

ombudsman VICTORIAN

**Ombudsman's recommendations -
Third report on their implementation**

February 2014

Ombudsman Act 1973

**Ordered to be printed
Victorian government printer
Session 2010 - 14
P.P. No. 300**

Letter to the Legislative Council and the Legislative Assembly

To

The Honourable the President of the Legislative Council

and

The Honourable the Speaker of the Legislative Assembly

Pursuant to sections 25 and 25AA of the *Ombudsman Act 1973*, I present to Parliament the *third report on the implementation of my recommendations*.



G E Brouwer

OMBUDSMAN

19 February 2014

Contents	Page
Introduction	3
1. Conditions at the Melbourne Youth Justice Precinct	5
2. The failure of agencies to manage registered sex offenders	7
3. The probity of the Hotel Windsor redevelopment	9
4. Victoria Police crime statistics	11
5. The Foodbowl Modernisation Project and related matters	12
6. The storage and management of ward records by the of Human Services	14
7. Improper conduct by CenITex officers	16
8. Rail safety in the Melbourne Underground Rail Loop	18
9. The governance and administration of the Victorian Building Commission	20

Introduction

1. This report is provided to the Parliament pursuant to section 25(2) of the *Ombudsman Act 1973* and, in so far as the report relates to recommendations made pursuant to the *Whistleblowers Protection Act 2001*, section 103 of that Act and clause 3 of Schedule 1 of the Protected Disclosure Act 2012.
2. This is the third report I have made to Parliament on the implementation of recommendations made in my investigation reports. The purpose of this report is to keep the Parliament and the general public informed of the follow up to my recommendations and the action taken on them. The *Royal Commission into Institutional Responses to Child Sexual Abuse* recently contacted my office seeking advice on how best to ensure recommendations are implemented. One of the most effective methods is through reports such as this.
3. This report is also an opportunity to highlight the significant impact my office has had over the administration and governance of the public sector in Victoria. It also illustrates that my role is to improve public administration, as well as providing redress to individuals.
4. This report details the implementation of 141 recommendations from nine investigation reports between October 2010 and December 2012. The nine reports have been selected to best represent the diverse work undertaken by my office concerning investigations that have not been extensively covered in other reports I have tabled or propose to table.
5. The recommendations were made to 14 separate government agencies as well as the Government itself and several Ministers. Excluding those made to the Government or Ministers, all but one of my recommendations were accepted and all but five have now been implemented, an implementation rate of over 96 per cent.
6. In instances where recommendations were made to the Government or Ministers my office is unable to record if the recommendation has been accepted or not as this is a matter for the Government following the tabling of my reports.
7. The impact of my recommendations can be significant. As this report details, recommendations from my reports have led to the creation of new government agencies specifically to address concerns I have identified such as an independent agency for reporting on crime statistics and the creation of the Victorian Building Authority. In other instances agencies such the Victorian Building Commission and the Northern Victoria Irrigation Renewal Project were abolished as a result of my investigations.
8. My recommendations have also had a strong impact in relation to some of the State's most vulnerable people. For example, my investigation into the management of registered sex offenders has changed the way the State manages interaction between these offenders and children helping to ensure children are not placed at risk.

9. The investigation into conditions in youth justice centres led to significant improvements in the physical conditions for those detained while giving the department the impetus to create a better culture among staff.
10. Following my investigation into the storage of ward records the Department of Human Services now has a plan to properly catalogue the records of hundreds of thousands of people who have been in the care of the State.
11. Likewise my investigation into the safety of the Melbourne Underground Rail Loop and Flinders Street Station resulted in significant improvements.
12. My recommendations also help to hold agencies to account. My investigation into CenITex revealed a culture of favouritism and improper conduct where large sums of public money were spent inappropriately. Since then there have been significant improvements in the administration of the agency and several staff members and contractors whose behaviour did not meet public sector standards have departed.
13. Finally, as has been identified in a number of reports, my investigations continue to find areas of gross waste of State finances. I will be reporting on similar issues in the future.

