

APPENDIX 8

Client Comments

The Attorney-General's Department encourages feedback, including complaints, as a way of both assessing and improving performance. A general complaints handling policy was developed during the year as part of the implementation of a Service Charter for the Department. Both the Service Charter and the complaints handling policy were released in late June 1998.

The complaints handling process in the Department ensures, where possible, that complaints are resolved promptly and satisfactorily and that as a result our procedures are improved. Some areas of the Department, e.g. the Australian Protective Service, have had special complaints handling arrangements in place for some time by virtue of their particular functions. Also, the Insolvency and Trustee Service, Australia has a separate complaints handling procedure which has been developed to meet special requirements of the Bankruptcy Act.

Agencies are now required to report annually to the Department of Industry, Science and Tourism on their performance against service charters as well as on complaints received and how these have been addressed. Within the Attorney-General's Department it has been found that most concerns are resolved when first raised by clients. However, a pro-forma complaints register has now been developed to assist departmental areas to record substantive complaints which need further attention to fully resolve.

During 1997-98 some departmental areas received explicit positive comments in relation to their activities. For example, the Information and Security Law Division has cited the following:

- the Parliamentary Library's digest of bills introduced into the Parliament commended the Explanatory Memorandum on the Copyright Amendment Bill 1997 as 'exceptional in terms of its clarity and the care in which it explains difficult concepts';
- the discussion paper *Copyright Reform and the Digital Agenda* was commended by stakeholders in the subject matter for its clear exposition of the subject;
- the publication of the inaugural edition of *The A-G E-News on Copyright* was commended by recipients as a valuable new source of information on copyright review and reform activities.

Within the **Insolvency and Trustee Service, Australia**, (ITSA) the Inspector-General in Bankruptcy is responsible for regulating activities in relation to the administration of estates by registered (private) trustees as well as the Official Trustee. During the year he receives directly, or through Bankruptcy Regulation Units in each capital city, complaints regarding the administration of bankrupt estates. In 1997-98, 48 complaints were made against the Official Trustee (ITSA). This total excludes some instances of multiple but unjustified complaints from persons dissatisfied with their circumstances as distinct from complaints about the administration of their bankrupt estates.

Of those complaints made against the Official Trustee, five were found to be justified. Reasons for justification of the complaints covered the following: the failure to advise the bankrupt of a secured creditor's right to deal with property; the level of fees proposed to be taken in the transfer of property to the non-bankrupt spouse; the selling of property which does not vest in the trustee; a failure to provide appropriate interview facilities in a public area of the office; and failure to administer an estate in a commercially sound way. Remedial action has included counselling of relevant staff and improvement of the wording of relevant ITSA practice guidelines.

The **Australian Protective Service** (APS) is mindful of its obligations to clients and the general public in the provision of protective security. During 1997-98 there were two complaints to the organisation — one from a former departmental client of the APS regarding service delivery issues by certain officers at a station, and another from Senator Dee Margetts who had been attending a demonstration at which APS were in attendance. The former complaint is still being investigated, but has resulted in a change in procedures generally within the APS. The latter complaint is subject to an Ombudsman's inquiry.