# OMBUDSMAN  THE FUTURE

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OMBUDSMAN-THE FUTURE?

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THE THREAD OF ARIADNE**

The thread of Ariadne which is woven through the papers of this seminar has been a concern with the cost effectiveness of the office of Ombudsman. This concern is not confined to the Ombudsman or to the new administrative law. Hard economic times impose upon all of us the obligation of facing squarely the economic problem as it affects the administration of justice. In many cases, judges in the ordinary courts have to face the consideration of costs and benefits. Before I came to address this seminar, I was working upon two judgments which illustrate this theme. In one of them,[1] I was considering the question of whether the court should require (or even permit) evidence to be given of comparable verdicts, in order to permit an appeal court, in a normative way, to consider whether a verdict below is excessive or inadequate. A decision of the High Court emphatically discourages such evidence[2]. It does so, in part at least, because of the clear feeling that the benefits to be derived from such comparisons would be outweighed by the costs involved in dissecting the multitude of facts that distinguish one case from another. In another case, I was considering the argument that the rules of natural justice oblige the Parole Board of New South Wales to give a hearing to a person applying for parole[3]. In the United States, issues of due process have

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been considered frankly, with costs and benefits in mind[4]. In Australia, we have tended in the courts at least, to do our sums in silence.

It is not so, and should not be so in the case of the evaluation of public officers such as the Ombudsman. Here, dollars and cents must be weighed - for they are surely weighed by our critics and by the politicians, who are under constant pressure to trim public expenditure. Economy of operation was at the heart of the adoption of the ombudsman idea in the English-speaking world. Sir Guy Powles, the first New Zealand Ombudsman indicated this in explaining why New Zealand embraced the ombudsman model.

Although there had been an office akin to that of the Ombudsman in ancient China and in ancient Rome, and although Peter the Great had appointed officials to receive the complaints of the people in Russia, the origin of the Australian office of Ombudsman is normally traced to the Swedish Ombudsman, first appointed in 1809. As was inevitable, with an office devised and developed in a country of the civil law tradition, the Swedish Ombudsman is a creature of that tradition. His enquiries are conducted in private. His work is done mainly on paper. He holds no public hearings. Cross-examination and the other trappings of the courts are not part of his formal repertoire. Whereas the English reaction to complaints about administration, imperfect as it was, was one influenced by the courts and open hearings, the Ombudsman was and remains in nature a civil law officer, operating in the inquisitorial mode.

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Australia like New Zealand, followed the English model of tribunals and judicial review as the regular remedies for complaints about administration, until Sir Guy was appointed. Though these remedies had the great advantages of the independent resolution in public of matters in dispute, and special advantages where issues of law were raised, they represented an expensive remedy. They were out of the reach of many ordinary citizens. They were intimidating for little people with a complaint against administration. They also tended to be slow and cumbersome in operation. Thus, the original drive towards the Ombudsman was a quest for cost-effectiveness in the remedies for the ordinary citizen. This implies two qualities: cost saving and effectiveness. I believe that the history of the Ombudsman office in Australia has established the wisdom of this adaptation from the civil law system. But my thesis is that concern about cost-effectiveness must remain in the forefront of the minds of those who seek to defend the new administrative law. This includes those concerned about the future of the Ombudsman in Australia.

COST CUTTING - THE CONCERN

The need for an alert can be seen in recent comments from both sides of the political spectrum. Gone are the heady days in which Mr Ellicott established the Administrative Review Council and ushered in the new administrative law. True it is that the enquiries which came to fruit in the 1970's had begun in the idealistic days of the end of the 1960's. True also that much of the early legislation was planned and laid down during

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the Whitlam government. The <u>Administrative Appeals Tribunal Act</u> 1975 was passed during the closing days of that government. But the bulk of the legislation remains an important monument of the Fraser government and much of the credit must go to the pioneering work of Mr Ellicott as Attorney-General. I was therefore glad to see his role in opening this seminar.

Mr Ellicott's endeavours had the strong support of Senator Evans as Attorney-General. I hope it retains the support of Mr Bowen and I understand that Mr Ellicott's evaluation of his role was positive and optimistic.

Now however, there are warning signs. And they must not be ignored. Senator Peter Walsh, the Minister for Finance, told the Senate on 17 April 1985 of his concern about the costs of freedom of information. He complained that it was being misused, as he asserted, by opposition politicians and former politicians. Specifically, he complained of one 'fishing expedition' by a former Liberal Member of Parliament.