1. Conditions at the Melbourne Youth Justice Precinct

Respondent agency: Department of Human Services

Key issues from report

14. My 2010 report¹ followed a disclosure under the *Whistleblowers Protection Act 2001* (the WPA) that alleged staff at the Melbourne Youth Justice Centre and the Melbourne Youth Residential Centre (referred to hereafter as the precinct) had:
- incited assaults between detainees
 - assaulted detainees
 - used unnecessary force when restraining detainees
 - supplied contraband to detainees
 - stolen goods and consumables.
15. General allegations were also made about the management and conditions at the precinct.
16. My investigation identified systemic failures including:
- Dirty and unhygienic conditions across much of the precinct which had led to a high prevalence of communicable diseases such as scabies and school sores.
 - Overcrowding and a lack of adequate facilities that meant some detainees were placed on mattresses on the floor in isolation rooms having to use a bucket as a toilet.
 - Failure to ensure that all staff had Working with Children Checks as required under legislation.
17. My investigation also identified staff misconduct which included staff both inciting detainees to assault each other and assaulting other detainees. Contraband had also been introduced into the precinct by staff.
18. The systemic failure at all levels to provide a safe and clean environment for detained children were among the most serious I had encountered and in many cases breached the rights of the detainees under the *Charter of Human Rights and Responsibilities Act 2006*. For this reason my recommendations sought to encourage action that would address the immediate health and safety concerns for the detainees and improve the operation of the precinct in the future.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
27	27	27	0

¹ Victorian Ombudsman, *Whistleblowers Protection Act 2001 Investigation into conditions at the Melbourne Youth Justice Precinct*, October 2010.

Summary of progress on recommendations

19. The recommendations from my investigation have all been implemented and have had a significant impact upon the operation of the Youth Justice Precinct and the youth justice system state wide. I recently asked the Department's Director Secure Services for his view on the impact of these recommendations. He stated:

The OV [Ombudsman Victoria] report of 2010 has made a strong contribution to significant improvement in youth justice custodial services over the subsequent three year period. Critical areas of concerns identified within the report provided an initial quality improvement focus, including improving conditions at the precinct, addressing allegations of improper conduct, improving quality of care and compliance with operational and legislative provisions.

While the recommendations themselves identified specific issues for rectification, the report and the subsequent review by Neil Comrie, more broadly presented symptoms of a system requiring a sustained focus on structural and cultural change.

I believe we now have a roadmap for the future, with a greater understanding of the underlying issues which contributed to the state of the service back in 2010.

20. The response of the department and the impact this has had on youth justice services for children has been both effective and commendable.

2. The failure of agencies to manage registered sex offenders

Respondent agencies: Department of Human Services, Victoria Police, Corrections Victoria.

Key issues from report

21. This report² resulted from a disclosure under the WPA. The allegation was that Victoria Police had failed to inform the Department of Human Services (the department) that more than 300 registered sex offenders were living with or had unsupervised contact with children. The alleged failure concerned reporting responsibilities introduced with the *Sex Offenders Registration Act 2004* (the Act).
22. The Act requires that the Chief Commissioner of Police establish and maintain a database to record all persons convicted of sexual offences against children. This includes a requirement that all registered offenders report their personal details to Victoria Police annually as well as any unsupervised contact with a child. Victoria Police were then required to report such contact to the department to take any action necessary to ensure the safety of the child.
23. My investigation substantiated the allegations and identified that, between 2004 and March 2010, registered sex offenders had unsupervised contact with over 700 children without the department being made aware. This was a systemic breakdown in communication between Victoria Police and the department which had placed many children in harm's way.
24. The protection of children was further hindered by reluctance on the part of Corrections Victoria to provide reports on offenders who had been imprisoned when requested by the department. Corrections Victoria argued that the basis for not providing or delaying the provision of these reports was that permission from offenders was sought before Corrections Victoria would provide the information to the department. In my report I said that Corrections Victoria had 'opted to place the rights of registered sex offenders over the rights of vulnerable children that may be at risk of harm'.
25. I made 10 recommendations to agencies to improve timely exchange of information to protect vulnerable children and to strengthen the audit and review mechanisms in place. I further recommended that the Attorney-General consider providing a reference to the Victorian Law Reform Commission to examine the relevant legislative framework. This recommendation reflected my concern with the legislation, in particular the lack of a definition of what constituted 'unsupervised contact' between offenders and children.

