failure of the trees.

The Ombudsman provided the decision to Ms J and the outcome was accepted.

Section 10

Official Visitor programs



Overview

The Prison Official Visitors Scheme and the Mental Health Official Visitors Scheme are administered from my office with the support of a part time manager and part time administrative officer.

Prison Official Visitors

Prison Official Visitors play a vital role in monitoring and reporting on the treatment and conditions of people in custody in the state's prisons. They also assist people in custody to raise and resolve concerns and complaints. As Ombudsman, I am also the Coordinator of the Official Visitors Scheme.

Visitors are appointed by the Minister for Justice under the *Corrections Act 1997* for a fixed term of three years. They act independently and may report to the Minister or the Director of Prisons on:

- the management or disciplining of a person in custody, or the conduct of correctional officers or State Service corrections employees, at a prison visited by the official visitor;
- any matter relating to the treatment or condition of people in custody at that prison; and
- the state of the prison.

The Prison Official Visitor pool increased to six in 2024–25 with the inclusion of two new visitors and the retirement of one of our existing visitors. These visitors undertook visits to all correctional facilities in the state, including the reception prisons in Hobart and Launceston, as well as the facilities at the Risdon Prison Complex.

Visitors come from diverse backgrounds with a range of experience, expertise, and skills. They each bring their own perspective to the role. Their combined observations provide a detailed picture of the prison environment, its management and the prevailing concerns of people in custody.

Corrective Services and correctional officers recognise and respect the role of official visitors, who regularly report a high level of cooperation from management and staff during their visits. They are allowed free access to people in custody, who can raise matters of concern with them in an informal and confidential way. If these concerns relate to matters of routine or day-to-day management, the visitors are often able to resolve them on the spot. Visitors regularly debrief with custodial managers at the conclusion of their visits and can convey to management directly what they have seen or had brought to their attention, and what needs to be addressed.

Official visitors facilitate more formal complaints to me by providing people in custody with Ombudsman complaint forms. These are also provided to people in custody by prison officers and management upon request, but many people in custody are not comfortable asking for them and often need the process to be explained. As visitors visit each facility and unit on a regular basis, they can monitor change and the way people in custody's concerns are being dealt with. S10(7) of the Act requires the Coordinator of the Official Visitors to give the Minister a report on the activities of official visitors during each calendar year.



Mental Health Official Visitors

The *Mental Health Act 2013* commenced operation on 17 February 2014.

The Act maintains the role of Mental Health Official Visitors but also established the position of Principal Official Visitor. As Ombudsman, I am also the Principal Official Visitor.

Official visitors visit approved facilities which include the secure mental health unit (the Wilfred Lopes Centre) at least once a month. In addition, official visitors may visit premises from which patients are provided with services under the Act. They also monitor the adequacy and quality of approved facilities, with regard to the recreational, occupational, training and rehabilitation facilities available to patients.

Apart from visiting patients with this sort of oversight in mind, official visitors also refer complaints and suspected contraventions of the Act or other matters that require investigation to the Principal Official Visitor.

Aside from complaints received during visits to approved facilities, the management team, who are all appointed official visitors, received 75 complaints by phone and email in 2024–25. This constitutes around 20% of the complaints received and managed by mental health official visitors in 2024–25.

Section 166 of the Act requires the Principal Official Visitor to give the Minister for Health a report on the activities of official visitors during the financial year.



Ombudsman
Tasmania

Financial Statements 2024–25

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Contracts and Consultancies Awarded

The Office of the Ombudsman and Health Complaints Commissioner ensures that Tasmanian businesses are given every opportunity to compete for Agency business. It is the Office's policy to support Tasmanian businesses whenever they offer best value for money.

Office of the Ombudsman and Health Complaints Commissioner

- Ms Taya Ketalaar-Jones: this was a continued engagement to finalise the review of the *Health Complaints Act 1995*. This included a draft issues paper outlining the problems identified in the preparation to seek legislative change – final payment \$10,125.
- KPMG: this was a continued engagement to finalise the comprehensive review of all functions of the Ombudsman and Health Complaints Commissioner. The report outlined current funding and resourcing pressures and provided effective and efficient solutions – final payment \$73,150.

Office of the Tasmanian NPM and Custodial Inspector

The Tasmanian National Preventive Mechanism and the Custodial Inspector engaged expert consultants in relation to the exercise of their respective statutory functions.

Tasmanian NPM:

- The Association for the Prevention of Torture, to assist with the office's first examination of police and court custody. Included in this engagement, Mr Ben Buckland, Senior Adviser (Oversight), travelled to Tasmania and participated in visits to custody settings around the state – \$25,283.
- Emeritus Professor Neil Morgan AM, to finalise ongoing work to develop expectations on the treatment of people deprived of their liberty in adult custodial centres – \$3,750.

Custodial Inspector:

- Designed Interventions, to assist with a review of staffing at Ashley Youth Detention Centre – \$15,000, part payment.
- Neil and Irene Morgan, to assist with three inspections – Adult and youth custodial centre education inspections and transition to adulthood inspection – \$2,200, final payment.
- Australian Human Rights Commission, to provide an accessible version of the expectations on the treatment of people deprived of their liberty in adult custodial centres – \$4,943 final payment.

