



# Complaints involving Aboriginal and Torres Strait Islander corporations

1 January to 30 June 2023

Report prepared September 2023

## Introduction

This report provides an overview of complaints submitted to the Registrar between 1 January and 30 June 2023. It also includes comparisons to data from previous periods.

As at 30 June 2023 a total of **3338** Aboriginal and Torres Strait Islander corporations were registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act). Of these **258** were registered native title bodies corporate (RNTBCs).

## Key findings

For the six months between 1 July and 31 December 2022:

- » **192** complaints were received (82 involved RNTBCs)
- » **196** complaints were finalised (88 involved RNTBCs)
- » the average number of complaints received each month was **32** (average for RNTBCs was 14)
- » the average number of days to finalise complaints by type was:
  - straightforward – **26 days** (previous period 18 days) (24 days for RNTBC complaints)
  - detailed – **20 days** (previous period 31 days) (20 days for RNTBC complaints)
  - complex – **74 days** (previous period 118 days) (62 days for RNTBC complaints)
- » the largest category of complaints received related to the conduct of **directors and officers (52 or 27%)** (this category was the same for RNTBCs, 19 or 23%).

## Changes in the number of complaints over recent years

**Table 1: Comparison of complaints received and finalised, six-monthly periods**

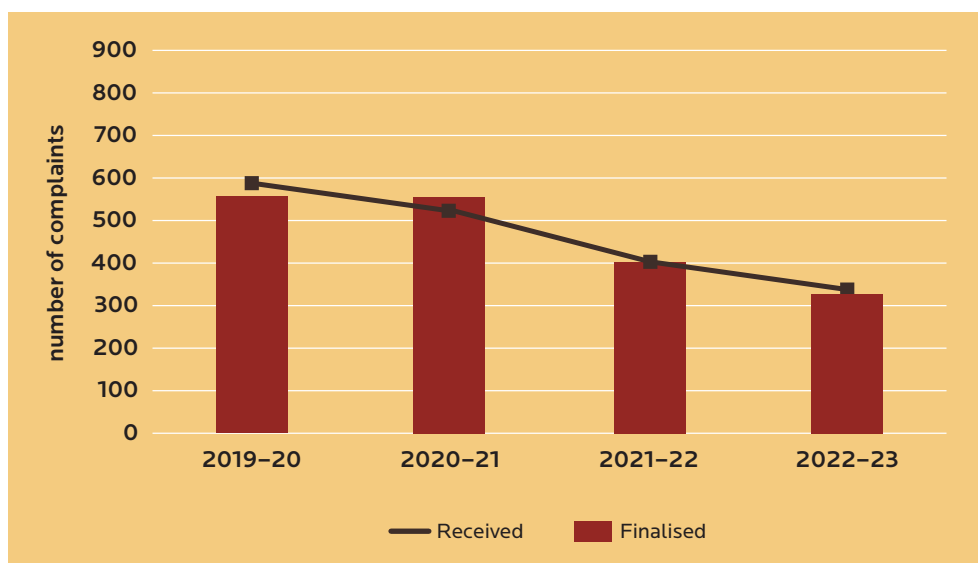
Six-monthly period	Number received	Number finalised
1 July to 31 December 2021	185 (46)	179 (46)
1 January to 30 June 2022	166 (58)	172 (60)
1 July to 31 December 2022	146 (66)	131 (58)
1 January to 30 June 2023	192 (82)	196 (88)

**Table 2: Number of complaints received and finalised, 2019–20 to 2022–23**

Year	Number received	Number finalised	Number carried over to the next year
2019–20	523 (167)	556 (176)	21
2020–21	406 (127)	403 (126)	23
2021–22	351 (104)	351 (106)	22
2022–23	338 (148)	327 (146)	26

Notes: The numbers finalised do not reflect jobs cancelled.