² Victorian Ombudsman, *Whistleblowers Protection Act 2001 – Investigation into the failure to manage registered sex offenders*, February 2011.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
10	10	10	0

Summary of progress on recommendations

26. In response to my report the Victorian Government established a Ministerial Taskforce, chaired by the Minister for Police and Emergency Services, to ensure that my report's recommendations were 'implemented in a timely and coordinated fashion'. In a letter dated 12 November 2013 the Hon Kim Wells MP advised me that all my recommendations had been implemented.
27. As a result of this implementation information exchange protocols have been established between Victoria Police, Corrections Victoria and the department. Victoria Police has established The Sex Offender Registration Governance Committee to ensure it meets its reporting obligations under the Sex Offenders Registration Act and has allocated more staff to the sex offender registry. The Chief Commissioner of Victoria Police has also issued a standing order to require regular audits of the information received to ensure that all offenders who disclose unsupervised contact with a child are reported to the department.
28. The Commissioner of Corrections Victoria recently advised me that 'enhancements' have been made in Corrections' systems including Deputy Commissioner's Instructions to staff and 'a three-tiered approach to information exchange between' Corrections Victoria and Victoria Police.
29. Following my concerns regarding the legislation the Attorney-General asked the Victorian Law Reform Commission to 'examine the legislative arrangements in place for the registration of offenders' in line with my recommendation. The commission's resultant report was tabled in Parliament by the Attorney-General in April 2012. My office has been advised by the Minister that the commission's report will inform legal reforms currently being developed by the Government. My office looks forward to the completion of these reforms which will hopefully strengthen the existing legislative framework and aid in the protection of children.

3. The probity of the Hotel Windsor redevelopment

Respondent agencies: Department of Planning and Community Development, The City of Melbourne, The Victorian Government.

Key issues from report

30. This report³ resulted from a referral from the Legislative Council Standing Committee on Finance and Public Administration under section 16 of the *Ombudsman Act 1973* (the Act). Under this section of the Act I am required to investigate any matter referred to me by a House of Parliament or a Parliamentary Committee and then provide a report of my investigation to Parliament. In this instance I was asked by the Legislative Standing Committee on Finance and Public Administration to investigate the probity of the Hotel Windsor redevelopment.
31. The referral followed media reports that the office of the then Planning Minister, The Hon Justin Madden MP, planned to ‘run a sham public consultation process’ which would be used to justify the stopping of the hotel’s redevelopment.
32. The terms of reference for my investigation concerned the probity of the planning and approval processes for the redevelopment as well as ‘the probity of, and circumstances surrounding the development of a ‘strategy’ referred to in the ‘Minister for Planning Justin Madden Media Plan’.
33. During my investigation I identified behaviour and practices by the Ministerial staff involved that I found concerning, including perceptions of staff trying to unduly influence or direct public officers and inappropriate acceptance of gifts and hospitality. In response I made recommendations that sought to strengthen the Ministerial Staff Code of Conduct and oversight of such offices to ensure that Ministerial staff acted appropriately in their roles and when interacting with public officers. One of my recommendations sought to have the Ministerial Staff Code of Conduct reviewed to acknowledge that Ministerial staff do not have the power to direct public officers and that executive decisions are the preserve of Ministers, not their staff.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
17	11	11	6

³ Victorian Ombudsman, *Ombudsman investigation into the probity of the Hotel Windsor redevelopment*, February 2011.