Statement of Certification

The accompanying Financial Statements of the Office of the Ombudsman and Health Complaints Commissioner are in agreement with the relevant accounts and records and have been prepared in compliance with Treasurer's Instructions issued under the provision of the *Financial Management Act 2016* to present fairly the financial transactions for the year ended 30 June 2025 and the financial position as at the end of the year.

At the date of signing, we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



Megan Leary
ACTING OMBUDSMAN

15 September 2025

Statement of Comprehensive Income

for the year ended 30 June 2025

	Notes	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000
Income from continuing operations				
Revenue from Government				
Appropriation revenue – recurrent	2.1	4 912	4 591	4 631
Other Revenue from Government	2.1	260	260	232
Revenue from Energy Entities	2.2	557	947	587
Other revenue	2.3	-	-	21
Total revenue from continuing operations		5 729	5 798	5 471
Expenses from continuing operations				
Employee benefits	3.1	4 805	4 380	4 003
Depreciation and amortisation	3.2	72	80	77
Supplies and consumables	3.3	850	999	1 258
Other expenses	3.4	91	250	206
Total expenses from continuing operations		5 818	5 709	5 544
Net result from continuing operations (net operating balance)		(89)	89	(73)
Comprehensive result		(89)	89	(73)

This Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 1 of the accompanying notes.

Statement of Financial Position

as at 30 June 2025

	Notes	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000
Assets				
<i>Financial assets</i>				
Cash and deposits	7.1	-	465	142
Receivables	4.1	29	16	50
<i>Non-financial assets</i>				
Property, plant and equipment	4.2	436	346	425
Other assets	4.3	-	145	85
Total assets		465	972	702
Liabilities				
Payables	5.1	21	16	17
Employee benefits	5.2	887	1 047	866
Total liabilities		908	1 063	883
Net assets/(liabilities)		(443)	(91)	(181)
Equity				
Accumulated funds		(443)	(91)	(181)
Total equity		(443)	(91)	(181)

This Statement of Financial Position should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 1 of the accompanying notes.

Statement of Cash Flows

for the year ended 30 June 2025

	Notes	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000
Cash flows from operating activities				
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash inflows				
Appropriation receipts – recurrent		4 912	4 591	4 631
Appropriation receipts – other		260	260	232
GST receipts		-	167	106
Revenue from Energy Entities		557	949	587
Other revenue		-	1	19
Total cash inflows		5 729	5 968	5 575
Cash outflows				
Employee benefits		(4 259)	(3 672)	(3 528)
Superannuation		(529)	(539)	(479)
GST payments		-	(135)	(125)
Supplies and consumables		(850)	(1 033)	(1 298)
Other cash payments		(91)	(266)	(203)
Total cash outflows		(5 729)	5 645	(5 633)
Net cash from/(used by) operating activities	7.2	-	323	(58)
Cash flows from investing activities				
Cash outflows				
Payments for leasehold improvements		-	-	-
Net cash from/(used by) investing activities		-	-	-
Net increase/(decrease) in cash held and cash equivalents		-	323	(58)
Cash and cash equivalents at the beginning of the reporting period		-	142	199
Cash and cash equivalents at the end of the reporting period	7.1	-	465	142

This Statement of Cash Flows should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 1 of the accompanying notes.

Statement of Changes in Equity for the year ended 30 June 2025

	Accumulated surplus/ deficit \$'000	Total equity \$'000
Balance as at 1 July 2024	(181)	(181)
Total comprehensive result	89	89
Total	89	89
Balance as at 30 June 2025	(91)	(91)

	Accumulated surplus/ deficit \$'000	Total equity \$'000
Balance as at 1 July 2023	(106)	(106)
Total comprehensive result	(75)	(75)
Total	(75)	(75)
Balance as at 30 June 2024	(181)	(181)

This Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

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Note 1 Explanations of Material Variances between Budget and Actual Outcomes

Budget information refers to original estimates as disclosed in the 2024–25 Budget Papers and is not subject to audit.

Variances are considered material where the variance exceeds the greater of 10 per cent of Budget estimate and \$125,000.

1.1 Statement of Comprehensive Income

	Note	Budget \$'000	Actual \$'000	Variance \$'000	Variance %
Employee Benefits	(a)	850	999	149	18
Supplies and consumables	(b)	91	250	159	>100

Notes to Statement of Comprehensive Income variances

- (a) The variance predominantly reflects increase costs associated with information technology security upgrades, and costs associated with additional travel when monitoring Ashley Youth Detention Centre.
- (b) The variance reflects the under classification in budget and utilisation of salary saving across increase costs to the Service Level Agreement with Department of Justice, labour hire to backfill during Workers Compensation and upgrade to office branding.

1.2 Statement of Financial Position

Budget estimates for the 2024–25 Statement of Financial Position were compiled prior to the completion of the actual outcomes for 2023-24. As a result, the actual variance from the Original Budget estimate will be impacted by the difference between estimated and actual opening balances for 2024–25. The following variance analysis therefore includes major movements between the 30 June 2024 and 30 June 2025 actual balances.

	Note	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000	Budget Variance \$'000	Actual Variance \$'000
Cash and deposits	(a)	-	465	142	465	323
Other assets	(b)	-	145	85	145	60
Employee benefits	(c)	887	1 047	866	160	181

Notes to Statement of Financial Position variances

- (a) This increase in reflects revised revenue estimates, and the adjustment outcome to recoup undercharged levies in prior years.
- (b) This reflects the increase in prepayment commitments than budgeted for utilising salary savings.
- (c) Increase is the result of long-term state service employees with high leave balances, in additional to salary increases.