**Figure 1: Number of complaints received and finalised, 2019–20 to 2022–23**



## Dealing with complaints

**Table 3: Average number of days to finalise complaints by complexity, 1 January to 30 June 2023**

	Straightforward	Detailed	Complex
January 2023	33.3 (33.2)	60.2 (58.8)	52.3 (52.3)
February 2023	18.1 (23.7)	17.9 (10.4)	– (–)
March 2023	32.7 (40.4)	15.9 (14.8)	– (–)
April 2023	19.8 (8.2)	20.6 (17.0)	– (–)
May 2023	42.4 (38.4)	55.2 (92.8)	97.0 (–)
June 2023	15.0 (9.1)	71 (3.8)	91.0 (91.0)
<b>Average for six-month period (rounded)</b>	<b>26.4 (24.3)</b>	<b>20.4 (19.7)</b>	<b>73.7 (62.0)</b>

**Table 4: Number of complaints received by complexity, six-monthly periods**

	Jul–Dec 2021	Jan–Jun 2022	Jul–Dec 2022	Jan–Jun 2023
Straightforward	69 (37.3%) 17 (37.0%)	94 (56.6%) 27 (46.6%)	75 (51.4%) 35 (53.0%)	118 (61.5%) 46 (56.1%)
Detailed	105 (56.8%) 26 (56.5%)	66 (39.8%) 30 (51.7%)	59 (40.4%) 27 (40.9%)	63 (32.8%) 33 (40.2%)
Complex	10 (5.4%) 3 (6.5%)	5 (3.0%) 1 (1.7%)	8 (5.5%) 4 (6.1%)	5 (2.6%) 2 (2.4%)
<b>Total</b>	<b>185</b> <b>(46)</b>	<b>166*</b> <b>(58*)</b>	<b>146*</b> <b>(66*)</b>	<b>192*</b> <b>(82*)</b>

\* At the time of preparing data for Jan–June 2022, 1 complaint had not been categorised by complexity; for Jul–Dec 2022, 4 had not been categorised; for Jan–Jun 2023, 6 (1) complaints had not been categorised.

## Categories of complaints

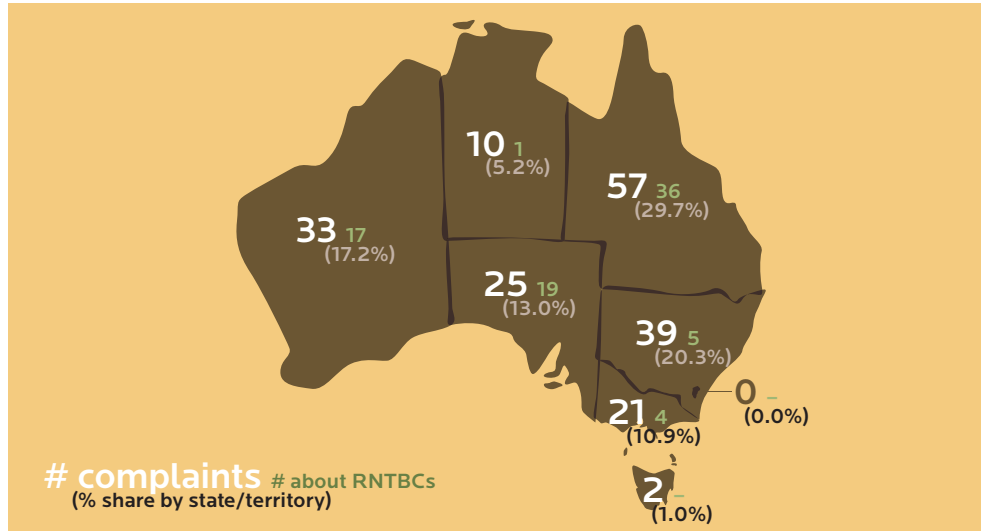
**Table 5: All complaints received by category, 1 January to 30 June 2023**