Summary of progress on recommendations

34. All my recommendations made to the public agencies involved were accepted and have since been implemented. However, I am not aware of any action regarding my recommendations concerning Ministerial staff or the operation of Ministerial offices. This has the potential to add to an existing perception that the staff of Ministerial offices can have undue influence over public policy but are not held to any form of accountability.
35. In response to my report the Department of Premier and Cabinet stated:

Ministerial staff are employed by the Premier under section 98 of the *Public Administration Act* and the Department is not usually asked to advise on the internal operations of his office.

4. Victoria police crime statistics

Respondent agencies: Victoria Police, The Victorian Government.

Key issues from report

36. My investigation⁴ commenced following a disclosure under the WPA. An allegation was made that crime statistics released on 28 October 2010 had been manipulated and released for political purposes.
37. My investigation identified that the release of the statistics, shortly before the caretaker period leading up to the November 2010 state election, had been the decision of the then Chief Commissioner of Police alone. My investigation identified that the statistics had the potential to be misleading as the data that informed the figures had not been allowed time to 'settle'.
38. The key recommendation made in this report was that 'the Victorian Government create an independent body to manage, collate and disseminate crime statistics'. This recommendation sought to address two issues I had identified in my investigation. The first was errors and poor practice with Victoria Police's collection and collation of crime statistics. The second and more important effect of my recommendation was to remove any perception of political interference in the release of crime statistics by giving the authority to an independent body.
39. This was the second occasion I had cause to make this recommendation following my identification of similar issues in a report tabled in Parliament in 2009⁵. If my 2009 recommendation had been acted upon then, this subsequent investigation may not have been necessary.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
2	2	2	0

Summary of progress on recommendations

40. Since my investigation the Government has set aside \$8.4 million in the 2013-14 State Budget for the establishment of an independent agency in line with my recommendation. In a letter dated 11 November 2013 the Chief Commissioner advised me that a recruitment process had commenced for a Chief Statistician to head the agency and it is expected to be operational from 1 July 2014.

⁴ Victorian Ombudsman, *Investigation into an allegation about Victoria Police crime statistics*, June 2011.

⁵ Victorian Ombudsman, *Crime statistics and police numbers*, March 2009.

5. The Foodbowl Modernisation Project and related matters

Respondent agencies: The Department of Sustainability and Environment, Goulburn Murray Water, Department of Treasury and Finance.

Key issues from report

41. In February 2011 Mr Peter Walsh MP, Minister for Water wrote to me requesting that I consider investigating a project to modernise water irrigation infrastructure in Victoria's Goulburn-Murray Region, referred to as the Foodbowl project. The project had a budget of \$2 billion and a new statutory body, the Northern Victoria Irrigation Renewal Project (NVIRP), had been created to implement it. NVIRP's role in this project was to complement the established statutory authority responsible for the delivery of water in northern Victoria, Goulburn-Murray Water (GMW).
42. The Minister raised his concerns about both NVIRP and GMW's development and implementation of the Foodbowl project and in light of this I conducted an own motion investigation.
43. My investigation⁶ identified that poor procurement processes by NVIRP resulted in significant public money being spent without open and transparent tender processes. In one case NVIRP paid a company \$77.2 million without a public tender process. Further issues were identified in failures by NVIRP to adopt public sector values of transparency, privacy, impartiality and accountability.
44. In light of these and other concerns I made 34 recommendations to various government agencies and the Minister for Water. The most important of these recommended transferring the functions of NVIRP to GMW with NVIRP to become a unit within GMW. I also considered it timely that the Foodbowl project be the subject of a further review by the Minister and GMW to ensure that its objectives and strategy would align with the State and region's needs.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
34	34	34	0

Summary of progress on recommendations

45. Following my report I have received regular updates from the Department of Environment and Primary Industries and Goulburn-Murray Water regarding the progress in implementing my recommendations. It is pleasing to note that all 34 of my recommendations have been implemented.