> 'I do not find [FOI] embarrassing or uncomfortable. However, I think it would be irresponsible of me not to be concerned about the rapidly escalating cost. In 1983-84 the cost of FOI requests were $17.6 million. The estimate for this year is some $20 million. There has been a rapid escalation in the rate at which requests have been received in recent months. At that rate estimates as high as $35 million as the cost of supplying FOI requests in 1985-86 are in existence.

> Senator Missen might think that $35 million spent on filling FOI requests is money well-spent. In some circumstances there may be a legitimate case to be put for that. But when one delves a bit further and investigates just what sorts of FOI requests are being made, one finds for example that major users, I should say abusers, of the FOI Act are present and former Liberal Party and probably National Party... politicians.'

Although this observation is not aimed specifically at the Ombudsman, it is noteworthy that the latest annual report of the Commonwealth Ombudsman revealed the difficulty he has had in securing the staff support necessary to cope with the increased requests being made of his office as a result of the Freedom of Information Act. A request for an increase has been declined by the Prime Minister.

And resistance is also coming from the other side of politics as well. Mr Howard, the new Leader of the Opposition and of the Liberal Party (which did so much to establish the new administrative law) has been reported as saying that he plans major cuts in this area of operations. Specifically, he was reported as saying that he would consider abolishing the Administrative Appeals Tribunal. Certainly a winding back of the review mechanisms would be consistent with his laissez faire philosophy. This philosophy extends not only to the private sector but also to the public sector as well. Accordingly, we are facing a situation of intense concern about costs and the translation of that concern into cutbacks in the new administrative law.

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The costs of delivering the services of the Ombudsman have varied over the years of its operation. The variations are disclosed in the annual reports of the Ombudsman. Dividing the total actual expenditure of the office by the number of complaints, within jurisdiction, which are resolved, the direct costs of dealing with each case average:

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| 1977-78 | $273 |
| 1980-81 | $252 |
| 1981-82 | $301 |
| 1982-83 | $256 |
| 1983-84 | $326[5] |

At first glance this may seem a high cost for each complaint. Furthermore the Ombudsman candidly acknowledges that in calculating the cost no allowance is made for cases outside jurisdiction and no cost is charged for rent for most of the premises occupied by the Ombudsman. Thus the figures may not represent the actual cost of the service. But in public expenditure, it is essential to take into account the public necessity of providing the service. For example, no one would suggest that courts or police should be discontinued because they do not pay for themselves. One of the functions of the Ombudsman is to act as an efficiency audit upon the public service. In this role the Ombudsman discloses cases of poor administration that are as much in the interest of the administrator to learn as they are of the citizen to correct. Correcting errors and removing inefficiencies has a benefit for the administrator.

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Accordingly, the true costs of the Ombudsman service must make allowance for benefits and savings that are procured by heightened efficiency.

But this is not the full measure of the contribution of the Ombudsman to the efficient and cost effective supply of his services. In the case of the Commonwealth Ombudsman, one of the primary concerns has been the relationship of the Ombudsman to the other instruments of administrative review, notably the Administrative Appeals Tribunal and the Federal Court, with its novel jurisdiction under the Administrative Decisions (Judicial Review) Act 1977. The Administrative Review Council, which has done such good work over the years since its establishment in 1976, has produced a report which discusses the relationship between the Ombudsman and the Administrative Appeals Tribunal[6]. The report notes that one suggestion received was that the Ombudsman be merged with the AAT. However, this radical proposal was rejected. It was believed, rightly I think, that the two bodies complement each other. The one provides a facility for the public resolution of disputes. Tribunals are apt where the litigant desires or needs the public ventilation of a matter in contention. Tribunals may also be appropriate where there are disputed issues of fact or credit to be resolved. They may be better equipped to grapple with contested issues of law which require public ventilation and reasoned decisions. But the most important aspect of the report was the recommendation that steps should be taken both in the Ombudsman Act 1976 and the Administrative Appeals Tribunal Act 1975 to facilitate a power for one organ of the new administrative law to refer a matter to

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the other. I believe that this is a thoroughly desirable proposal. I hope it will have the early attention of the government. I realise that there is a great deal of concern about the overlap in the facilities of administrative review in the federal sphere. That concern is understandable in a time where the watchword is cost-effectiveness. It is possible that some of the proliferation of the jurisdiction of the AAT could be reduced in favour of reliance upon the office of the Ombudsman, enhanced with staff equipped to cope with added responsibilities. Certainly I would venture the suggestion that resolution of matters by the Ombudsman would be more cost effective than in the AAT, where the trappings of a tribunal, of a hearing room, travelling costs, shorthand notes and oral testimony all add to the public and private costs involved. For all that, we should keep in mind the warning by Professor Wade that some degree of overlap between the remedies available for administrative review is entirely healthy. Overlap sometimes promotes competition and tends to keep the competing organs striving for efficiency.

