

Pacific Ombudsman Alliance ~ Network News

Fostering government integrity and good administration in the Pacific

Issue 33 – February 2014



The Ombudsman and staff with Michael Woodhead at the NHRI launch (Photo by Mel O'Brien)

SAMOAN OMBUDSMAN LAUNCHES NATIONAL HUMAN RIGHTS FUNCTION

The Office of the Ombudsman of Samoa officially launched its human rights function on 10 December 2013 to coincide with international human rights day. The event was launched by Deputy Prime Minister H.E. Fonotoe Pierre Laufofo, in a ceremony attended by government officials, civil society and international partners in Samoa.

Changes to the Ombudsman Act, which came into force in June 2013, established a national human rights institute for Samoa as a part of the Office of the Ombudsman. This gives the Ombudsman an expanded mandate for the protection and promotion of human rights in Samoa.

The launch was broadcast in full on national television, and included performances by the prison performance group, Ola Fuataina, and the winner of *Samoa Rights Taleni* – a human rights themed TV talent show created by the office and aired throughout November and December.

The POA was represented at the launch by Richard Glenn, Deputy Commonwealth Ombudsman, and Michael Woodhead, Commonwealth Ombudsman investigation officer and previous POA placement officer. The Samoan Ombudsman acknowledged the Commonwealth Ombudsman as a long time friend, and thanked the POA for its ongoing support to the office.

Following the launch, the Ombudsman hosted a roundtable meeting with representatives of invited governments from the region, and NGOs. The roundtable provided an opportunity for the Ombudsman to share the experience of his office in implementing its new function. It was also a forum for interested Pacific Island government representatives to discuss their progress towards a national human rights institute.

The Samoan Ombudsman highlighted the practical way in which his office can inquire into and report about systemic human rights violations. Unlike its traditional Ombudsman role, the Ombudsman cannot investigate individual complaints about human rights violations.

The Ombudsman's office has additional human rights functions, including promoting awareness of human rights, engaging and cooperating with civil society, business and academia, monitoring and compliance with international and domestic human rights law, and reporting to Parliament annually on the status of human rights in Samoa.

The Ombudsman highlighted to the roundtable participants that although he saw no conflict arising from the separate roles, that there would need to be a constant awareness in his office of its different Ombudsman and human rights 'hats'.

While the office will continue to be concerned with the traditional ombudsman issues of maladministration and abuse of power, the office will now also be concerned with governance that promotes and protects human rights. In addition, the Ombudsman will be looking to promote greater awareness and respect for human rights in the community at large.

The Ombudsman stressed to the roundtable the need for training and support for his staff to manage the transition and new functions. He noted the challenges in being such a small office with limited resourcing, and preparing his office to understand its new mandate and ensure that it continues to deliver to the people of Samoa.



Performance by, Ola Fuataina, at the human rights institute launch (Photo: Mel O'Brien)

Invited government officials from Vanuatu, Palau and Tonga highlighted some of the challenges in

establishing an effective human rights institute, and the significant resourcing and commitment required.

The POA delegation shared with the roundtable its observations about some important features in an organization taking on additional functions, such as the Samoan Ombudsman's office. The independence of the organization must be established, to ensure that the office's mandate can be executed fairly, impartially and in an unbiased fashion.

There must also be adequate financial and staff resources and specialist training to develop the required skills and expertise to manage the additional workload. The organization should have an established and functioning office and public profile with the capability to manage existing functions effectively.



The Samoan Ombudsman Maiava Iulai Toma and Richard Glenn, Deputy Commonwealth Ombudsman for the POA (Photo: Mel O'Brien)

MAJOR FRAUD INVESTIGATION UNDERWAY BY MARSHALL ISLANDS AUDITOR-GENERAL

The Auditor General of the Marshall Islands, Junior Patrick, has launched a major investigation into suspected fraudulent bidding practices involving the Ministry of Health and a local pharmaceutical company.

The office has used its broad search powers to search and seize computers, documents and other records to inform its investigation. There are currently eight

government workers suspected of defrauding the government.

The investigation follows a substantial body of work on behalf of the Auditor General, with some support from the POA, to boost the office's public profile, introduce and manage a fraud hotline, and strengthen internal investigations processes and practices.

