

Complaint More Than Two Years Old

Morry asked a legal service to represent him in a complaint to the HCSCC. Six years earlier,

Morry's mother had died three weeks after coming home from hospital. Morry thought that his mother should not have been discharged from hospital and that staff in the hospital did not provide the high level of care she needed.

Complaints to the HCSCC must usually be made within two years of the person becoming aware of the circumstances of the complaint. If the complaint is outside that timeframe, the

Commissioner will consider whether to accept the complaint, weighing up a number of factors including whether a delay lodging a complaint unfairly prejudices the respondent, any reason for delay and whether there are public interest considerations. In Morry's case, the

Commissioner decided that there were insufficient grounds for accepting the complaint outside the two year time frame.