1.3 Statement of Cash Flows

	Note	Budget \$'000	Actual \$'000	Variance \$'000	Variance %
Revenue from Energy Entities	(a)	557	949	392	70
Employee benefits	(b)	(4 259)	(3 672)	(587)	(14)
Supplies and consumables	(c)	(850)	(1 033)	183	22
Other cash payments	(d)	(91)	(266)	175	>100
GST receipts	(e)	-	167	167	>100
GST payments	(e)	-	(135)	135	>100

Notes to Statement of Cash Flows variances

- (a) This increase in reflects revised revenue estimates, and the adjustment outcome to recoup undercharged levies in prior years.
- (b) This variance is reflective of resource vacancy and a reimbursement of workers compensation payments.
- (c) The variance predominantly reflects increase costs associated with information technology security upgrades, and the increase costs associated with additional travel when monitoring Ashley Youth Detention Centre.
- (d) The variance reflects the under classification in budget and utilisation of salary saving across increase costs to the Service Level Agreement with Department of Justice, labour hire to backfill vacancies and upgrade to office branding.
- (e) The budget did not include GST receipts or payments.

Note 2 Revenue

Income is recognised in the Statement of Comprehensive Income when an increase in future economic benefits related to an increase in an asset or a decrease of a liability has arisen that can be measured reliably.

Income is recognised in accordance with the requirements of AASB 15 *Revenue from Contracts with Customers* or AASB 1058 *Income of Not-for-Profit Entities*, dependent on whether there is a contract with a customer defined by AASB 15.

2.1 Revenue from Government

Appropriations, whether operating or capital, are recognised as revenues in the period in which the Office gains control of the appropriated funds as they do not contain enforceable and sufficiently specific obligations as defined by AASB 15. Except for any amounts identified as carried forward, control arises in the period of appropriation.

Revenue from Government includes revenue from appropriations.

Section 23 of the *Financial Management Act* allows for an unexpended appropriation at the end of the financial year, as determined by the Treasurer, to be issued and applied from the Public Account in the following financial year. The amount determined by the Treasurer must not exceed five per cent of an Agency's appropriation for the financial year.

The Budget information is based on original estimates and has not been subject to audit.

	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000
<i>Continuing operations</i>			
Revenue from Government			
Appropriation revenue – recurrent			
Current year	4 912	4 591	4 631
Total	4 912	4 591	4 631
Revenue from Government – other			
Appropriation Rollover under section 23 of the <i>Financial Management Act 2016</i>	260	260	232
Total	260	260	232
Total revenue from Government	5 172	4 851	4 863

2.2 Revenue from Energy Entities

Revenue from energy entities is recognised in the period in which the Office gains control of the funds. A membership fee is payable by each energy entity, within the meaning of the *Energy Ombudsman Act 1998*. A complaint levy is payable based on the number of complaints and enquiries received by the Ombudsman against an entity during the previous calendar year, as a proportion of the total number of complaints and enquiries received by the Ombudsman during that period.

	2025 \$'000	2024 \$'000
Energy Entities Membership and Complaint Levy Fees	947	587
Total	947	587

2.3 Other revenue

Revenue from other sources is recognised when the Office gains control of the funds and it is probable that the inflow of funds has occurred and can be reliably measured.

	2025 \$'000	2024 \$'000
Training revenue	-	21
Total	-	21

Note 3 Expenses

Expenses are recognised in the Statement of Comprehensive Income when a decrease in future economic benefits related to a decrease in asset or an increase of a liability has arisen that can be measured reliably.

3.1 Employee Benefits

Employee benefits include, where applicable, entitlements to wages and salaries, annual leave, sick leave, long service leave, superannuation and any other post-employment benefits.

(a) Employee costs

	2025 \$'000	2024 \$'000
Wages and salaries	3 751	3 454
Superannuation – defined contribution scheme	566	482
Other employee expenses	63	66
Total	4 380	4 003

Superannuation expenses relating to defined benefits schemes relate to payments into the Public Account. The amount of the payment is based on an employer contribution rate determined by the Treasurer, on the advice of the State Actuary. The current employer contribution is 12.95 per cent (2023-24: 12.95 per cent) of salary.

Superannuation expenses relating to defined contribution schemes are paid directly to the relevant superannuation funds at a rate of 11.5 per cent (2023-24: 11 per cent) of salary. In addition, the Office is also required to pay into to Public Account a “gap” payment equivalent to 3.45 per cent (2023-24: 3.45 per cent) of salary in respect of employees who are members of contribution schemes.

(b) Remuneration of Key Management Personnel

	Short-term benefits		Long-term benefits			Total \$'000
	Salary \$'000	Other Benefits	Super- annuation \$'000	Leave Benefits \$'000	Termination Benefits \$'000	
2025						
Key management personnel						
Richard Connock, Ombudsman	303	27	35	12	-	377
	303	27	35	12	-	377

2024	Short-term benefits		Long-term benefits			Total \$'000
	Salary \$'000	Other Benefits	Super-annuation \$'000	Leave Benefits \$'000	Termination Benefits \$'000	
Key management personnel						
Richard Connock, Ombudsman	289	23	32	6	-	350
	289	23	32	6	-	350

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the agency, directly or indirectly.

