

Looking ahead – challenges for the IOI in responding to its members' needs in changing times

**International Ombudsman Institute World Conference
Wellington, New Zealand
Friday, 16 November 2012
Bruce Barbour, NSW Ombudsman**

What better time than this session to reflect and look to the future. We are concluding our conference, and our new Board is just about to meet.

Let me begin by thanking the President of the IOI and our gracious host, New Zealand Chief Ombudsman Dame Beverley Wakem for inviting us to Wellington and staging such an informative and thought-provoking conference. This has been an opportunity to come together and consider the challenges we face, what we can learn from one another and how we can work differently in the future.

These past four days we have been stimulated by excellent presentations, but this is only part of the benefit. I have always found that it is when we speak outside of sessions, over coffee, at dinners, or just in passing, that we gain a true insight into how we work and the common challenges we face. It is in this shared experience that I feel the real value of the Institute lies, and it is this that I believe we have to continue to build and utilise more effectively.

This conference has provided an opportunity for members to acknowledge the good work that has been done to enhance the IOI, particularly in recent years. But it is clear there remains a sense of frustration or concern among members; a feeling that the Institute could do more, could be more, could achieve more.

With this in mind, I was asked to look critically at our future direction, and consider some important questions. What do members want from the IOI? Are these things it can deliver? What is our future direction as an Institute? Where will we be in five, ten, fifteen years time? We could spend days discussing such questions – in fifteen minutes I will only touch on a few.

I am going to be frank, honest and direct – these are after all the essential characteristics of an Ombudsman. We should not only bring these to our work, but also to our discussions of our future as an institutional group. I also speak with a sense of some urgency. We live in fast-paced times – the days of slow, incremental change, punctuated by meetings every four years, cannot continue. The work of the Institute must be timely, current and dynamic. This expectation is placed on our offices despite our maturity and length of time in business – why not our Institute.

I have been an Ombudsman for 12 ½ years. I am proud to be an Ombudsman and to lead an extraordinary office that has continued to grow, be innovative and strong, and achieve major outcomes and results in the public interest.

I also had the privilege for almost eight years of being the Regional Vice President of APOR serving on the IOI Board during that time. My experience has shown me that the strength of any institutional grouping lies in a strong sense of community through the sharing of a common purpose and common experience. This is often more easily stated than achieved, and more easily achieved for other integrity bodies, such as anti-corruption commissions and auditors general. They have far more homogenous responsibilities and goals. It is more difficult for Ombudsman to achieve this. The strength of our offices and the concept of an Ombudsman more broadly lies in its adaptability. Though we share core principles, in reality we are increasingly becoming very different.

We often work in very different political climates, we have different powers, we are different sizes.

Some of us have broad jurisdictions that include both the public and the private sector. Some have a traditional mandate and others a more innovative and dynamic one.

Some of us are specifically tasked with protecting the human rights of our communities.

Some of us have additional responsibilities alongside those of a traditional Ombudsman, including Information Commissioner, enforcing Leadership Codes for politicians, and National Preventative Mechanisms under the UN OPCAT to name a few.

These differences should not be viewed as bad but rather as essential and appropriate differences, reflecting the changing interests of the communities we serve, their expectations and the nature of different accountability and transparency frameworks. But these differences are challenging particularly when we come together as members of the IOI - and in what we contribute and hope to take away from our membership.

Despite our differences, there are core experiences and influences that bind us together. I am not speaking about 200 years of Ombudsman history, but rather of the here and now.

We all experience change.

We all face challenging periods, with agency, media and occasionally government opposition to our work.

We are all expected to operate in challenging financial situations. We are all being asked to do more with less, to work harder, smarter and quicker. We face austerity measures, or as they are known in Australia, efficiency dividends and productivity savings (neither of which contribute to productivity or efficiency). We have spoken of these this week.

Shouldn't we be working better and smarter together to develop common approaches to these common problems, challenges and needs? This is but one area where I believe the Institute can and should play a greater, leading role. It should be meeting our expectations, providing us with a point at which to come together, to learn, to improve and to be better Ombudsman.