Both the AAT and the Ombudsman have pioneered the use of the telephone in their work. The AAT has done so in its procedures for telephone conferences and hearings. But from the outset, one of the most original contributions of Professor Jack Richardson as Commonwealth Ombudsman has been his use of the telephone to receive and process many complaints of citizens. One hundred years after Alexander Graham Bell invented the telephone, its use in the effective administration of justice is being encouraged and maximised. The figures for the six months to December 1984 indicate that about 83% of complaints were made

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orally, only about 17% being made initially in writing. According to Admin Review, there is an increasing trend towards the making of oral as opposed to written complaints. The month of October 1984 saw a peak number of new complaints and also the largest percentage of oral complaints viz 85.51%. The issue of Admin Review for July 1985 indicates that there has been a very small diminution in oral complaints in the first six months of 1985. But the figure is still approximately 80%. And of course the processing of complaints by telephone is not only more cost-effective. It is quicker. And it is more available to disadvantaged groups who would never think of making the trip to a public office or writing a letter of complaint. For them, the modern way to communicate is orally - over the telephone. In these circumstances, facilities which promote the easy access of the ordinary citizen to the telephone and through the telephone and the Ombudsman to administrative review, deliver the actuality of administrative justice. A reliance on tribunals and courts may provide paper remedies which are not only expensive but slow, intimidating and effectively unavailable for many of our citizens.[7]

FUTURE METHODOLOGY

The use of the telephone indicates the way in which the Ombudsman's office should experiment with new techniques in order to deliver his service in the most cost-effective way. It is clear that the Commonwealth Ombudsman has been outstandingly successful in this regard. In eight years of operation more than one hundred thousand complaints have been received. A staff of 64 copes with twenty thousand complaints a year, scattered throughout a continental country. The annual budget of about

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$3 million, provides a service which is cheap in terms of the number and variety of matters dealt with and the high level of reversals of administrative decision secured as a result of the Ombudsman's intervention.[8] This says nothing of the ripple effect of individual decisions and the contribution that they must make to improving administration generally.

A number of matters should be considered for the future. They include:

* Chronic complainers: One of the universal problems of the Ombudsman is the chronic complainer: people who feel passionately about their own cause and are uncompromising in their reaction to a negative conclusion on the part of the Ombudsman. Such people can sometimes cause a great deal of disproportionate disruption to the work of the Ombudsman and his staff. Recent examples include cases which follow decisions of the Federal Court of Australia in relation to the application of the Freedom of Information Act to the Ombudsman[9]. The opportunities for disruption and diversion are substantial. The courts have dealt with this problem by procedures which, in exceptional cases, permit specified persons to be named as vexatious litigants. This procedure ensures that such persons cannot start fresh litigation without leave of the court. Of course, the Ombudsman can already decline to investigate matters. But vexatious complainants can cause a great deal of time loss. The issue was

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discussed at a recent meeting of Ombudsmen in Helsinki. It is a universal phenomenon. It should have attention in this country. But just as great care is exercised by the courts in declaring persons to be vexatious litigants, similar caution would be needed in respect of vexatious complainants. The history of our liberties has been replete with people, denounced as vexatious by officialdom, who were courageous in their assertion of their rights. Distinguishing the courageous from the vexatious is possible and the protection of the rights of the many from the depredations of the few is a legitimate concern that requires attention.

* <u>Available sanctions</u>: Until now, the typical remedy of the Ombudsman has been recommendation and report. In the case of the Commonwealth Ombudsman there is the added facility of report to the Prime Minister and, ultimately, to the Parliament. The Commonwealth Ombudsman has only had to approach the Prime Minister on six occasions. On each occasion he has had the support of successive Prime Ministers. The fact that this extreme facility has had to be used so rarely, indicates the persuasive power of the Ombudsman's recommendation. But there is a risk. There would be a great concern if sanctions of this kind were not universally or almost universally successful in operation. This might itself inhibit the Ombudsman in calling upon the Prime Minister. Having regard to the

100,000 complaints and approaches dealt with since the establishment of the office of the Commonwealth Ombudsman, this is a remarkable achievement. It shows the high success of the system of recommendation and persuasion.