Rank	Complaint category	Number received
1	Corporation directors and officers Complaints about the conduct of directors or breaches of directors, officers or employees' duties.	52 (19)
2	Other This group of complaints cover a wide range of issues that are within the Registrar's jurisdiction but not easily placed within the other defined complaint categories.	41 (16)
3	Corporation meetings Complaints that members' or directors' meetings are not being held or meetings are not being held in accordance with the corporation's rules or the CATSI Act.	21 (16)
4	Multiple categories Complaints that each cover a number of issues and are not easily placed into a single complaint category.	21 (10)
5	Membership issues Complaints about the management of memberships, including incorrect membership details, removal of members, or members not being provided with information about their membership.	17 (9)
6	Dispute handling Complaints about how a corporation is managing an internal dispute.	15 (5)
7	Out of scope Complaints about matters outside the Registrar's jurisdiction. This includes, but is not limited to, compliance with funding agreements, corporation business decisions and staffing. This category excludes native title matters. Although native title is outside the Registrar's jurisdiction, complaints of this nature are recorded separately in 'native title' to provide data that may inform the Registrar's support services.	8 (2)
8	Rules Complaints about the corporation's rules.	5 (2)
9	Extreme risk rating Complaints generated by a corporation's audited financial statements showing a loss, inadequate current assets to meet current liabilities, a qualified audit, or other anomaly.	3 (1)
10	Native title Complaints about the way that native title matters are managed. This includes, but is not limited to, who can be a member of the claim group, how native title decisions are taken and the boundaries of the native title claim. While the Registrar cannot provide advice on these matters, the office tries where possible, to provide the complainants with information about other complaint-handling bodies that do have jurisdiction in native title matters.	2 (2)
11	Annual returns compliance Complaints that a corporation has not met its annual reporting obligations under the CATSI Act.	1 (-)
12*	Public register and lodgement of documents Complaints about documents released on the public Register of Aboriginal and Torres Strait Islander Corporations at <a href="http://oric.gov.au">oric.gov.au</a> .	1 (-)
12*	Record keeping and financial issues Allegations of financial irregularities or misuse/misappropriation of corporation funds, members are not given information about the corporation's finances, corporation records not accurately kept, or the corporation is trading while insolvent.	1 (-)

Note: \* equal rating; Nine complaints were not categorised at the time of preparing this report.