⁶ Victorian Ombudsman, *Investigation into the Foodbowl Modernisation Project and related matters*, November 2011.

46. My investigation commenced at a critical time in the Foodbowl Project. Stage 1 was mid-way through and key elements were already behind schedule, and negotiations between the state and Commonwealth governments were occurring for funding of around \$1 billion for Stage 2 works. My recommendations were aimed at reviewing the project's strategic direction; objectives; and addressing implementation issues. If the project were to have continued as it was, it is unlikely that the project outcomes would have been achieved.
47. In October 2011, just prior to tabling this report the Commonwealth government gave in-principle agreement to contribute to Stage 2 project costs up to \$1 billion. This was timely given the department accepted all my recommendations which should ensure that the planned improved outcomes for irrigators and their communities would be achieved.
48. The NVIRP state owned enterprise was abolished and integrated with GMW from 1 July 2012. GMW then undertook a strategic review of the Foodbowl Project which was presented and accepted by the State Government.
49. In response to my report the Department of Environment and Primary Industries stated

We would like to note that all the recommendations made and accepted have been implemented as reported in that document. Some of the recommendations require an ongoing management approach for continuous improvement and as such will remain ongoing.

6. The storage and management of ward records by the Department of Human Services

Respondent agency: The Department of Human Services

Key issues from report

50. In 2011 my office received information that a significant number of boxes containing records relating to former wards of the state had not been formally identified or catalogued. As a result I launched an investigation⁷ into the state of records concerning wards of the state held by the Department of Human Services (the department).
51. My investigation identified that the department held approximately 80 linear kilometres worth of historical records in numerous locations. Despite having had the majority of these records for over 15 years the department had only indexed and catalogued records for 26 of the 150 plus years of records it held relating to wards and institutions. As these records represent records of hundreds of thousands of children who have been in State care it is vital that these records are appropriately stored and accounted for.
52. The issues identified in this report were of particular concern in light of several reports that had highlighted the harm caused to children held in care. Such reports identified the need for former wards to be able to access their records of care for a variety of reasons.
53. I concluded that ward records were not in a satisfactory state and the department's efforts to come to grips with its vast archive had not been successful. On this basis I made six recommendations to the department aimed at ensuring that the records held by the department were appropriately managed and those held by private institutions that had a role in ward care were returned to the department.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
6	6	3	3

Summary of progress on recommendations

54. Following my report and recommendations the department developed a three year plan, published on its website 'to meet the specific requirements of the Victorian Ombudsman's report'. The department has advised that the plan was developed in consultation with the Keeper of Public Records to ensure it met the necessary standards. The department will seek funding to implement the plan this year.

⁷ Victorian Ombudsman, *Investigation into the storage and management of ward records by the Department of Human Services*, March 2012.

55. As was noted in my report, some ward records are held by non-government agencies which could present an issue for the State attempting to ensure these records are either recovered for indexing or maintained at the institution under agreed upon protocols. The department has advised that it continues to develop a plan to address this issue and fully implement my recommendations.
56. The department's secretary advised in recent correspondence that the department had recently completed a records indexing project for more than 85,000 boxes of archived records in preparation for the *Royal Commission into Institutional Responses to Child Sexual Abuse*.

7. Improper conduct by CenITex officers

Respondent agencies: CenITex, The Department of Treasury and Finance.

