



Inquiry into the appointment of an Ombudsman and Chief Ombudsman

Interim report of the Officers of Parliament
Committee

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Recommendation

The Officers of Parliament Committee recommends that the House take note of its interim report on the appointment of an Ombudsman and Chief Ombudsman.

Introduction

The term of the Chief Ombudsman, Dame Beverley Wakem DNZM CBE, is due to expire in March 2015. Dame Beverley has served two terms and due to the statutory age bar of 72 she would be precluded from a further appointment from 27 January 2016. This report informs the House about the process we intend to follow for the appointment of a new Chief Ombudsman.

Statutory appointment process

Under section 3 of the Ombudsmen Act 1975, the appointment of a Chief Ombudsman is a two-stage process. An Ombudsman is appointed by the Governor-General on the recommendation of the House of Representatives. Then, by the same process, one of the Ombudsmen is appointed as Chief Ombudsman, with responsibility for the administration of the office and the co-ordination and allocation of work between the Ombudsmen.

For administrative efficiency, we intend to run the two processes simultaneously, seeking expressions of interest for the positions of Ombudsman and Chief Ombudsman. Once an appointment is made to the position of Ombudsman, we will conduct interviews for the Chief Ombudsman role and make a recommendation to the House. We will seek assistance from the State Services Commission for the selection of a recruitment consultant to help make the appointments.

Relevant considerations

Some operational and timing issues arise regarding the appointment process. The Office of the Ombudsman is currently conducting an important review of the operation of the Official Information Act. It has also recently reviewed its operating model and is making good progress bedding in changes to enable it to manage its case load more efficiently and effectively, and to reduce the large backlog of cases. Both these initiatives need careful stewardship. We consider that it would be beneficial to retain Dame Beverley's leadership to see this work through until a new appointment is made to her position. Dame Beverley has indicated that she would be willing to remain in the role on this basis.

We have written to the leaders of all the parliamentary parties and the Minister of Justice about this proposed course of action, and obtained their support for it. We have therefore resolved to allow Dame Beverley to continue in office as an Ombudsman and Chief Ombudsman under section 5(2) of the Ombudsmen Act until such time as we have

completed the selection process and made a recommendation to the House for a new Ombudsman and Chief Ombudsman, and the appointments are made.

We will report to the House with recommendations for the positions of Ombudsman and Chief Ombudsman so that the appointments can be made by the Governor-General, following a resolution of the House. We expect that both appointments will be decided before the end of the year.

Appendix

Committee procedure

The committee met on 12 February and 12 March 2015 regarding the appointment of an Ombudsman and Chief Ombudsman.

Committee members

Rt Hon David Carter (Chairperson)

David Clendon

Hon Te Ururoa Flavell

Tim Macindoe

Hon Trevor Mallard

Carmel Sepuloni

Barbara Stewart