Undoubtedly the regional groupings of the IOI play a very important role. When they work effectively, they can bring offices together and provide a collegiate network of support. But once again, there are some very real challenges. Our regional groups are established on the basis of geography, rather than similarity of office, common need, political system or stage of development. This means the membership of our regional groups can vary greatly. Members

are often very different offices, operating in different systems of government with different histories, focuses, needs and requirements.

When I first became Ombudsman, in my region the IOI through APOR was the only representative institutional group for Ombudsman. This is no longer the case. There has been an extraordinary growth in the number of Ombudsman offices, globally – parliamentary, industry and commercial. This has been accompanied by new organisational groupings. In my region alone, we now have the Australian and New Zealand Ombudsman Association, the Pacific Ombudsman Alliance and the Asian Ombudsman Association, and the 7 Australian Parliamentary Ombudsmen meet regularly. Further afield, bodies such as the European Network of Ombudsmen and the British and Irish Ombudsman Association have been created, and of course there are many more.

As busy professionals, we can only give our time and play an active role in a limited number of organisations. When we are considering our options, we will assess what value each membership will bring to our office, how it can help us. Is our time and contribution well spent and worthwhile.

Many of these other organisations provide accessible and good services to their members, they are strategic, targeted and practical. The IOI, in my view, should not be looking to duplicate the support and assistance provided by these bodies. Quite frankly, they can, and are, doing it better.

I think instead we need to think about how the IOI can complement and lead, rather than compete with or duplicate other institutional groups.

In any discussion like this, it is important to recognise the significant change management work undertaken by the IOI Board over the past ten years and that Board members provide their time voluntarily in addition to their busy roles as Ombudsman.

A great deal of work has been done to lay the foundations for the future of the IOI. We now have a permanent, well-resourced Secretariat. Secretary General Kostelka and his staff are to be commended for their hard work and the reforms they have administered. We now have a strong and secure financial base and new by-laws. All are vital for the future as we look to develop new and creative methods of working together.

Now, while there is true momentum, we must build on this foundation. So what next, where should the Institute go, what work should be its focus, how will it assess its priorities?

The responsibility for this is a shared one. This is our Institute. It is not solely the responsibility of the Board and the Secretariat to drive the future direction of the IOI. We as members have to work to ensure we get the Institute we want. We all have to contribute to its future development. If we do not take an active interest, then we run the risk of the IOI becoming an occasional conference organiser, occasional training facilitator and repository of occasionally useful historical information.

We all have to take an interest in the direction the IOI now sets for its future, and what contribution it will make to the international role, work and status of Ombudsman offices.

I spoke earlier about some of the challenges we all face. I think we are capable of doing more to address these. We have an extraordinary wealth of knowledge among our members.

However, it is yet to be utilised. Some have experienced periods of growth and support. Others have faced government opposition, open hostility, legislative challenges and attacks. Some have found innovative ways to deal with problems – others developed strategies for taking their work into non traditional areas. We are not adequately collecting and using this experience or knowledge to truly benefit, guide and support members.

A great deal of information has been drawn together in recent years through a number of research projects funded by the IOI. However, to actually be of practical use to members, this information needs to be current, and it needs to serve a purpose. An encyclopaedia of current offices, their relevant laws and functions will be of value for only a limited time and for only a few offices. It is not information of a kind to help members work through the challenges they face.

Relevant examples could be the challenges for an office looking to extend its jurisdiction into the private sector for the first time, being provided multiple new tasks or responsibilities, a changing political imperative reducing support for the office. The IOI could link such offices with other members who have been there before. They could provide advice on how they approached the change and provide support to help them deal with the change or reforms. This sounds simple, but it could be of real value to members, and provide tangible and very practical benefit through the coordination of the IOI.

My Irish colleague Emily O'Reilly has suggested this could be formalised into a buddy system between offices. This would see long-term relationships formed between similar offices, or established and developing offices, which would provide relevant support and cooperation. The IOI could assist in pairing offices, drawing on its understanding of members and coordinating a structured and strategic program.

This contact could then be supported by visits and targeted training opportunities. These cannot happen in isolation. Funding or hosting training alone is not enough, as not every office will benefit from or be able to utilise the same initiatives or strategies that typically underpin training. I was delighted recently to be involved in training in Hong Kong and Macao for Ombudsman and their staff from around the region. When we were preparing for these sessions, we contacted each participant ahead of time and asked about their offices and what they were seeking from the training. We got an idea of their systems, as well as the challenges they faced. We then tailored the training to better suit their needs. We also worked with them afterwards to maximise their use of what was covered.