Remuneration during 2024–25 for key personnel is set by the *State Service Act 2000*. Remuneration and other terms of employment are specified in employment contracts. Remuneration includes salary, allowances and other non-monetary benefits. Long-term employee expenses include annual and long service leave, superannuation obligations and termination payments. Short-term benefits include motor vehicle and car parking fringe benefits in addition to any other short term benefits. Fringe benefits have been reported at the grossed up reportable fringe benefits amount. The Fringe Benefits Tax (FBT) year runs from 1 April to 31 March each year, any FBT attributable to key management personnel is reported on that basis. Long term employee expenses include long service and superannuation obligations.

It should be noted that because annual and long service leave liabilities are calculated by discounting future cashflows (detailed in Note 5.2) which may change from year to year, it is possible for key personnel to accrue negative leave benefits in any particular financial year, or they may utilise more leave than they accrue in any particular financial year.

Acting Arrangements

When members of key management personnel are unable to fulfil their duties, consideration is given to appointing other members of senior staff to their position during their period of absence. Individuals are considered members of key management personnel when acting arrangements are for more than a period of one month.

(c) Related Party Transactions

There are no related party transactions requiring disclosure.

3.2 Depreciation and Amortisation

All applicable Non-financial assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of their service potential. Depreciation is provided for on a straight line basis, using rates which are reviewed annually.

All intangible assets having a limited useful life are systematically amortised over their useful lives reflecting the pattern in which the asset's future economic benefits are expected to be consumed by the Office. Resolve, the Case Management System software, HPRM, the document and records management system, and the Office websites are amortised on a straight-line basis over 5 years.

(a) Depreciation

	Major Depreciation period	2025 \$'000	2024 \$'000
Leasehold improvements	14 years	80	77
Total		80	77

3.3 Supplies and Consumables

	2025 \$'000	2024 \$'000
Audit fees – financial audit	20	17
Motor vehicle lease expense	27	18
Rent of premises	293	263
Consultants	163	496
Property services	58	58
Maintenance	8	5
Communications	23	25
Information technology	262	247
Travel and transport	58	59
Advertising and promotion	13	8
Other supplies and consumables	74	62
Total	999	1258

Audit fees paid or payable to Audit Tasmania for the audit of the Office's financial statements were \$20,000 (\$16,800 for 2023-24).

Lease expense includes lease rentals for short-term leases, lease of low value assets and variable lease payments.

3.4 Other Expenses

Expenses from activities other than those identified above are recognised in the Statement of Comprehensive Income when a decrease in future economic benefits related to a decrease in asset or an increase of a liability has arisen that can be measured reliably.

	2025 \$'000	2024 \$'000
Salary on costs	34	30
Service Level Agreement – Department of Justice	159	86
Other expenses	57	90
Total	250	206

Note 4 Assets

Assets are recognised in the Statement of Financial Position when it is probable that the future economic benefits will flow to the Office and the asset has a cost or value that can be measured reliably.

4.1 Receivables

The Office recognises receivables at amortised cost using the effective interest method. Any subsequent changes are recognised in the net result for the year when impaired, derecognised or through the amortisation process. The Office recognises an allowance for expected credit losses for all debt financial assets not held at fair value through profit and loss. The expected credit loss is based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate.

For trade receivables, the Office applies a simplified approach in calculating expected credit losses. The Office recognises a loss allowance based on lifetime expected credit losses at each reporting date. The Office has established a provision matrix based on its historical credit loss experience for trade receivables, adjusted for forward-looking factors specific to the receivable.

	2025 \$'000	2024 \$'000
Sales of goods and services	-	2
Tax assets	16	48
Total	16	50
Settled within 12 months	16	50
Total	16	50

For ageing analysis of the financial assets past due but not impaired, refer to Note 8.1.

4.2 Property, Plant and Equipment

(i) Valuation basis

All Non-current physical assets including any work in progress, are recorded at historic cost less accumulated depreciation. All assets within a class of assets are measured on the same basis.

Cost includes expenditure that is directly attributable to the acquisition of the asset. The costs of self constructed assets includes the cost of materials and direct labour, any other costs directly attributable to bringing the asset to a working condition for its intended use, and the costs of dismantling and removing the items and restoring the site on which they are located.

When parts of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components) of property, plant and equipment.

(ii) Subsequent costs

The cost of replacing part of an item of property, plant and equipment is recognised in the carrying amount of the item if it is probable that the future economic benefits embodied within the part will flow to the Office and its costs can be measured reliably. The carrying amount of the replaced part is derecognised. The costs of day to day servicing of property, plant and equipment are recognised in profit or loss as incurred.

(iii) Asset recognition threshold

The asset capitalisation threshold adopted by the Office is:

Leasehold improvements \$10,000.

Assets valued at less than \$10,000 are charged to the Statement of Comprehensive Income in the year of purchase (other than where they form part of a group of similar items which are material in total).