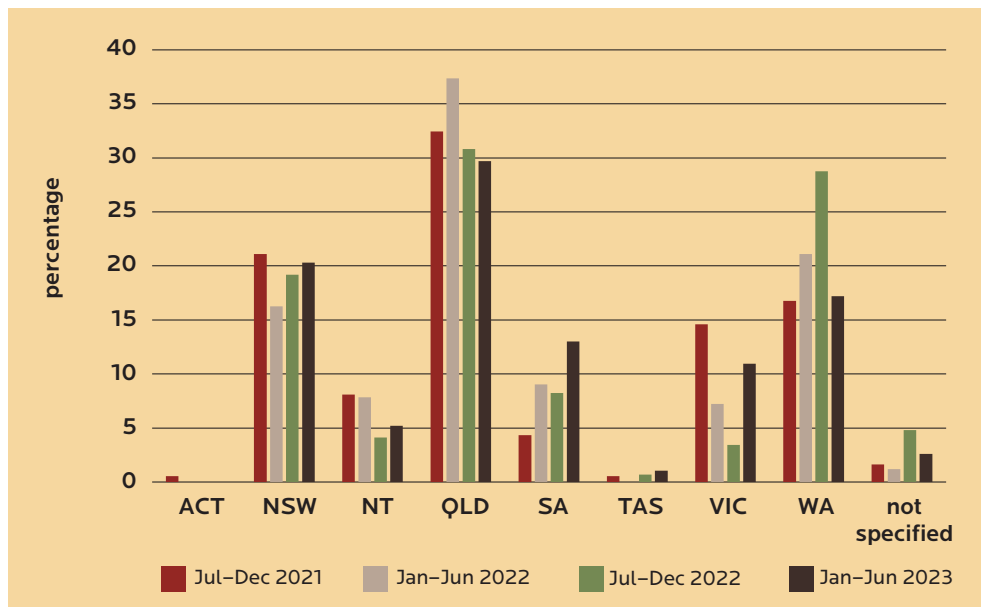
## Geographic spread of complaints

**Figure 2:** Complaints received by state/territory, 1 January to 30 June 2023



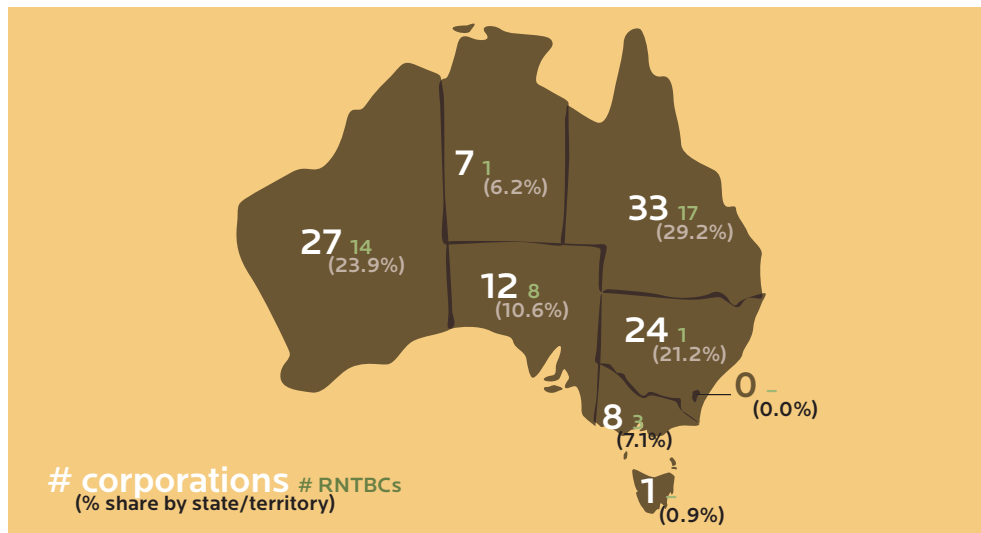
Note: Five complaints did not specify location

