

Pacific Ombudsman Alliance ~ Network News

Fostering government integrity and good administration in the Pacific

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Office of the Ombudsman of Samoa staff at the launch of the National Human Rights Report, 17 August 2015.

LAUNCH OF THE STATE OF HUMAN RIGHTS REPORT IN SAMOA

The Office of the Ombudsman of Samoa, in its role as a National Human Rights Institution, launched its first *State of Human Rights Report* in August 2015.

The Prime Minister launched the report and the event was well attended attracting local and international media interest.

The report was produced in collaboration with the Asia Pacific Forum and its compilation was assisted by the Pacific Ombudsman Alliance (POA) specifically Mr Michael Woodhead, who has been providing support to the Office of the Ombudsman of Samoa since 2008.

Based on research and community outreach the report's findings highlighted deficiencies in the treatment of women, children, people with disabilities and prisoners. The use of child labour, overcrowding and lack of basic services for prisoners were some of the issues identified.

The report also identified two emerging issues: mental health and freedom of speech. It is anticipated that these areas will be explored further in future reports once more data has been collected.

The report highlighted that there was a need for better safeguards for equity and respect for women and that the continued physical and sexual abuse of women and children was unacceptable, breaching not only human rights standards but also the traditional Samoan core values of Fa'asamoa.

These principles of respect, dignity, love, protection and service guide Samoan social interaction.

The report noted that breaking stereotyped roles and responsibilities for women is necessary to achieve gender equality. Political participation by women remains low and reflects the low participation of women in decision making at the village level.



The Prime Minister, Tuilaepa Sa'ilele Malielegaoi, at the launch of the State of Human Rights Report in Samoa.

While the report recognised that the government of Samoa had taken a numbers of steps to address the issues, in order to improve human rights protections for the people of Samoa several recommendations were made to Government ministries and agencies

The Prime Minister, Tuilaepa Sa'ilele Malielegaoi, spoke favorably about the work of the Office of the Ombudsman in its role as a National Human Rights Institution and called for a Parliamentary Committee to follow up on the report's findings.

APSACC 2015, BRISBANE AUSTRALIA

The Governance and Anti-Corruption program invited six participants from the Pacific Islands region to attend the Australian Public Sector Anti-Corruption Conference (APSACC) 2015 held in Brisbane from 17 to 19 November.

APSACC is a premier biennial event hosted by Australia's leading anti-corruption agencies – the Crime and Corruption Commission (QLD), the Independent Commission Against Corruption (NSW) and the Corruption and Crime Commission (WA).

Each of these organisations has its own charter to combat corruption and official misconduct and help raise public sector integrity.

The conference gave participants a chance to meet with Pacific integrity colleagues as well as providing an opportunity to meet governance and anti-corruption professionals from across Australia and the world.

Australia's Deputy Ombudsman, Mr Richard Glenn, spoke about why Ombudsmen are critical to anti-corruption work and the two major ways the Office of the Commonwealth Ombudsman is working with our Pacific colleagues, through the work of the Pacific Ombudsman Alliance and the Governance and Anti-Corruption program.

Mrs Linda Folaumoetu'i, the Chief Executive Officer for the Commission for Public Relations in Tonga gave a presentation detailing the challenges her office has faced and their focus on the future of tackling corruption in Tonga.



Mrs Linda Folaumoetu'i from the CPR in Tonga speaking about the challenges faced by her office and its focus for the future.

We were very fortunate that the organisers were able to provide the participants complimentary attendance at several pre-Conference workshops.

These workshops covered a variety of topics that focussed on several investigations and real case studies, strategic approaches to corruption prevention, managing serious misconduct effectively, the use of social media by organised crime and leadership accountability.

The feedback from the participants was very positive. The workshops were interactive, informative, and inspired participants to think about improving office functions.

The next APSACC will take place in Perth in 2017.



From left: Mr Norris Mitchell (Samoa), Mrs Linda Folaumoetu'i (Tonga), Mrs Vagi Boga and Mr Simon Kwalimu (Papua New Guinea) and Mrs Velma Karbani (Vanuatu) at APSACC 2015.

LEGISLATIVE REFORM IN PALAU

The United Nations Office on Drugs and Crime (UNDOC) recently reviewed the anti-corruption implementation in Palau. One of the key recommendations of that review was to grant statutory appointment to the Ombudsman.



Ombudsman Mr Francis Llecholch (seated) with placement officer Mr Matt Lemm who travelled to Palau to assist with legislative drafting for the office.

