

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**BUDGET ESTIMATES 2011-2012**

Prime Minister and Cabinet Portfolio

**Department/Agency:** Office of the Commonwealth Ombudsman  
**Outcome/Program:** Office of the Commonwealth Ombudsman  
**Topic:** AFP IDG complaints – number since July 2010

**Senator:** Senator Rhiannon

**Question reference number:** 76

**Type of question:** Written

**Date set by the committee for the return of answer:** 6 July 2012

**Number of pages:** 2

**Question:**

1. Is it true that the Ombudsman's office has sought information on only one complaint against a member of the International Deployment Group since July 2010?
2. Tell me the details of the complaint.
3. If there was only one complaint, why, considering there are other reports of more complaints?

**Answer:**

In the 2010-11 financial year, the Ombudsman's office investigated one complaint about the IDG and received 8 other complaints (which were finalised the following year). The case which we investigated that year was from a Federal Agent who was the subject of an established finding for a Category 2 minor misconduct matter. He sought a review of this finding (from PRS) in October 2009. In February 2010 he complained to us about the timeliness of the AFP's review. We investigated and found that the delay in PRS finalising the review investigation was excessive.

In the first half of the following year, we received another 2 complaints, investigated one and finalised without investigation the other and the remaining eight from the previous year.

The IDG complaints which we received but did not investigate included the following:

- employment related complaints
- approaches where we referred the complainant to the AFPs PRS in the first instance as we considered PRS could deal with the matter more appropriately than our office
- an FOI complaint was transferred to the Office of the Information Commissioner
- a copy of an allegation of corruption in PNG that had also been provided to the Australian Commission for Law Enforcement Integrity (ACLEI)

- an allegation of corruption that was referred to ACLEI.

In our *Annual Report 2010-2011*, we reported that we finalised 19 approaches and complaints about *International Operations* (which is a wider category than IDG alone). This figure includes one IDG complaint (as noted above) and 18 complaints about other AFP's international operations. The majority of these complaints were related to Indonesian fishermen who had been detained in Immigration Detention and that the AFP had confiscated some of their property (including cash) under section 3E of the *Crimes Act 1914* to be exhibited in court in relation to people smuggling operations.