That system has the added advantage of promoting candour and the exchange of information between officers of the administration and the Ombudsman. One of the concerns expressed about the use of the Ombudsman as an advocate or general counsel under the Freedom of Information Act has been that this could introduce an adversary quality into the relationship between the Ombudsman and the administration.

But whilst the value of the current procedures must be acknowledged, the Ombudsman should remain open-minded about the enhancement of the powers of the office, in particular cases. In respect of complaints against the police, it is not now unusual for the Ombudsman to have enhanced powers. Certainly, the Commonwealth Ombudsman does. The growing number of complaints against Federal Police which are handled by the Commonwealth Ombudsman (326 in the latest Annual Report) indicates the effectiveness of this branch of the Ombudsman's operations.

The Commissioner for Complaints Act (Northern Ireland) 1969 (U.K.) permits a person aggrieved, on a finding by

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the Commissioner of injustice caused by maladministration, to apply to the County Court for damages or a mandatory or other injunction if the authority has not complied with the Commissioner's report. Though little use has apparently been made of this practice, the presence of such a facility acts powerfully upon the will of local authorities and has strengthened the hand of the Commissioner in securing compliance of local authorities with reports which are adverse to them. This is not the place to consider the applicability of such a regime in the limited areas of the Ombudsman's jurisdiction in Australia. However, it should not be thought that the model which has been adapted from Scandanavia is the last word. The development of a home-grown institution, flexible and suited to deal with the multitude of differing problems thrown up by complaints against administration, require open-mindedness on the part of the Ombudsman and of those who review his legislation.[10]

*Parliamentary Committee: Another issue is whether a permanent parliamentary committee should be established to deal with the Ombudsman's reports. Such a facility might promote greater Parliamentary interest in the work of the Ombudsman. It might also encourage attention by the legislators to the aggregate problems of which complaints are frequently but examples. In part, a facility of a parliamentary committee could be a healthy education for legislators. It could also be

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a fund of ideas for improvements in administration and law reform. Democrats should be working towards the improvement of the Parliament. It is no coincidence that in some parts of Australia and in England, the Ombudsman is designated the Parliamentary Commissioner. It is important that he should not be seen as simply another arm of the bureaucracy. His function is a special one and I like to think of it as one which enjoys a special confidence of and relationship with the Parliament. This notion would be encouraged by the establishment of a parliamentary committee.

* <u>Symbiotic relationships</u>: One of the difficulties of any Ombudsman is the avoidance of too close a relationship with the bureaucracy subject to his investigation. This will have macro and micro implications. At the macro level, it will be necessary to look to institutional arrangements such as that which I have just mentioned. By establishment of a parliamentary committee and close relationship with the legislators, it may be possible to encourage, within the Ombudsman's office, the notion of independence from the bureaucracy and a measure of distance from those who are under scrutiny. There is a real danger, that arises from the 'brotherhood phenomenon' well identified in research on disciplined services such as the police and the army, but equally applicable in a tight-knit administration. Particularly is this phenomenon of relevance in the Australian context where

a special city has been created in which the administrators congregate. At a micro level, it will be important for the Ombudsman to ensure the constant turnover of staff. This will not only provide opportunities for 'high-flyers' and 'trouble-shooters' who are rising on the ladder of federal administration to play a part in the institution that sees the mistakes and breakdowns. It will also help to avoid the loss of idealism and critical perception that inevitably comes of too long an association in a job of this kind.

## TASKS FOR THE FUTURE

In addition to these considerations, relevant to the methodology of the Ombudsman in the future, I would suggest a number of areas which deserve enhanced attention in the years ahead:

* The disadvantaged: It will be important for the Ombudsman to reach out to disadvantaged groups in the community. These are people who are likely to be on the receiving end of bad administration. The Commonwealth Ombudsman's latest annual report indicates that this is one of the areas where there is a room for growth. He also mentions the lack of use of his office by 'big business'. But big business has plenty of advice and there is no need to feel an urgent need to cure this default. The disadvantaged can best be reached by community groups who represent them. They

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can be reached by publicity in the general media to alert them to the existence of this important office with the strange foreign name. It is regrettable that staff limitations and pressure of work have led to the cutback in general publicity of the work of the Ombudsman. Effectively this restricts the accessibility of the Ombudsman to the articulate, informed middle class. I hope that special efforts will be made to bring knowledge of the Ombudsman's office to the poor, the deprived, the unemployed and underprivileged, aboriginal groups and non-English speaking people. In their relationships with administration, it is likely that a large number of them will see maladministration, for they are often the repeat customers.