(a) Carrying amount

	2025 \$'000	2024 \$'000
Leasehold Improvements		
At cost	792	792
Less: Accumulated depreciation	(446)	(367)
Total	346	425
Total property, plant and equipment	346	425

(b) Reconciliation of movements

	2025 \$'000	2024 \$'000
Carrying amount at 1 July	425	503
Additions	-	36
Net movement in Work in progress	-	(36)
Depreciation	(80)	(77)
Carrying amount at 30 June	346	425

4.3 Other Assets

Other assets comprise of prepayments. Prepayments relate to actual transactions that are recorded at cost with the asset at balance date representing the un-utilised component of the prepayment.

	2025 \$'000	2024 \$'000
Other current assets		
Prepayments	145	85
Total	145	85
Utilised within 12 months	145	85
Total other assets	145	85

Note 5 Liabilities

Liabilities are recognised in the Statement of Financial Position when it is probable that an outflow of resources embodying economic benefits will result from the settlement of a present obligation and the amount at which the settlement will take place can be measured reliably.

5.1 Payables

Payables, including goods received and services incurred but not yet invoiced, are recognised at amortised cost, which due to the short settlement period, equates to face value, when the Office becomes obliged to make future payments as a result of a purchase of assets or services.

	2025 \$'000	2024 \$'000
Accrued expenses	16	17
Total	16	17
Settled within 12 months	16	17
Total	16	17

Settlement is usually made within 30 days.

5.2 Employee Liabilities

Key estimate and judgement

Liabilities for wages and salaries and annual leave are recognised when an employee becomes entitled to receive a benefit. Those liabilities expected to be realised within 12 months are measured as the amount expected to be paid.

Other employee entitlements are measured as the present value of the benefit at 30 June, where the impact of discounting is material, and at the amount expected to be paid if discounting is not material. The Office assumes that all staff annual leave balances less than 20 days will be settled within 12 months, and therefore valued at nominal value, and balances in excess of 20 days will be settled in greater than 12 months and therefore calculated at present value.

A liability for long service leave is recognised, and is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. The Office makes a number of assumptions regarding the probability that staff who have accrued long service leave, but are ineligible to take it will remain with the Office long enough to take it. For those staff eligible to take their long service leave, the Office assumes that they will utilise it on average, evenly over the following ten years. All long service leave that will be settled within 12 months is calculated at nominal value and all long service leave that will be settled in greater than 12 months is calculated at present value.

	2025 \$'000	2025 \$'000
Accrued salaries	134	112
Annual leave	391	315
Long service leave	522	439
Total	1 047	866
Settled within 12 months	529	384
Settled in more than 12 months	518	482
Total	1 047	866

5.3 Superannuation

Defined contribution plans

A defined contribution plan is a post employment benefit plan under which an entity pays fixed contributions into a separate entity and will have no legal or constructive obligation to pay further amounts. Obligations for contributions to defined contribution plans are recognised as an expense when they fall due.

Defined benefit plans

A defined benefit plan is a post employment benefit plan other than a defined contribution plan.

The Office does not recognise a liability for the accruing superannuation benefits of Office employees. This liability is held centrally and is recognised within the Finance General Division of the Department of Treasury and Finance.

Note 6 Commitments and Contingencies

6.1 Schedule of Commitments

Commitments represent those contractual arrangements entered by the Office that are not reflected in the Statement of Financial Position.

	2025 \$'000	2024 \$'000
By type		
<i>Lease Commitments held with Finance-General</i>		
Office accommodation	1 645	771
Motor vehicle fleet	32	32
<i>Total commitments held with Finance-General</i>	1 677	803
<i>Other commitments</i>		
Short-term and/or low-value leases	88	121
Other Commitments	11	74
<i>Total other commitments</i>	99	195
<i>Total commitments</i>	1 776	998
By maturity		
<i>Operating lease commitments</i>		
One year or less	393	348
From one to five years	1 335	577
More than five years	37	-
<i>Total operating lease commitments</i>	1 765	925
<i>Other commitments</i>		
One year or less	11	73
From one to five years	-	-
More than five years	-	-
<i>Total other commitments</i>	11	73
Total	1 776	998

The Operating Lease commitments include buildings, motor vehicles and information technology equipment leases. All amounts shown are inclusive of GST where applicable. The building lease agreement was signed by the Department of Treasury and Finance (Treasury) and payment arrangements for the Office to reimburse Treasury have been put in place.

The Office has entered into a number of operating lease agreements for property, plant and equipment, where the lessors effectively retain all the risks and benefits incidental to ownership of the items leased. Equal instalments of lease payments are charged to the Statement of Comprehensive Income over the lease term, as this is representative of the pattern of benefits to be derived from the leased property.

6.2 Contingent Assets and Liabilities

Contingent assets and liabilities are not recognised in the Statement of Financial Position due to uncertainty regarding any possible amount or timing of any possible underlying claim or obligation.

(a) Quantifiable contingencies

A quantifiable contingent asset is a possible asset that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity.

A quantifiable contingent liability is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or a present obligation that arises from past events but is not recognised because it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation.

At 30 June 2025 the Office had no contingent assets or liabilities.

Note 7 Cash Flow Reconciliation

Cash means notes, coins, any deposits held at call with a bank or financial institution, as well as funds held in the Specific Purpose Account, being short term of three months or less and highly liquid. Deposits are recognised at amortised cost, being their face value.

7.1 Cash and Deposits

Cash and deposits include the balance of the Specific Purpose Accounts held by the Office and other cash held, excluding those accounts which are administered or held in a trustee capacity or agency arrangement.