Key issues from report

57. My investigation⁸ into CenITex was the result of a disclosure under the WPA made to my office in September 2011. The disclosure concerned the procurement of contractors and contract services at CenITex, which is a Victorian State Owned Enterprise. My investigation identified numerous examples of poor procurement practices as well as instances of serious improper conduct which revealed a culture of favouritism and a lack of transparency from the then CEO down.
58. My investigation identified:
- Companies and their contractors were awarded significant contracts totalling up to \$4 million without competitive processes. In one instance, a competitive process was ostensibly conducted; but, in reality it was a sham.
 - In some instances, nepotism and favouritism influenced procurement and recruitment practices. Often, the companies or contractors were chosen because they were associates or friends of other contractors already working at CenITex.
 - Some appointments were made on the basis of fabricated or false documentation.
 - Some engagements were initiated or overseen by individuals within CenITex who had a clear conflict of interest and stood to gain financially from the transactions.
59. During my investigation officers and contractors at CenITex were dismissed, resigned or their contracts were not renewed. The fact that some officers ceased working at CenITex during my investigation was taken into account in formulating my recommendations. However, I recommended that the conduct of one officer be referred to Victoria Police and that CenITex review or consider cancelling existing contracts with individuals whose conduct was identified as being of concern.
60. A number of my recommendations sought to bring procurement and training practices at CenITex in line with those expected of a Victorian Government agency.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
14	13	13	0

⁸ Victorian Ombudsman, *Investigation into allegations of improper conduct by CenITex officers - Whistleblowers Protection Act 2001*, October 2012.

Summary of progress on recommendations

61. Improvements are being made to the training given to CenITex staff and contractors about procurement, probity and conflict of interest. This includes annual training modules and regular corporate reminders. CenITex advises that it has strengthened its gifts and hospitality policy that requires documented reasons for accepting hospitality and gifts. CenITex has also engaged a 'specialised service provider' to conduct quarterly probity reviews.
62. Regarding the individuals and contractors subject to my recommendations CenITex has advised that:
 - It briefed Victoria Police in 2013 regarding the conduct of one officer.
 - All engagements with two companies referred to in my report have been terminated.
 - It is pursuing another company on the basis of concerns that company engaged in 'double-billing'.
 - Two companies will not be engaged by CenITex again other than through a competitive process in line with state purchasing principles.
63. I consider that appropriately active responses to my recommendations have been made by CenITex. One recommendation from this report was not accepted by the Department of Treasury and Finance.

8. Rail safety in the Melbourne Underground Rail Loop

Respondent agencies: The Department of Transport, Planning and Local Infrastructure, Public Transport Victoria.

Key issues from report

64. This investigation⁹ concerned the safety of the Melbourne Underground Rail Loop (MURL) and the fire protection services at Flinders Street Station. My investigation identified MURL safety infrastructure that had not been adequately renewed or maintained for 10 years. This was despite seven separate engineering reports over the previous 11 years that identified the extent of the problems faced including:
- corrosion and cracking of concrete plinths supporting rail tracks
 - poor condition of the emergency walkways
 - corroded fire services pipes and no smoke detectors
 - difficulties in isolating power in the MURL
 - significant deficiencies in the ventilation systems in exhaust mode
 - problems with driver only communication in the event of a disaster or the driver becoming incapacitated.
65. I was concerned that it was only after the commencement of my investigation that a comprehensive program of works for the MURL's emergency systems was initiated. A further issue was the lack of cooperation between various government agencies and emergency services that meant that there was a lack of coordinated responses to the infrastructure needs of the MURL and confusion about roles and responsibilities in the event of an emergency.
66. Concerns regarding Flinders Street Station's fire protection system had been raised by the insurer for the rail network, Victorian Managed Insurance Authority (VMIA) in 2006. However, my investigation identified that progress to implement the recommendations of VMIA had been slow, with the installation of automatic sprinklers in the areas of the concourse taking six years.
67. I made 15 recommendations to the transport agencies involved. The aim of these recommendations was to expedite the necessary infrastructure works for the MURL. My recommendations also sought to ensure that the Minister for Transport is better informed of the progress of infrastructure work and emergency exercises undertaken by his portfolio agencies. This reflected my concern that the current and previous Transport Ministers had not been adequately informed of the issues facing the rail system and the MURL in particular.

⁹ Victorian Ombudsman, Investigation into allegations concerning rail safety in the Melbourne Underground Rail Loop, October 2012.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
15	15	15	0

Summary of progress on recommendations

68. My office recently received a detailed brief from the Department of Transport, Planning and Local Infrastructure. This brief stated that all my recommendations had been accepted and have been implemented, either in full or in progress. My office will continue to monitor the progressive implementation of all 15 of my recommendations.

