



nsw commission for  
children & young people

107/757

S12

27/8/07

Ms Angela D'Amore MP  
Chair  
Committee on the Office of the Ombudsman  
and Police Integrity Commission  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Ms D'Amore

I am writing regarding the review of the policy objectives of the *Community Services (Complaints, Reviews and Monitoring) Act 1993* ("the Act").

The Act confers on the Ombudsman important monitoring and complaints resolution powers and functions for community services in NSW, particularly for vulnerable children, young people and people with a disability.

The objects of the Act are essentially unchanged since the passage of the Act in 1993. They reflect the Act at that time, with a its focus on complaints mechanisms and a brief mention of independent monitoring. These objects remain valid for these functions, but they do not reflect the functions incorporated in the Act by the *Community Services Legislation Amendment Act 2002*.

For example, section 11 of the Act gives the Ombudsman functions in standard setting, community education, inquiry and advocacy to improve service delivery in community services. These important functions are not limited to complaints or monitoring and so are outside the current objects of the Act.

Similarly, section 36 of the Act states that, in addition to monitoring the performance of service systems, the systemic review of deaths aims to "*formulate recommendations as to policies and practices to be implemented by government and service providers for the prevention or reduction of deaths*".

I suggest that the objects of the Act be extended beyond complaints and monitoring to include preventing or reducing reviewable deaths and improving service delivery in community services.

I believe that the terms of the Act are appropriate to securing both the existing policy objectives and the additional objectives I have suggested above.

If you require further information please contact Mr Stephen Robertson, Director,  
Policy on 9286 7276 or at [stephen.robertson@kids.nsw.gov.au](mailto:stephen.robertson@kids.nsw.gov.au).

Thank you for the opportunity to provide this submission to the review.

Yours sincerely

A handwritten signature in cursive script that reads "Gillian Calvert".

**Gillian Calvert**  
**Commissioner**

22 August 2007