	2025 \$'000	2024 \$'000
Specific Purpose Account balance		
S528 Office of the Ombudsman Operating Account	465	142
Total cash and deposits	465	142

7.2 Reconciliation of Net Result to Net Cash from Operating Activities

	2025 \$'000	2024 \$'000
Net result	89	(75)
Depreciation and Amortisation	80	77
Decrease (increase) in Receivables	34	(21)
Decrease (increase) in Prepayments	(60)	(48)
Increase (decrease) in Employee entitlements	181	13
Increase (decrease) in Payables	(1)	(4)
Net cash from (used by) operating activities	323	(58)

Note 8 Financial Instruments

8.1 Risk Exposures

(a) Risk management policies

The Office has exposure to the following risks from its use of financial instruments:

- credit risk; and
- liquidity risk.

The Head of Agency has overall responsibility for the establishment and oversight of the Office's risk management framework. Risk management policies are established to identify and analyse risks faced by the Office, to set appropriate risk limits and controls, and to monitor risks and adherence to limits.

(b) Credit risk exposures

Credit risk represents the loss that would be recognised if counterparties failed to perform as contracted. Exposure to credit risk is considered to be minimal.

Financial Instrument	Accounting and strategic policies (including recognition criteria and measurement basis)	Nature of underlying instrument (including significant terms and conditions affecting the amount. Timing and certainty of cash flows)
Financial Assets		
Receivables	Receivables are recognised at amortised cost, less any expected credit losses, however, due to the short settlement period, receivables are not discounted back to their present value.	It is Office policy to issue invoices with 30 day terms of trade.
Cash and deposits	Deposits are recognised at amortised cost, being their face value.	Cash means notes, coins, any deposits held at call with a bank or financial institution, as well as funds held in the Special Deposits and Trust Fund.

The Office does not have any concentration of credit risk. The Office monitors receivables on a monthly basis and follow up procedures are undertaken for all debts that are overdue. Action taken is dependent on the length of time the debt is overdue.

The carrying amount of financial assets recorded in the Financial Statements, net of any allowances for losses, represents the Offices maximum exposure to credit risk. The Office does not hold any collateral or other security over its receivables.

The Office extends 30 day credit terms for sundry receivables, and receives standard commercial credit terms for sundry creditors.

Except as detailed in the following table, the carrying amount of financial assets recorded in the Financial Statements, net of any allowances for losses, represents the Office's maximum exposure to credit risk without taking into account of any collateral or other security:

	2025 \$'000	2024 \$'000
Receivables	16	50
Total	16	50

Receivables age analysis – expected credit loss

The simplified approach to measuring expected credit losses is applied, which uses a lifetime expected loss allowance for all trade receivables.

The expected loss rates are based on historical observed loss rates adjusted for forward looking factors that will have an impact on the ability to settle the receivables. The loss allowance for trade debtors as at 30 June are as follows.

Expected credit loss analysis of receivables as at 30 June 2025	Not past due \$'000	Past due 1-30 days \$'000	Past due 31-60 days \$'000	Past due 61-90 days \$'000	Total \$'000
Expected credit loss rate (A)	-	-	-	-	-
Total gross carrying amount (B)	-	-	-	-	-
Expected credit loss (A x B)	-	-	-	-	-

Expected credit loss analysis of receivables as at 30 June 2024	Not past due \$'000	Past due 1-30 days \$'000	Past due 31-60 days \$'000	Past due 61-90 days \$'000	Total \$'000
Expected credit loss rate (A)	0%	0%	0%	0%	0%
Total gross carrying amount (B)	-	-	-	2	2
Expected credit loss (A x B)	-	-	-	-	-

(c) Liquidity risk

Liquidity risk is the risk that the Office will not be able to meet its financial obligations as they fall due. The Office's approach to managing liquidity is to ensure that it will always have sufficient liquidity to meet its liabilities when they fall due.

Financial Instrument	Accounting and strategic policies (including recognition criteria and measurement basis)	Nature of underlying instrument (including significant terms and conditions affecting the amount. Timing and certainty of cash flows)
Financial Liabilities		
Payables	Payables are recognised at amortised cost, which due to the short settlement period, equates to face value, when the Office becomes obliged to make future payments as a result of a purchase of assets or services.	Payables, including goods received and services incurred but not yet invoiced arise when the Office becomes obliged to make future payments as a result of a purchase of assets or services. The Office's terms of trade are 30 days.

Monitoring of revenue and expenditure forecasts and current cash balances is undertaken by the Office on a monthly basis.