* <u>The courts</u>: In his address at the National Press Club, Professor Richardson referred to the delays in administration in the courts[11]. He referred to delays in the delivery of judgments and the variation between States revealed by recent statistics of the Institute of Judicial Administration. In one State, the average delay in the delivery of judgment was 47 days. In another it was 140 days. Clearly delays of this order are generally unacceptable. Professor Richardson proposed the creation of a judicial ombudsman. I am far from disputing this proposal. However, I question whether it is necessary to create yet another officer and why the already existing ombudsmen should not have

this responsibility as they do in Scandinavia. This is not to inhibit judicial independence. No one would suggest that the ombudsmen could tell judges how they decide cases. But looking at issues of administration, at the efficiency of the court registries and of the judges themselves, may be a bracing but healthy corrective to occasional judicial indifference or preoccupation with other tasks. If the ombudsmen were confined to providing a vehicle for investigating complaints about undue delay or administrative matters such as the loss of exhibits or chronic problems in dealing with courts, I believe that such a role would only be for the improvement of the administration of justice. In the Philippines, as I am informed, a judge who has not delivered judgment within three months runs the risk that his salary will be suspended until the judgment is delivered. This has provided a mighty impetus to promptness in disposing of reserve judgments. In comparison, Professor Richardson's proposal for a judicial ombudsman seems modest indeed. Everybody concerned with the administration of justice must show an increasing concern with the efficiency of the system. The provision of an external stimulus such as Professor Richardson has proposed is one which good judges need not fear. If properly implemented, it would involve absolutely no diminution of the vital independence of the judiciary.

* <u>Commercial Activities</u>: One of the issues in the years ahead will be the extent to which the Ombudsman should investigate government operations which are commercial in nature. I know the resistance in some of the trading corporations of the Commonwealth to the application of the new administrative law. It is a resistance I have always found curious because such corporations, like any arm of government, involve the expenditure of public funds. The new administrative law can itself provide an efficiency check which promotes the purposes of the commercial organisation. However that may be, commercial enterprises tend to resist the application to them of the new administrative law, including the facility of ombudsman review. It is interesting in this connection to observe the recent decision of the Supreme Court of Canada in <u>British Columbia Development Corporation v. Friedman</u>[12]. In that case the Attorney-General for British Columbia intervened to support the Corporation in a court battle it had with a well-known Vancouver seafood restaurant, 'King Neptune'. The restaurant had operated for many years under a lease. The Corporation had purchased land on the waterfront area for development. The lease expired without any agreement being reached for the renewal. The restaurant complained to the Ombudsman that the Corporation had unreasonably refused to include the restaurant in its development plans. An attempt was made in the courts to restrain the Ombudsman on the basis that because of the commercial

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nature of the operation it did not relate to a 'matter of administration'. It was thus claimed that it was outside the Ombudsman's jurisdiction. In the courts, the Ombudsmen of Ontario, Quebec and Saskatchewan intervened in support of the British Columbia Ombudsman. The Supreme Court of Canada delivered a unanimous judgement. Chief Justice Dickson observed that the operation was simply a means of implementing government policy to develop the waterfront. Its acquisition of the land and its refusal to renew the restaurant lease were part and parcel of the administration of the project.' Dickson, C.J. said 'in my view the phrase "a matter of administration" encompasses everything done by governmental authorities in the implementation of government policy. I would exclude only the activities of the legislature and the courts from the ombudsmen's scrutiny.' Clearly this decision adds strength to those who foresee the proper assertion of the correct role of the Ombudsman in respect of all those who are engaged in the use of public funds, including commercial operations.

* Police and like agencies: The success of the Ombudsmen in dealing with complaints against police remains under scrutiny. In some States (Queensland and South Australia) a separate officer has been appointed.. In another State (Western Australia), specific legislation has been defeated but other legislation has enhanced, in general terms, the role of the Parliamentary

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Commissioner. In the federal sphere, the function of the Ombudsman and the Defence Force Ombudsman put new tests upon the office as it operates in relation to the necessarily disciplined services of these agencies. I can only agree with Professor Richardson's reported comment at the National Press Club that the National Crime Authority ought not to be excluded from the Ombudsman's review. I consider that exclusion to have been misconceived. It will be in the nature of that authority that there will be feelings of grievance and complaint. Many will doubtless be misconceived. But the removal of the safety-check of Ombudsman review is, in my opinion, a serious error and should be corrected.