In order to assist implementation of this recommendation, UNDOC and POA jointly funded the

placement of Mr Matt Lemm, a Senior Investigation Officer from the office of the Commonwealth Ombudsman with the Ombudsman of Palau, Mr Francis Llecholch.

Mr Lemm's brief was to conduct a review of oversight mechanisms, develop draft legislation for the Ombudsman and to conduct outreach of both anti-corruption and complaint-handling functions.

Currently government agencies in Palau have no formal internal complaint handling mechanisms. This is an additional challenge for the Ombudsman as a key function for him initially will be to set the standard and encourage agencies to develop internal complaint handling processes and guidelines.

MARSHALL ISLANDS INVESTIGATIVE TRAINING PLACEMENT

The Auditor-General of the Republic of the Marshall Islands, Mr Junior Patrick, requested the assistance of the POA for a support activity to develop and deliver investigative training to the Office of the Auditor-General (OAG).

Mr Simon Bonney, Senior International Program Officer with the Commonwealth Ombudsman, has been to the Marshall Islands on previous placements where he assisted the Auditor-General to prepare and implement an Investigation Manual.

The main focus of this recent placement, the first of two, was on consultation with the Auditor-General and staff from the Investigations Unit about future training needs and possible revisions to the Investigation Manual. Mr Bonney also delivered preliminary training on Security Risk Management, Investigative Principles, and Criminal Intelligence Methods. Based on discussions with staff, feedback from the training sessions, and the results of a questionnaire, Mr Bonney is currently designing a training package and drafting possible amendments to the Investigation Manual, both of which will be the focus of his next placement, scheduled for the first half of 2016.

Mr Bonney also attended an investigations workshop for investigating auditors from across Micronesia. It was held in Pohnpei, Federated States of Micronesia (FSM) and was hosted by the US Government. While there Mr Bonney met with the National Public Auditor

of FSM, Mr Haser H. Hainrick to discuss possible support for that office.

OCPNG SHORT TERM CONSULTANTS

Mr David Ward, an officer with the Commonwealth Ombudsman, has just completed a three-month placement with the Ombudsman Commission of Papua New Guinea (OCPNG). Mr Ward has worked previously with the OCPNG.

Mr Ward was engaged as a short-term advisor to work in collaboration with the OCPNG on its legislative review, the associated policy paper and development of the new Memorandum of Agreement between the OCPNG and the Commonwealth Ombudsman.

This is one of several approved activities which has taken place since July 2015 under the Department of Foreign Affairs and Trade (DFAT) funded Twinning program between the Commonwealth Ombudsman and the OCPNG.

Mr Clive Harfield was engaged as a short-term advisor to lead a project team to draft the OCPNG's Internal Security and Investigations Policy, together with the Standard Operating procedures for the OCPNG's Internal Security and Investigations Team.

Mr Harfield was briefed to include guidance on investigations, penalties, fraud control, security and risk management, integrity testing, vetting, internal reporting and informant management.

These activities will contribute to Australian funded anti-corruption initiatives in PNG and the stated DFAT aid priorities for the PNG law and justice sector.

PIFS GOVERNANCE WORKING GROUP MEETING

On 16 and 17 November, the Pacific Island Forum Secretariat (PIFS) hosted the first meeting of the Governance Working Group. POA was represented by POA Board member Mr Junior Patrick, Auditor-General of the Marshall Islands and Ms Carolyn Langley, of the POA Secretariat.



Members of Pacific Islands integrity and governance institutions meeting in Suva for the inaugural Governance Working Group.

The meeting included a number of representatives from United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), the Pacific Island Law Officers Network (PILON), Pacific Association for Supreme Audit Institutions (PASAI) and other regional institutions. The Governance Working Group came together to identify collective good governance initiatives and to try to ensure that issues facing independent integrity institutions were raised in regional meetings.

The meeting went very well with lots of information being shared. It was agreed that governance needed to become a regional priority as it is the mechanism that ensures delivery of government services. The Governance Working Group will continue to meet at least once a year.

BUSINESS PLANNING RETREAT IN SAMOA

In October, the Office of the Ombudsman of Samoa held a four day planning retreat in response to concerns that the corporate processes of the Office needed updating following its rapid expansion since 2013.

Not only had the Office taken on two additional roles in recent years: that of the National Human Rights Institution and the implementation of the Special Investigations Unit, but it had a significant increase in staff numbers to meet the demands of these additional functions.

Enhanced good governance, improved corporate services, increasing oversight of agencies and achievement of greater promotion of human rights

using the resources available to the office were identified as key priority areas.