**Figure 3:** Percentage share of complaints received by state/territory, six-monthly periods

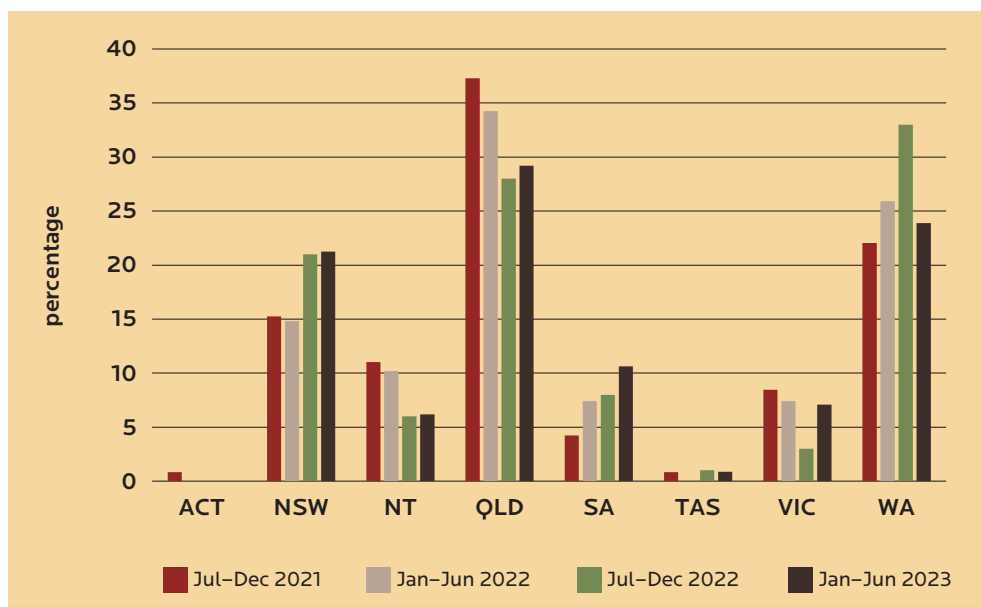


## Geographic spread of corporations involved in complaints

**Figure 4:** Corporations involved in complaints received by state/territory, 1 January to 30 June 2023



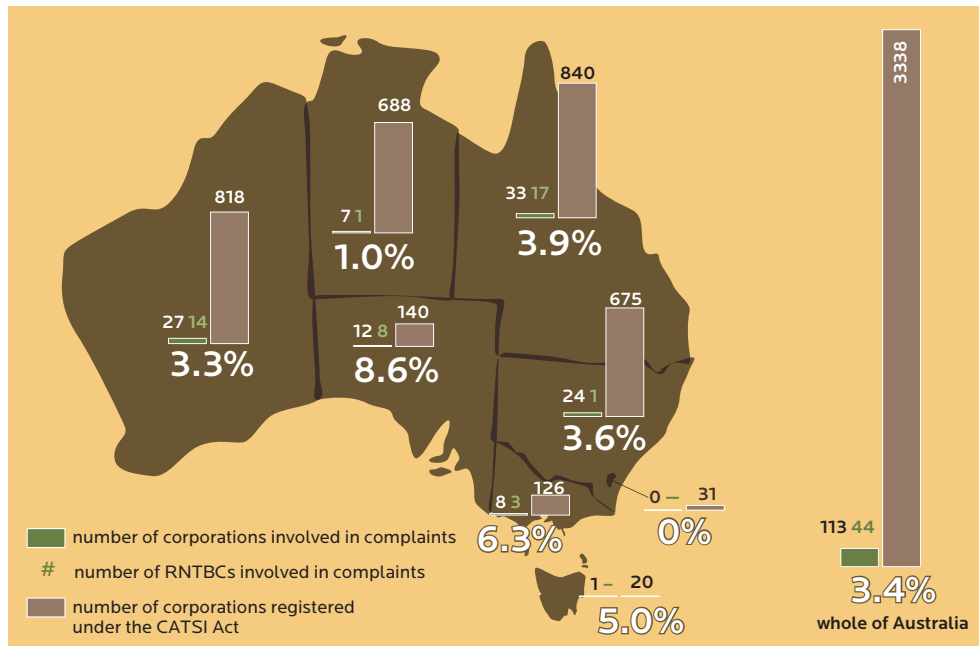
**Figure 5:** Percentage share of corporations involved in complaints by state/territory, six-monthly periods



## Proportional level of corporations involved in complaints

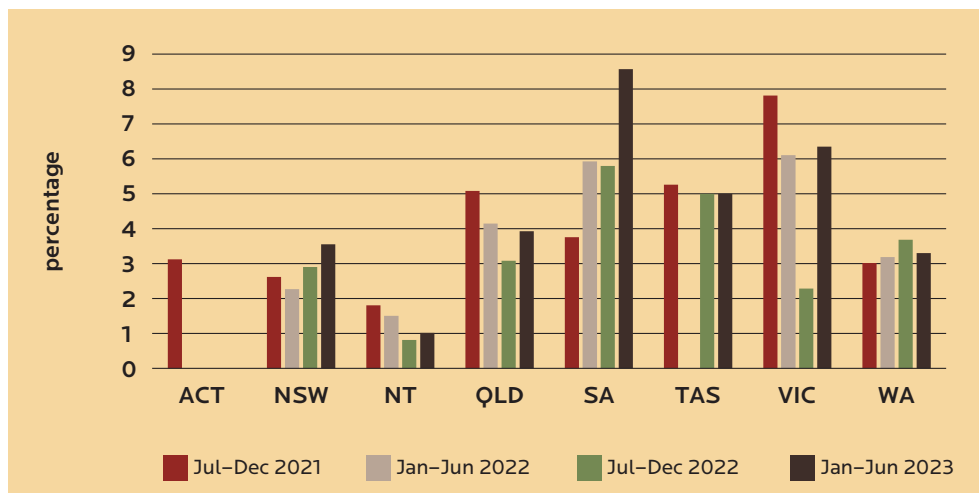
Australia-wide 3.4 per cent of all corporations were involved in complaints received.

**Figure 6:** Proportion of corporations involved in complaints received by state/territory, 1 January to 30 June 2023



The map shows the number and percentage of corporations involved in complaints in each state and territory against the number of corporations registered in that state/territory.

**Figure 7:** Proportion of corporations involved in complaints received by state/territory, six-monthly periods



The Registrar publishes a wide range of information to help corporations deal with complaints they receive, and to help people understand what types of complaints the Registrar’s office can deal with and the related complaints management process. This includes fact sheets, policy statements, a yearbook as well as information available at [oric.gov.au](http://oric.gov.au).