9. The governance and administration of the Victorian Building Commission

Respondent agencies: Building Commission, Building Practitioners Board, The Department of Planning and Community Development.

Key issues from report

69. My investigation into the Victorian Building Commission¹⁰ (the Commission) followed information received from several sources that raised concerns about the administration and governance of the Commission. During my investigation further concerns were identified with the administration of the Building Practitioners Board (the Board) which administers the registration system for building practitioners.
70. My investigation identified:
- Significant public funds inappropriately spent on entertainment, hospitality and sponsorship.
 - A cost blow out for the IT program 'e-toolbox' from an initial contract of \$698,000 to over \$4.65 million.
 - Recruitment issues including contractors engaged without a competitive process.
 - The Commission re-engaging a former officer as a contractor three days after he left the Commission at nearly triple the cost.
 - Cronyism particularly with regard to former police officers, several of whom were employed despite having criminal records or being under investigation for misconduct by their previous employer.
71. The concerns identified with the Board regarded the lack of rigour or proper oversight of the building practitioners registration system. This included registration as a licensed builder being given to people who had failed parts of the competency assessment; others who were registered without having to sit assessment tests; and practitioner files not having the results of assessments. Particular concern was identified with the conduct of the former Registrar of the Board who failed to declare business interests in the building industry and approved applications for people he knew.
72. I made recommendations to both the Commissioner and the Board which were all accepted. My recommendations to the Board focussed on strengthening the application and review process for registering building practitioners. By doing this the community could be better assured that people they engage to perform building work were competent. My recommendations regarding the Commission sought to ensure that recruiting practices were improved and that the use of public funds for hospitality and entertainment were appropriate.

¹⁰ Victorian Ombudsman, *Own motion investigation into the governance and administration of the Victorian Building Commission*, December 2012.

Recommendations made	Recommendations accepted	Recommendations implemented	Recommendations to be implemented
16	16	14	2

Summary of progress on recommendations

73. Since the tabling of my report there has been significant change in Victoria's building oversight system. On 1 July 2013 the Victorian Building Authority (the Building Authority) replaced the Building and Plumbing Industry Commissions. It is expected that the Building Practitioners Board will also be abolished in 2014 with its powers to also transfer to the Building Authority.
74. The Building Authority advised that it has implemented seven of the eight recommendations made to the former Commission with the last recommendation concerning the action of the former Registrar of the Board in progress. It has ceased all major sponsorships and funding to external associations. Likewise its policies on hospitality and entertainment have been aligned with the Victorian Public Service standards. It has also introduced criminal records checks as part of its recruitment process which has been strengthened.
75. Regarding recommendations made to the Board, there has been less progress on some of my recommendations. However this is because the Board will soon be abolished and is therefore unable to action some recommendations, including developing minimum standards for qualifications and experience of applicants for building practitioner registration. It is expected that the responsibility will fall to the new Building Authority to advise the Minister on minimum qualifications.

Ombudsman's Reports 2004-14

2014

Ombudsman Act 1973 Investigation into a complaint about the conduct of Authorised Officers on V/Line
February 2014

2013

Ombudsman Act 1973 Investigation into children transferred from the youth justice system to the adult prison system
December 2013

Ombudsman Act 1973 Review of the governance of public sector boards in Victoria
December 2013

Ombudsman Act 1973 Report on issues in public sector employment
November 2013

Ombudsman Act 1973 A section 25(2) report concerning the constitutional validity of aspects of Victoria's new integrity legislation
October 2013

Ombudsman Act 1973 Own motion investigation into unenforced warrants
August 2013

Whistleblowers Protection Act 2001 Investigation into allegations of improper conduct by a Magistrates' Court registrar
May 2013

2012

Own motion investigation into the governance and administration of the Victorian Building Commission
December 2012

