

The Administrations accepted 72% of the recommendations of the Ombudsman's Office

26/02/2015

The Ombudsman of Spain, Soledad Becerril, handed over the [Annual Report 2014](#) to the chairmen of the lower and upper chambers of Parliament, Jesús Posada and Pío García Escudero respectively.

The Annual Report describes the activity of the Ombudsman's Office in a year in which **467 recommendations** were made, **72.09 percent of which were accepted**.

In 2014, the Ombudsman's Office received **23,186 complaints**. The issues that members of the public were most concerned about had to do with social affairs (minimum income, dependency benefits), problems concerning state, autonomous regional and local taxes, and delays in administering justice.

Added to that, the Office increased the number of **own-initiative inquiries by 41%** to as many as **489**. Of particular note are the ones for including pupils with disability in the education system, the supervision of immigrant intake, problems to do with energy poverty, electricity power cuts and billing systems.

In 2014, the Office started a **transparency portal** containing details of budget management, wages, contracts, agreements and official trips. In addition, a new service was created that lets people check the status of their complaints on www.defensordelpueblo.es.

The Ombudsman believes that “transparency cannot be confined to showcasing its facts and figures”. Consequently, and to offer people the best possible service, the Office provides information about the steps taken and notifications lodged, the timescales and the outcome. For the first time, those data are provided in the Annual Report together with the average time the Office took to reply to citizens and the time employed by the regional governments to reply to the Office.

HIGHLIGHTS

Tax reform

The tax reform adopted this year included recommendations made by the Ombudsman's Office. For example, it eliminates municipal capital gains tax in the event of dation in payment and exempts from Income Tax the capital gain arising out of the dation in payment of a regular residence. Furthermore, subsidies and state aid will not be declared until they have been received. The reform includes another recommendation to alter the regulation of the minimum for descendants, taking into account the different family household models. The reform also keeps in place the abatement coefficients, with a limit of 400,000 euro on the sale of the property.

The Ombudsman's Office will insist on the need to re-establish the deduction for investment in a regular residence when building work is carried out and facilities are put in to adapt the home for disability reasons.

Second-chance law

Last year the recommendation was reiterated to establish an insolvency procedure, or second-chance law, for over-indebted individuals and bona fide consumers, described in the study “Crisis económica e insolvencia personal: actuaciones y propuestas” (Economic crisis and personal insolvency), published in October 2013.

In the opinion of the Office, that procedure should be wide in its application, simple, effective and free of charge. It should also reconcile the interests of creditors and debtors, facilitate the orderly payment of debts and restructure the domestic economy.

The Office is waiting to see the text setting out the measure proposed by the Government in the State of the Nation Debate to help families restructure their debts through an out-of-court agreement on payments.

Electrical power

The Office has recommended extending the subsidised rate to more disadvantaged groups of people and has asked for more guarantees in the procedure for cutting off the electricity supply and for the billing systems.

Steps were taken, also, to seek a more transparent and clear electricity bill. In the wake of the intervention by the Ombudsman’s Office, the Government approved a new invoice form that enhances the information consumers receive.

Cancer-related medication

The Office opened a case to establish when and how new innovative medication for treating cancer-related illnesses is expected to be made available.

Poverty and child nutrition

As a continuation of the steps taken as regards poverty and child nutrition, a recommendation was made to all the autonomous regions and towns for them to adopt the initiatives needed to provide food for or strengthen the food security of children in a situation of greater vulnerability during the school holidays. Most of the autonomous regions have responded positively, albeit adopting different ways of caring for the children.

Victims of terrorism

The Ombudsman’s Office made recommendations aimed at raising awareness in international forums of the harm caused by terrorism. It also asked for support measures to be given impetus in the Statute of the Victim, to enable the representation of victims of terrorism to appear in person in the legal proceedings conducted before the European Court of Human Rights or before other courts situated outside national territory.

The recommendations were accepted and some moves have been made to raise awareness in international forums of the harm caused by terrorism. The Ministry of Justice should establish specific channels that enable the representation of victims to appear in person in proceedings conducted before the European Court of Human Rights.

Detention centres

In its capacity as a National Mechanism for the Prevention of Torture (MNP), staff from the Ombudsman’s Office visited 61 detention centres; the Ombudsman took part in 11 of these visits. Soledad Becerril also visited three centres in EU countries to find out what these centres are really like, the good practices undertaken there and recommend that they be introduced in Spain.