The retreat was facilitated by Ms Vanessa Barlow Schuster, a skilled consultant who has a great deal of experience with the Samoan Public Sector. She was tasked with leading development of a five year Strategic Plan.

Further input was provided by the former head of the Human Rights Commission, Ms Roslyn Noonan. Four key outputs were identified:

- Corporate Services
- Good Governance
- Human Rights
- Special Investigations Unit

The Office hopes that by targeting its interventions and prioritising its efforts under this Strategic Plan, it can then focus maximising deliverables for these identified outputs.



Ombudsman Maiava Iulai Toma and Deputy Ombudsman Maualaivao Seiuli P Seiuli.
Photo source: Office of the Ombudsman of Samoa.

SOLOMON ISLANDS OMBUDSMAN VOLUNTEER

Mr Joel Gilbourd has been volunteering as an adviser with the Office of the Ombudsman of the Solomon Islands (OOSI) through the Australian Volunteers for International Development (AVID) program since April 2014.

The Office of the Commonwealth Ombudsman was Mr Gilbourd's Australian Partner Organisation (APO) for the duration of his placement with OOSI.

The APO has provided:

- valuable information about the functioning of OOSI
- support around technical issues about how an Ombudsman office functions including supply of templates and documents that could be adapted to the specific requirements of OOSI
- funding for specific projects such as payment for printing cost involved with the policies and operational documents developed by Mr Gilbourd during his placement.



Mr Joel Gilbourd has been awarded the Sir Ninian Stephen Menzies Scholarship in International Law. He has elected to study at Georgetown University in Washington DC, partly due to its relationship with the World Bank.
Photo source: The Menzies Foundation

TONGAN ANTI-CORRUPTION REVIEW

Earlier this year, POA agreed to assist Mr 'Aisea Taumoepeau, the Tongan Commissioner for Public Relations (CPR), with a review of the Tongan Anti-Corruption Commissioner (ACC) legislation.

Cabinet tasked the CPR with policy responsibility for anti-corruption and has specifically requested that the CPR review the ACC legislation in order to advise:

- Whether the current legislation creates an effective and appropriate integrity body and if not, how the legislation could be amended
- The need for a review of the legislation with a view to the Kingdom of Tonga becoming a party to the United Nations Convention against Corruption (UNCAC).

Mr David Ward, an officer with the Commonwealth Ombudsman with significant legal and corporate reform expertise, undertook the review. He spent two weeks at the CPR in July where he was tasked with both the legislative review and provision of a report to the CPR addressing the following areas:

- Review of the *Commissioner for Public Relations Act 2001* with a view to improving the efficiency and effectiveness of the office, and recommending amendments that would make the establishment of a joint Commission possible in the future
- Review of the *Anti-Corruption Commissioner Act 2007* with a view to improving the efficiency and effectiveness of the office, and recommending amendments that would make the establishment of a joint Commission possible in the future
- Review the legislation with a view to the Kingdom of Tonga becoming a party to the United Nations Convention against Corruption (UNCAC).

The final report focused on possible amendments to both Acts that could improve the effectiveness and efficiency of the two organisations, and that may assist with the merger of the two organisations in the future.

The report further recommended that there is a need to take further steps to protect the independence of the Commissioners by adopting more transparent appointment and removal procedures.

TUVALU SCOPING VISIT



Chief Ombudsman Mr Sa'aga Teafa Ombudsman Commission of Tuvalu with Mr Michael Woodhead and Ms Carolyn Langley representing the POA Secretariat.

Ms Carolyn Langley and Mr Michael Woodhead, representing the POA Secretariat, undertook a one-week scoping visit to the Ombudsman Commission of Tuvalu in October.

The Tuvalu government has approved the appointment of two Ombudsman Commissioners and two investigators. Chief Ombudsman Mr Sa'aga Teafa, the first Chief Ombudsman to be appointed under the *Leadership Code Act 2006*, has been recruiting staff and requested assistance in training and corporate management.

Ms Langley and Mr Woodhead met with the Chief Ombudsman and developed records management guidelines, drafted a position description for the role of Ombudsman Investigator and outlined a Strategic Calendar for the office.

VANUATU TRAINING

Mr Clinton Parker travelled to Port Vila, Vanuatu in late September to meet with key staff to develop a training activity involving both the Office of the Ombudsman of Vanuatu and the Vanuatu Police.

Both offices share similarities in the way they do business and both are willing to improve their administrative investigation practices.

The program of training is under development. If the model proves to be successful there is scope for it to be expanded to other government agencies in Vanuatu.



The Office of the Ombudsman, Republic of Vanuatu.