A section 25(2) report to Parliament on the proposed integrity system and its impact on the functions of the Ombudsman
December 2012

Whistleblowers Protection Act 2001 Investigation into allegations concerning rail safety in the Melbourne Underground Rail Loop
October 2012

Whistleblowers Protection Act 2001 Investigation into allegations of improper conduct by CenITex officers
October 2012

Whistleblowers Protection Act 2001 Investigation into allegations of improper conduct involving Victoria Police
October 2012

Whistleblowers Protection Act 2001

Investigation into allegations against Mr Geoff Shaw MP
October 2012

Investigation into the temporary closure of Alfred Health adult lung transplant program
October 2012

Investigation into an alleged corrupt association
October 2012

Whistleblowers Protection Act 2001

Investigation into allegations of detrimental action involving Victoria Police
June 2012

Own motion investigation into Greyhound Racing Victoria
June 2012

The death of Mr Carl Williams at HM Barwon Prison - investigation into Corrections Victoria
April 2012

Whistleblowers Protection Act 2001 Conflict of interest, poor governance and bullying at the City of Glen Eira Council
March 2012

Investigation into the storage and management of ward records by the Department of Human Services
March 2012

2011

Investigation into the Foodbowl Modernisation Project and related matters
November 2011

Investigation into ICT-enabled projects
November 2011

Investigation into how universities deal with international students
October 2011

Investigation regarding the Department of Human Services Child Protection program (Loddon Mallee Region)
October 2011

Investigation into the Office of Police Integrity's handling of a complaint
October 2011

SafeStreets Documents - Investigations into Victoria Police's Handling of Freedom of Information request
September 2011

Investigation into prisoner access to health care
August 2011

Investigation into an allegation about Victoria Police crime statistics
June 2011

Corrupt conduct by public officers in procurement
June 2011

Investigation into record keeping failures by WorkSafe agents
May 2011

Whistleblowers Protection Act 2001
Investigation into the improper release of autopsy information by a Victorian Institute of Forensic Medicine employee
May 2011

Ombudsman investigation - Assault of a Disability Services client by Department of Human Services staff
March 2011

The Brotherhood - Risks associated with secretive organisations
March 2011

Ombudsman investigation into the probity of The Hotel Windsor redevelopment
February 2011

Whistleblowers Protection Act 2001
Investigation into the failure of agencies to manage registered sex offenders
February 2011

Whistleblowers Protection Act 2001
Investigation into allegations of improper conduct by a councillor at the Hume City Council
February 2011

2010

Investigation into the issuing of infringement notices to public transport users and related matters
December 2010

Ombudsman's recommendations second report on their implementation
October 2010

Whistleblowers Protection Act 2001
Investigation into conditions at the Melbourne Youth Justice Precinct
October 2010

Whistleblowers Protection Act 2001
Investigation into an allegation of improper conduct within RMIT's School of Engineering (TAFE) - Aerospace
July 2010

Ombudsman investigation into the probity of the Kew Residential Services and St Kilda Triangle developments
June 2010

Own motion investigation into Child Protection - out of home care
May 2010

Report of an investigation into Local Government Victoria's response to the Inspectors of Municipal Administration's report on the City of Ballarat
April 2010

Whistleblowers Protection Act 2001
Investigation into the disclosure of information by a councillor of the City of Casey
March 2010

Ombudsman's recommendations - Report on their implementation
February 2010

2009

Investigation into the handling of drug exhibits at the Victoria Police Forensic Services Centre
December 2009

Own motion investigation into the Department of Human Services - Child Protection Program
November 2009

Own motion investigation into the tendering and contracting of information and technology services within Victoria Police
November 2009

Brookland Greens Estate - Investigation into methane gas leaks
October 2009

A report of investigations into the City of Port Phillip
August 2009

An investigation into the Transport Accident Commission's and the Victorian WorkCover Authority's administrative processes for medical practitioner billing
July 2009

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