SOLOMON ISLANDS OMBUDSMAN AWARDED OBE

The Ombudsman of the Solomon Islands, Mr Joe Poraiwai, has been awarded an Officer of the Order of the British Empire (OBE). The award recognises Ombudsman Poraiwai's long and distinguished public service to the Solomon Islands. The POA would like to extend warm congratulations to the Ombudsman and also recognise the significant contribution that he has made in the Solomon Islands and the region.

FINANCIAL INVESTIGATION TRAINING HOSTED BY THE PNG OMBUDSMAN COMMISSION

The Ombudsman Commission of Papua New Guinea hosted financial investigation training for officers investigating Leadership Code offences. In addition to Ombudsman Commission staff, the training was attended by the Chairman of the Solomon Islands Leadership Code Commission, Emmanuel Kouhota, and Director of Leadership in the Vanuatu Ombudsman's office, Alain Molgos.



Ombudsman Pheobe Sangetari and Ombudsman John Nero with training participants at the offices of the Ombudsman Commission of Papua New Guinea

The training was aimed at investigators who interrogate and analyse financial statements as a part of their investigations under a Leadership Code. Leadership investigators are recruited from a broad range of disciplines, not always with financial or accounting training or experience. The training course included the basics of financial analysis and practical application to annual statements required to be completed by leaders under law.

The training provided officers from across the three jurisdictions the opportunity to network and share common issues and challenges in their annual reporting functions. The participants also had the opportunity to review their work practices and identify opportunities to make improvements.

The training was provided by Kerry McGovern of K McGovern & Associates.

HUMAN RIGHTS PROJECT: PNG OMBUDSMAN COMMISSION



Prison visit: Commonwealth Ombudsman twinning officer, Simon Bonney (left), and Ombudsman Commission Human Rights project officer, Patrick Niebo (right), with Commander Kiddy Keko (Bomana CSI, Port Moresby)

The Ombudsman Commission of Papua New Guinea recently conducted a number of outreach activities under its human rights project and more is planned for the coming months. As a part of the public outreach, the Ombudsman Commission is visiting prisons and speaking with correctional services staff about prisoner treatment and access to services like

the Ombudsman to make complaints. The Ombudsman Commission's human rights project officer, Patrick Niebo, is leading the project which will raise public and government awareness for the promotion and protection of human rights.

VANUATU OMBUDSMAN MOVES TO NEW PREMISES

The Vanuatu Ombudsman's office has commenced the New Year in new premises in Port Vila. The office has relocated from Pilioko House to government premises. The office also recently welcomed two new staff. Mr Yan Dapang was welcomed back to the office and the role of Principal Corporate Services Officer. Mr Paul Jerry Boe has joined the office as First Principal Legal Officer. Mr Boe served previously in the Department of Foreign Affairs and then as a Magistrate, before going into private practice.

CONDOLENCES FOR OMBUDSMAN JOHN NERO

Ombudsman John Nero, a Member of the Commission in the Ombudsman Commission of Papua New Guinea passed away on 11 January in his village of Kasena in the Eastern Highlands. The late Ombudsman Nero was a longstanding officer of the Commission, having joined as a senior investigator in 1991, then working as a Deputy Director Leadership, and finally as Ombudsman. The POA offers its condolences to the Ombudsman Commission and the family of the late Ombudsman at this time of loss and sadness.

IN THE HEADLINES

Commonwealth public interest disclosure legislation came into effect on January 15, giving the Commonwealth Ombudsman responsibility for promoting awareness and understanding of the scheme and monitoring its operation. Under the legislation, current and former public officials who make disclosures about misconduct, corruption and maladministration can receive protection from reprisals and civil and criminal action.

UPCOMING EVENTS

Planning is currently well underway for the POA annual members meeting which will be held in Adelaide, Australia, on 4 April 2014. The POA meeting will coincide with the Australasia and Pacific Ombudsman Region meeting which will be held over 2 and 3 April. Formal invitations have been issued and the program and papers will be circulated to invited members closer to the event.

POA WEBSITE

For more information about the POA, its activities and helpful publications and resources check out the website www.pacificombudsman.org.

CONTACT US

Articles and submissions are welcome. To submit items for publication, or any other communication, please write to us at:

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Pacific Ombudsman Alliance Network News is supported by Australian and New Zealand aid.