I would recommend this approach be taken to all IOI projects, not just training. The Institute must follow up on its activities, finding out what worked, what has lead to real change, did its involvement make a difference, and what additional support and assistance may be needed to strengthen capacity. This conversation should be ongoing to better tailor future support, and ensure members are getting not just what is on offer from the IOI, but rather what they need from the IOI.

This linking of members is only one way of strengthening and supporting Ombudsman offices. I have discussed with many of our colleagues the fact they are lone voices in their country or state. This can be very isolating and challenging, particularly in discussions around obtaining and keeping adequate funding and independence, both of which are crucial to an Ombudsman's success. The IOI as the only organisation with a genuine global presence, could and should effectively support its members. With an international presence and strong voice, the Institute could be a persuasive advocate. This type of international discourse and

involvement could make a real difference to members and truly set the IOI apart from other representative bodies. But once again this needs to be targeted, strategic and pro-active if it is to successfully promote the status and security of its member offices.

We all know the world is changing, and that it is changing quickly. Technology is shrinking the distances that used to divide us. Meeting every four years can only achieve so much. We need to establish more effective communication with one another.

The Institute needs to be a leader in using technology strategically and with purpose. I understand the Extranet service provides an opportunity to share ideas and approaches for the European Network of Ombudsmen, with discussion forums and document sharing facilities.

The IOI should consider moving down a similar path. I know from my own staff – as well as many I have met from other Ombudsman offices – that people who work in Ombudsman offices are passionate about their work. They actively seek out and share information to help them and their colleagues do a better job for their communities. They may work in child protection, police complaints, local government, custodial services, human rights or any of the other broad range of areas for which we have responsibilities.

Just imagine if they had a quick, easy method of getting this information and sharing their own work. Not only this, but also a way to then make contact with those behind the information. They may be close by, working in a neighbouring city, state or province, or on the other side of the world. It would not matter because the IOI could provide that link between them.

We know the concept of Ombudsman around the world is strong, but this does not mean it does not require protection. We see everywhere an increasing trend towards the creation of new stand-alone oversight and integrity bodies, such as anti-corruption commissions. There is no question that these bodies perform an essential function, but their creation should not in any negative way impact on the need for, or the jurisdiction or effective day-to-day operation of Ombudsman.

As the only global body representing Ombudsman, the IOI must take the lead in ensuring this does not happen. I recognise this to be a challenge, and that each jurisdiction will be different. But this does not mean we should not try. The IOI is best placed to develop materials and guidance and co-ordinate advice and provide active assistance to jurisdictions either considering setting up an Ombudsman or where additional bodies are contemplated to work alongside existing Ombudsman offices. As with other areas I have spoken about, this should not only be a one-off, ad-hoc response. There must be a coordinated and planned response to this and other challenges we will face.

As Ombudsman, we must never fear reflection, renewal, rejuvenation and reform. In that spirit and as we consider our future, let me end by making some suggestions, for the consideration of our Board and all of us as members.

I believe the Board should as a priority develop a strategic plan and set a measurable and accountable future direction for the IOI. The plan needs to identify a stronger, clearer path, articulating more active ways of engaging with and supporting members in a practical way, as well as championing the concept and institution of Ombudsman more broadly. The plan should avoid duplicating what other organisations can deliver more effectively, but rather focus on what the Institute is uniquely placed to offer.

The interests of members must be paramount in this plan and activities, and the Board must lead the way in the Institute developing innovative, creative and forward-thinking solutions to some of the problems and challenges we face on a day to day basis.

But our future direction cannot be the responsibility of the Board alone. We all as members share that responsibility. We need to be involved, to get involved and work with the Board to fashion and create the Institute we want. If we do not enter into this as a genuine partnership, we cannot then complain about the Institute's failings.

We should be encouraged by the discussions this week, the considerable effort and thought put into presentations and we should leave the conference perhaps more confident than when we arrived. Knowing that we are moving forward as an organisation, and knowing that we need to do so together.

I am optimistic for our future, and believe together we can build a strong, more effective, more relevant and most importantly an enduring Institute.