The following tables detail the undiscounted cash flows payable by the Office by remaining contractual maturity for its financial liabilities. It should be noted that as these are undiscounted, totals may not reconcile to the carrying amounts presented in the Statement of Financial Position:

2025	1 Year \$'000	Undiscounted Total \$'000	Carrying Amount \$'000
Maturity analysis for financial liabilities			
Financial liabilities			
Payables	16	16	16
Total	16	16	16

2024	1 Year \$'000	Undiscounted Total \$'000	Carrying Amount \$'000
Maturity analysis for financial liabilities			
Financial liabilities			
Payables	17	17	17
Total	17	17	17

8.2 Categories of Financial Assets and Liabilities

	2025 \$'000	2024 \$'000
Financial assets		
Cash and cash equivalents	465	142
Receivables at Amortised cost	16	50
Total	481	192
Financial Liabilities		
Financial liabilities measured at amortised cost	16	17
Total	16	17

8.3 Comparison between Carrying Amount and Net Fair Values of Financial Assets and Liabilities

	Carrying Amount 2025 \$'000	Net Fair Value 2025 \$'000	Carrying Amount 2024 \$'000	Net Fair Value 2024 \$'000
Financial assets				
Cash in Specific Purpose Accounts	465	465	142	142
Receivables	16	16	50	50
Total financial assets	481	481	192	192
Financial liabilities				
Trade creditors	16	16	17	17
Total financial liabilities	16	16	17	17

The Office does not have any financial assets or financial liabilities carried at fair value through the profit and loss or any available for sale financial assets.

Note 9 Output Group Information

The Office of the Ombudsman and Health Complaints Commissioner is a single Output which is the fulfilment of the statutory responsibilities of the Ombudsman and Health Complaints Commissioner. The summary budgeted and actual revenues and expenses for this Output are the same as in the Statement of Comprehensive Income and the net assets are the same as the Statement of Financial Position. As a result the inclusion of a separate Output Schedule is not necessary.

Note 10 Events Occurring After Balance Date

There have been no events subsequent to balance date which would have a material effect on the Office's Financial Statements as at 30 June 2025.

Note 11 Significant Accounting Policies

11.1 Objectives and Funding

The Office of the Ombudsman and Health Complaints Commissioner (the Office) operates under the *Ombudsman Act 1978* and is responsible for the enquiry and investigation into complaints regarding the administrative actions of Tasmanian government agencies, local councils and a broad range of other public authorities. The Ombudsman also has a number of other responsibilities including being the Health Complaints Commissioner under the *Health Complaints Act 1995*, the Energy Ombudsman under the *Energy Ombudsman Act 1998*, the Coordinator of the Official Visitors Scheme under the *Corrections Act 1997*, the Principal Official Visitor under the *Mental Health Act 2013* and implementing the *Right to Information Act 2009*, the *Personal Information Protection Act 2004* and the *Public Interest Disclosures Act 2002*. The Office therefore also investigates complaints under these Acts.

By providing impartial investigations and seeking to resolve individual grievances, the Office aims to:

- promote fairness and equity;
- improve the quality of public administration; and
- improve health and energy services provided to the Tasmanian community.

The Custodial Inspector is appointed by the Governor of Tasmania under the *Custodial Inspector Act 2016*. The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. The focus of the Inspector is on systemic issues relating to the management, control and security of the State's prisons and youth detention centre and the care and welfare of people in custody.

The Office activities are classified as controlled as they involve the use of assets, liabilities, revenues and expenses controlled or incurred by the Office in its own right.

The Office is predominantly funded through Parliamentary appropriations. The financial report encompasses all funds through which the Office controls resources to carry on its functions.

11.2 Basis of Accounting

The Financial Statements are a general purpose financial report and have been prepared in accordance with:

- Australian Accounting Standards (AAS) issued by the Australian Accounting Standards Board (AASB) and Interpretations; and
- The Treasurer's Instructions issued under the provisions of the *Financial Management Act 2016*.

The Financial Statements were signed by the Head of Agency on 15 September 2025.

Compliance with the AAS may not result in compliance with International Financial Reporting Standards (IFRS), as the AAS include requirements and options available to not-for-profit organisations that are inconsistent with IFRS. The Office is considered to be not-for-profit and has adopted some accounting policies under the AAS that do not comply with IFRS.

The Financial Statements have been prepared on an accrual basis and, except where stated, are in accordance with the historical cost convention. Material accounting policy information is consistent with the previous year.

The Financial Statements have been prepared as a going concern. The continued existence of the Office in its present form, undertaking its current activities, is dependent on Government policy and on continuing appropriations by Parliament for the Office's administration and activities.

11.3 Reporting Entity

The Financial Statements include all the controlled activities of the Office. The Financial Statements consolidate material transactions and balances of the Office.

11.4 Functional and Presentation Currency

These Financial Statements are presented in Australian dollars, which is the Office's functional currency.

11.5 Changes in Accounting Policies

(a) Impact of new and revised Australian Accounting Standards and Interpretations

There were no new or revised Standards and Interpretations issued by the Australian Accounting Standards Board that have a material impact on the reporting of the Office's operations for the current annual reporting period.

(b) Impact of new and revised Australian Accounting Standards and Interpretations yet to be applied

The Office has considered the new accounting standards and assessed that they will not have a material impact on the financial statements once adopted in future reporting periods.

11.6 Foreign Currency

Transactions denominated in a foreign currency are converted at the exchange rate at the date of the transaction. Foreign currency receivables and payables are translated at the exchange rates current as at balance date.

11.7 Comparative Figures

Comparative figures have been adjusted to reflect any changes in accounting policy or the adoption of new standards. Details of the impact of changes in accounting policy on comparative figures are at Note 11.5.

Where amounts have been reclassified within the Financial Statements, the comparative statements have been restated.

11.8 Rounding

All amounts in the Financial Statements have been rounded to the nearest thousand dollars, unless otherwise stated. Where the result of expressing amounts to the nearest thousand dollars would result in an amount of zero, the financial statement will contain a note expressing the amount to the nearest whole dollar.

