

23/1/98

Government Response to the report of the Joint Standing  
Committee on Foreign Affairs, Defence and Trade:

The Human Rights and Equal Opportunity Commissioner and the  
Commonwealth Ombudsman: Report on Public Seminars 20 and 25  
September 1996

COMMITTEE RECOMMENDATION	GOVERNMENT RESPONSE
1. The Australian Government introduce legislation to incorporate the <i>Convention on the Rights of the Child</i> into domestic law.	The Joint Standing Committee on Treaties is presently inquiring into the implementation and monitoring of the Convention on the Rights of the Child in Australia. The first of its terms of reference is "the domestic ramifications of having ratified the Convention". This inquiry has received over 450 submissions since it began in February. A report from this inquiry is expected in the near future. The Government will consider the findings of this report when it is tabled.

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COMMITTEE RECOMMENDATION	GOVERNMENT RESPONSE
<p>3. The Government expedite the necessary changes to jurisdiction outlined in the 1995-96 Report:</p> <p>(a) to ensure that the Ombudsman's Office retains maximum jurisdiction covering the changed structures of public administration;</p> <p>(b) to allow maximum parliamentary control and scrutiny over the work of the Ombudsman's Office; and</p> <p>(c) to ensure that the funding to the office reflects the demand of Australian citizens for the Ombudsman's services.</p>	<p>(a) A Senate Committee Inquiry has considered the accountability arrangements for contracted-out Government services and tabled its report on 14 May 1998. The Government and the Commonwealth Ombudsman contributed to the inquiry. The Government is considering the Committee's report and recommendations.</p> <p>(b) The Government has no current plans for changing the budgeting or other accountability arrangements for the Ombudsman's Office.</p> <p>(c) The Government will keep the funding needs of the Ombudsman's Office under review to ensure that they reflect the demand for the Ombudsman's services and deliver the improvements in efficiency required from all areas of the Australian Public Service.</p>
<p>4. A parliamentary review of the Office of the Commonwealth Ombudsman be conducted in order to examine the resources of the Ombudsman's Office, mechanisms for ensuring its independence from any specific portfolio, and the desirability of giving the Ombudsman the status of an independent officer of the Parliament.</p>	<p>The Government notes this recommendation.</p>
<p>5. The Australian Government fund an indigenous person's position within the Office of the Ombudsman to give special focus to the needs of indigenous Australians.</p>	<p>It is for the Ombudsman to determine whether the creation of an indigenous person's position within her Office is necessary and would meet the particular concerns of indigenous people.</p>