OCPNG OFFICERS TRAINING IN CANBERRA

There have been a number of ongoing training activities funded by the Twinning program with the

Ombudsman Commission of Papua New Guinea (OCPNG) this year.

In September, two officers from the OCPNG attended training in Canberra provided by Twinning Officer Mr Simon Bonney in collaboration with Canberra Institute of Technology (CIT) Solutions. The training followed on from that already delivered earlier this year at the OCPNG.

The course was attended by Secretary Mr Joe Molita and Acting Team Leader Mr Andrew Sea and was tailored particularly to reflect the OCPNG's operating environment.

The training covered the core competencies to enable the participants to receive an accredited qualification: a Diploma of Intelligence Analysis.

The primary goal of the training is exposure to modern management practices from senior management perspective that will ultimately contribute to the OCPNG's operational efficiency.

INDUCTION VISITS

PNG Ombudsman

Ombudsman Mr Michael Dick of the Ombudsman Commission of PNG (OCPNG) visited Australia in November where he met with the Commonwealth Ombudsman, Mr Colin Neave and the Acting NSW Ombudsman Prof John McMillan.

The focus of the visit was to explore ways in which the Ombudsmen of Australia may be able to support their colleagues at the OCPNG under the ongoing Twinning Program.

Ombudsman Dick comes from Siane in Chuave District, Simbu Province. He holds a Bachelor of Commerce Degree in Accounting from University of Papua New Guinea.



Ombudsman Michael Dick was appointed to the OCPNG as the Accountancy Ombudsman on 20 May 2015 for a 6-year term. (Source: [OCPNG](#))

Ombudsman Dick's career highlights include Director Corporate Services with Department of Health; Senior Investigator (Leadership Division) with Ombudsman Commission of PNG; and First Secretary with the Ministry of Police.

OMBUDSMAN UPDATES

40th Anniversary of the Ombudsman Commission of Papua New Guinea

This month marks the 40th anniversary of the OCPNG. Celebrations included information booths and a float that circulated the city of Port Moresby. The public were entertained by dance groups and took the opportunity to learn about the OCPNG's role and what it stands for.

Ombudsman Michael Dick thanked the public for their support to the OCPNG over the past 40 years and said: "we will work harder for another 40 more years and steer the nation towards developing further."

The OCPNG released this statement:

In discharging its functions, the Ombudsman Commission has encountered progress and success as much as it has faced adversity, criticism and opposition.

As we celebrate 40 years of promoting Good Governance and Quality Leadership in PNG, we pay tribute to our founding fathers who brought this great institution to fruition.

Acting Chief Ombudsman Phoebe Sangetari said the commission's input into the community was one of the reasons for a reasonable degree of good governance and quality leadership in the country today.

She said that the commission would continue its work to aspire to fulfil its constitutional mandate of promoting good governance and quality leadership as an oversight agent.

Commonwealth Ombudsman Colin Neave praised the OCPNG which has served the people of Papua New Guinea faithfully, promoting good governance and leadership at all levels of government.

Regional celebrations are planned for later in December.

Leadership Code Commission Chairman

It is with much sadness that we learned of the passing of Mr Francis Cecil Luza in September. Mr Luza was the Solomon Islands Leadership Code Commission Chairman.



The late Leadership Code Commission Chairman, Francis Cecil Luza.

Mr Luza worked with a number of integrity institutions in the country before taking on the role and was passionate about the integrity of the LCC and improving governance.

Former Governor-General, Sir Nathaniel Waena paid tribute describing Mr Luza as a "brave leader who speaks out on issues which border on corruption with determination".

Our sincere condolences to Mr Luza's family.

UPCOMING EVENTS

ANZOA/APOR and POA – Hold the Date!

The Australian and New Zealand Ombudsman Association (ANZOA) is the peak body for Ombudsmen in Australia and New Zealand. ANZOA will hold a conference on 5 and 6 May 2016.

This provides a wonderful opportunity to meet with all the Australian and New Zealand Ombudsman. We therefore intend to hold the next POA meeting on Monday 2 May 2016, and the Australasia and Pacific Ombudsman Region (APOR) meeting on Tuesday 3 May 2016. Formal invitations will be sent early in the new year.



Merry Christmas from the POA Secretariat

At this time of year we find ourselves reflecting on those who have helped us shape our business and been such an important part of our working lives. It has been our pleasure to work with our friends in the Pacific and we look forward to strengthening our relationship with each of you in the year to come.

We send you warm wishes for a happy and safe Christmas and a New Year filled with peace, good health and prosperity.



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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