11.9 Office Taxation

The Office is exempt from all forms of taxation except Fringe Benefits Tax, and is not registered for the Goods and Services Tax. All taxation issues are managed by the Department of Justice on the Office's behalf.

11.10 Goods and Services Tax

Revenue, expenses and assets are recognised net of the amount of Goods and Services Tax, except where the GST incurred is not recoverable from the Australian Taxation Office. Receivables and payables are stated inclusive of GST. The net amount recoverable, or payable, to the ATO is recognised as an asset or liability within the Statement of Financial Position.

In the Statement of Cash Flows, the GST component of cash flows arising from operating, investing or financing activities which is recoverable from, or payable to, the Australian Taxation Office is, in accordance with the Australian Accounting Standards, classified as operating cash flows.



Ombudsman
Tasmania

Independent Auditor's Report



Independent Auditor's Report

To the Members of Parliament

Office of the Ombudsman and the Health Complaints Commissioner

Report on the Audit of the Financial Statements

Opinion

I have audited the financial statements of Office of the Ombudsman and the Health Complaints Commissioner (the Office), which comprises the statement of financial position as at 30 June 2025 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies and the statement of certification signed by the Ombudsman.

In my opinion, the accompanying financial statements:

- (a) present fairly, in all material respects, the Office's financial position as at 30 June 2025 and its financial performance and its cash flows for the year then ended
- (b) are in accordance with the *Financial Management Act 2016* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Office in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial statements in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

My audit is not designed to provide assurance on the accuracy and appropriateness of the budget information in the Office's financial statements.

Responsibilities of the Ombudsman for the Financial Statements

The Ombudsman is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and the financial reporting requirements of Section 42 (1) of the *Financial Management Act 2016*. This responsibility includes such internal control as determined necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Ombudsman is responsible for assessing the Office's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Office's operations to be ceased as a result of an administrative or the Ombudsman intends to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Office's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Ombudsman.
- Conclude on the appropriateness of the Ombudsman's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Office's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit evidence obtained up to

the date of my auditor's report. However, future events or conditions may cause the Office to cease to continue as a going concern.

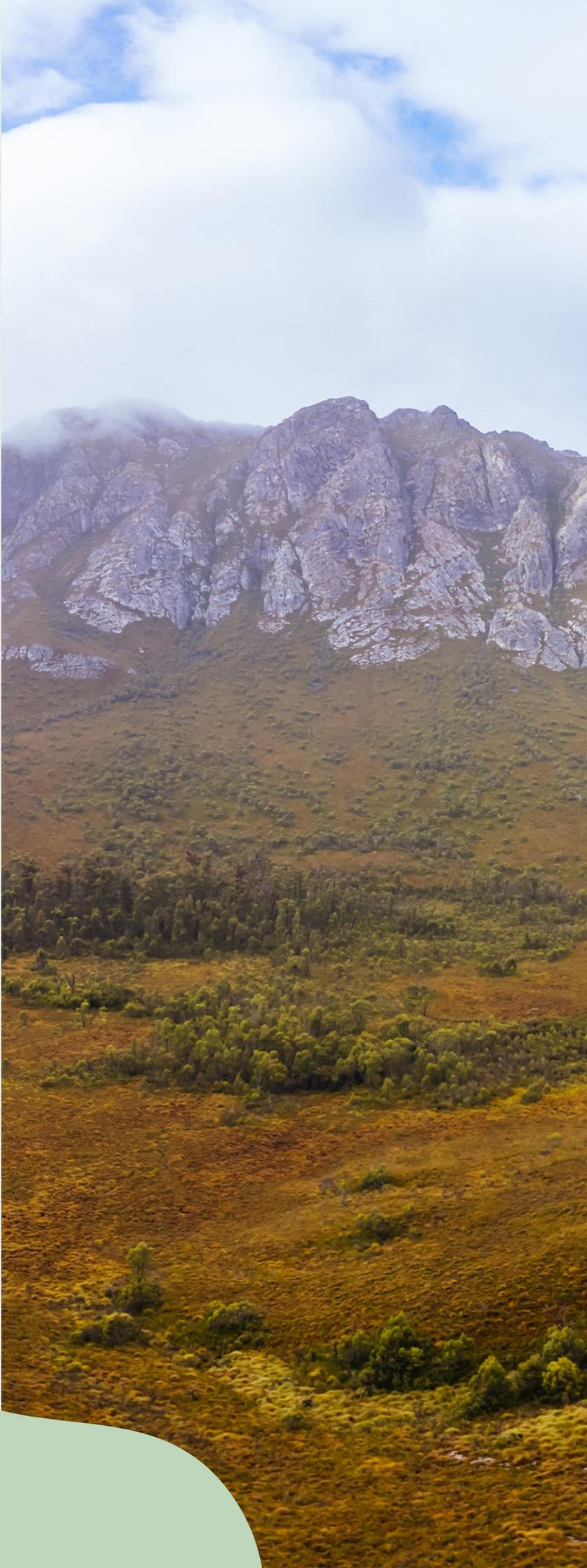
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Ombudsman regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



Stephen Morrison
Assistant Auditor-General
Delegate of the Auditor-General

15 September 2025
Hobart





Ombudsman
Tasmania