* <u>Aggregation of experience</u>: Finally, I am convinced that attention should be given to the aggregation of experience so that, unlike the courts, the Ombudsman is not simply dealing with individual cases of individual rights. His mandate and charter is, ultimately, good public administration. He looks at the administration from a position of independence. His scrutiny provides a special opportunity to identify problem areas, to provide external stimulus to improvement, to encourage and promote self-criticism and to aggregate all this experience into the improvement of administration. It is appropriate that the office should be under constant scrutiny and re-evaluation. Those who are critics must themselves be critical. They must look upon the efficiency of their office to ensure that it is

performing in an effective way the duties entrusted by the Parliament. In considering individual interests, it is important that due attention should be given to the proper administrative concern with group interests and with political and social policy, which the elected government of the day has the obligation and entitlement to introduce, compatibly with law. I welcome this seminar as an occasion for self-scrutiny and appraisal for the office of the Ombudsman.

RETIREMENT OF PROFESSOR RICHARDSON

It is appropriate for me to conclude these remarks with a few words in praise of Professor Jack Richardson. It is entirely fitting that he should have delivered his recent address at the National Press Club as the Sir Samuel Griffith oration. Sir Samuel Griffith came to the office of First Chief Justice of Australia with a distinguished background in the law in Queensland. He was a man of affairs, a cultivated, civilised person who never narrowed his interests nor confined them solely to the discipline of the law. Professor Richardson is a person in the same mould. It is not, I think, too bold a claim to assert that future generations of Australians will see the establishment of the office of Ombudsman as ranking in importance, in the provision of justice, with that of the High Court of Australia. It is true that the Ombudsman lacks the constitutional status of the High Court. Equally true, he lacks the power to require things to be done. His recommendations cannot be enforced. He does not decide on the distribution of

power in our polity. But if a modern constitution were being written, there is no doubt that the Ombudsman would find a place as a constitutional officer. His role is likely to be enhanced with the advent of a charter of rights. He has brought effective justice to a very large number of our fellow citizens - a hundred thousand of them have come to his door, whereas those who have come to the courts in the same period are fewer in number and, sadly, from an increasingly smaller portion of the population who can afford that particular journey.

I worked with Professor Richardson in the Administrative Review Council. I admired the courage and determination with which he tackled the establishment of his high office and the battles that inevitably followed. He showed sensitivity, subtlely and discernment. And most importantly, courage and determination where those qualities were necessary. As he approaches the conclusion of his tour of duty, the citizens of this country owe him a debt. In that capacity, as a citizen, I offer him my thanks.

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** A heroine of Greek mythology who fell in love with the Athenian hero Theseus. With a thread of glittering jewels she helped him escape the labyrinth after he slew the Minotaur.

1. Moran v. McMahon, decision of the Court of Appeal forthcoming.
2. Planet Fisheries Pty Ltd v. La Rosa and Ennor (1968) 119 CLR 118
3. Riley v. Parole Board of NSW, decision of the Court of Appeal forthcoming.
4. Mathews v. Eldridge 424 US 319 (1976).
5. Commonwealth Ombudsman and Defence Force Ombudsman Annual Reports 1983-84, 5.
6. Administrative Review Council, The Relationship Between the Ombudsman and the Administrative Appeals Tribunal, Report Number 22, 1985.
7. Administrative Review Council, Admin Review Number 3, January 1985.
8. Commonwealth Ombudsman and Defence Force Ombudsman Annual Report, 1983-84, 3-4
9. Kavvadias v. Commonwealth Ombudsman (Number 1) 52 ALR 728. Cf Deasey v. Geschke, unreported, Victorian County Court, 1 November 1984, see [1985] Admin Review 10
10. D.C.M. Yardley, 'Local Ombudsmen in England: Recent Trends and Developments [1983]' Public Law 522, 530-31. See also D. Foulkes, Administrative Law (5th ed) 436-9; H.W.R. Wade Administrative Law (5th ed) 93; D.C.M. Yardley, Principles of Administrative Law, 218, 220.
11. Lawyers should make more use of Administrative Channels, Law News, June 1985, 18.
12. [1985] 1 W.W.R. 193