



OMBUDSMAN FOR BERMUDA

22nd September 2017

To: All Media

Ombudsman for Bermuda Annual Report for 2016 Tabled

Hamilton, Bermuda: Victoria Pearman, Ombudsman for Bermuda's Annual Report 2016 has been tabled in the House of Assembly and is now available to the public. Ms. Pearman submitted her Annual Report for the calendar year 2016 to the Office of the Speaker of the House of Assembly on 30th June 2017 in accordance with her statutory duty under the Ombudsman Act 2004. In keeping with the Ombudsman's responsibility to report to Parliament the Report could not be released until Parliament reconvened. The Ombudsman's Annual Report 2016 details the work of the Office from 1st January to 31st December 2016.

The Reports sections are structured around the Ombudsman's strategic aims:

- greater public access, how the Ombudsman can assist members of public;
- greater public awareness which highlights information about public authorities and their processes; and
- championing best practices, reviewing the Ombudsman's focus on fairness and her work to advocate for good administration.

In 2016 the Office of the Ombudsman received 285 requests for assistance. It also received and dealt with a total of 128 enquiries in 2016. Enquiries are instances when people contacted the Office to seek information without making a complaint. In total, the Office worked to address 355 cases in 2016.

In her Annual Report 2016, the Ombudsman highlights for the third year in a row the fact that the Land Title Registry Office ("LTRO") remains closed to the public as a matter of grave concern. The total cost of setting up and running the office from 2005 has exceeded \$11 million dollars. Eleven years later, it is still not operational.

The Report includes commentary on the Ombudsman's discussions with the Bermuda Monetary Authority, Bermuda's financial sector regulator, on how bank related complaints are addressed and whether Consumer Affairs is the appropriate office to deal with banking complaints.

The Report contains commentary on the Treatment of Offenders Board ("TOOB") and the Ombudsman's collaborative work with TOOB, the Department of Corrections and the Ministry of National Security to address gaps in complaint handling procedures for inmates.

The Report also comments on an ongoing investigation surrounding the Personal Services Section of the Department of Immigration. Problems have been acknowledged by the Ministry of

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Home Affairs and the Department and proactive measures have been taken to address the backlog caused by a significant increase in applications and no corresponding increase in staff compliment. The commentary provides additional information on this investigation.

The Annual Report 2016 focused on how the Ombudsman's Office can serve as a bridge in our community. The Ombudsman stated, "The work of this Office includes bridging differences and disconnections between members of the public and the authorities whose job it is to serve them. Ombudsmen focus on protecting people from unfair actions and bad administrative decisions. When complainants bring matters to our attention, where necessary our Office adds volume to their voices to ensure they are heard and appropriate attention is given to them. Ombudsmen connect the parties and seek to build understanding and promote fairness."

In her message the Ombudsman reflected, "Building a bridge requires careful contemplation. Bridges must be accessible. The work of our Office requires us first to be listeners. Opportunities for alternative dispute resolution require that when people have complaints they are heard. Sometimes being heard by an Authority is enough to resolve a complaint. Sometimes an apology is sufficient. The fair, unbiased handling of complaints we receive requires careful consideration of all sides. We seek to improve discussions and clarify matters between competing issues. We aim to secure fair outcomes as we support positive change."

"I want to thank members of the public who continue to entrust us with their complaints. Complaints brought to our attention help us identify areas of general concern. I also thank those who work in the various areas of the public service for their work, assistance and cooperation."

The Report can be downloaded from www.ombudsman.bm, along with all previous reports published by the Office. Limited copies of the Report will be available for the public at the Office of the Ombudsman located at: Dundonald Place, Suite 102, 14 Dundonald Street West, Hamilton HM 09. For further information, call us at 296-6541 or email us at info@ombudsman.bm.

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Editor's Notes:

- The Ombudsman is an independent, non-government official who investigates complaints from the public about maladministration in the delivery of public services.
- The Ombudsman Act 2004 is the governing legislation.
- Section 24 of the Ombudsman Act 2004 requires that, within six months of the end of the year, the Ombudsman shall submit an Annual Report to the Speaker of the House of Assembly, with a copy to the Governor and the President of the Senate.
- Sections 15-17 of the Ombudsman Act 2004 lay out the process by which the Ombudsman may make recommendations further to an investigation to which the authority is required to respond. Pursuant to section 24 and 17, the Ombudsman may submit a special report to Parliament outlining an authority's: (1) failure to notify the Ombudsman of action proposed to be taken; (2) failure to take any action; (3) action that in the Ombudsman's opinion has been inadequate or inappropriate.
- For more information, contact the Office of the Ombudsman for Bermuda at 296-6541.