

# The Ombudsman Newsletter

Luk lo Waka blo Gavman



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## Ombudsman has New Law—The Ombudsman Act 2017

The Ombudsman's Office now has a new law. This is called the Ombudsman Act 2017. The new Act (Law) was passed in Parliament on the 26<sup>th</sup> of July 2017. The passing of the new Act marks a significant milestone in the role of the Ombudsman in Solomon Islands as a constitutional office and one of the integrity insti-



Ombudsman Fred Fakarii (2nd from left) with Leader of Opposition at the World Anti-Corruption Day celebrations at the National Museum, Honiara, 2017.

tion that is responsible for the oversight role of government administration. The passing of the Act will mean, a significant improvement in how the Ombudsman's Office will conduct its role in relation to Government agencies. Some of the improvements under the new Ombudsman Act 2017 as compared to the repealed old Act are as follows:

- It requires the government through the Ministry responsible for public service to provide necessary manpower (staff) to the Ombudsman's Office.
- Provides for a sepa-

rate budget head for the Ombudsman Office in the national budget whereby the Ombudsman is the accountable officer.

- Allows the Ombudsman to enter into any lawful arrangement with another public body for purposes of carrying out his/her functions. An example of such arrangement could be the stationing of focal point officers within each ministry who would ensure the Ombudsman's request to such office is responded to in a timely manner. This arrangement must not be confused with the Om-

budsman's power to begin an investigation against any prescribed office which does not need any such arrangement to exercise.

- Gives powers of authorisation and delegation to the Ombudsman so that the work of the office can still continue under delegated authority even where there is no Ombudsman in office at any given time.
- Gives power to the Ombudsman to investigate contractors of government bodies. A contractor can  
....continue to page 2

### Inside this issue:

Ombudsman Act 2017	1
Corporate Services	2
Investigations	4
Governance	6
General Features	9
Staff Profile:	12

### Special points of interest:

- [What's new in the new Ombudsman Act 2017.....page 1 & 2](#)
- [Ombudsman attends 29th Australasian and Pacific Ombudsman Regional Conference....see page 3](#)
- [Report on Malaita Province Financial Mismanagement.....see page 4](#)
- [Highest complaints recorded ...see page 5](#)
- [Staff training.....see page 7 & 8](#)
- [Staff donate blood to NRH...see page 9](#)



## Transitional Preparations for a Separate budget head

Continue from page 1.....

be a private individual or company.

- Complaints can be made verbally as well so that a person is not unable to make a complaint simply because he/she cannot write.

- Requires the Ombudsman staff to put into writing any verbal complaints the office receives.

- Complaints can also be made by third party on behalf of a complainant.

- Requires the Ombudsman to keep a register of complaints he/she receives. This is to ensure there is proper record keeping and management and further avoids losing of files.

- Provides for a referral mechanism where a complaint or part of a complaint that the Ombudsman does not have the power to investigate (i.e., complaint that is not maladministration) can be formally referred to another office or authority that has the power to deal with. In a way, this referral mechanism gives an opportunity for a person to make any complaint at all (whether it is a criminal)

The Office of the Ombudsman is in a transitional mode to adapt the new Ombudsman Act comes 2018. Already there are internal changes happening, which will prepare the Office to adopting the new Act.

One of the Unit within the Office that will be responsible to handle some of these changes is the Corporate Services unit.



*Staff at the Corporate Planning Meeting in October 2017*

As highlighted by the Chief Administration Officer (CAO), Judith Waleanisia, some of these changes as accordance to the new Ombudsman Act 2017 which was passed in parliament in July 2017, requires for the Office of the Ombudsman to manage its own financial needs.

Soon after the Act was passed, the Ombudsman forwarded a submission to Cabinet for a separate budget head. This has recently been approved and passed on to the Budget Unit of the Ministry of Finance and Treasury (MoFT) to pro-

gress the establishment of an appropriate budget head under the 2018 Solomon Islands Government budget.

At the Office level, phone and electricity lines are also being organised by electricians and technicians so that such utilities are properly accounted for under this new budget head.

The Office has also recently submitted a bid to MoFT for additional staff because having a separate budget head would require properly trained manpower to take on these newly-created financial responsibilities. Once

this staffing bid is approved, the job vacancies will be advertised within the first quarter of 2018. In the meantime, the Office administration will continue to remain under the Office of the Prime Minister and Cabinet until such time it has the capacity to operate on its own.

## Ombudsman attends Conference in Perth, Australia.

The Ombudsman, Mr. Fred Fakarii made his first official visit overseas when he was invited to attend the 29th Australasian and Pacific Ombudsman Regional Conference, in Perth, Australia on the 27 - 29 of November 2017.

The Australasian and Pacific Ombudsman Region (APOR) is a regional body, which consist of Ombudsmen from the Commonwealth and every States and Territory of Australia, New Zealand, Hong Kong, Taiwan and the Ombudsman from the Pacific Islands Nations.

APOR is the sixth region of the International Ombudsman Institute (IOI), which was established in 1978 as the only Global Organization for the cooperation of more than 170 independent Ombudsman institutions from

over 90 countries worldwide.

The 29th APOR conference proper begins on the 28th after delegates to the conference were hosted at

there is so much that Solomon Islands, in particular, can achieve through this forum and the assistance that can be sought through it. Learning from others on how they deal with



Delegates to the 29th Australasian and Pacific Ombudsman Conference in Perth. Ombudsman Fred Fakarii sitting far right.

the Parliament House, Harvest Terrace, in Perth, Western Australia by the Hon. Speaker of the Legislative Assembly, Hon. Peter Watson, MLA.

Attending the conference, as highlighted by the Ombudsman, Fakarii, is an eye opener for him, especially on issues discussed during the conference, which he stated, Solomon islands needs to learn from. "Certainly

issues of common interest will undoubtedly assist others to be able to see their way forward in dealing with the same issues back in their own countries.

Integrity institutions need to be innovative, in order to be effective and efficient in carrying out their responsibilities as the watchdogs on how the executive administer justice to citizens", said the Ombudsman Fred Fakarii.

*"Soon after the Act was passed, the Ombudsman forwarded a submission to Cabinet for a separate budget head".*

# Report on Malaita Financial Mismanagement

A four men team comprising of the Ombudsman—Mr. Fred Fakarii, Director of Investigation—Mr. James Maneforu, Director of Governance—Mr. Fredrick Faabasua and Principal Research Officer— Mr. Rex Heartfield Akomae travelled to Auki on the 11 October 2017 to meet with various leaders of the Malaita Provincial Government to ascertain how the Province had move along with the Ombudsman’s report recommendations. In addition, the visit is to follow up with the Malaita Provincial Government (MPG) to see how they progress with the implementation of the recommendations the Ombudsman had recommended on its investigation on the alleged financial mismanagement and corrupt practices within the Malaita Provincial Government Executive.

The report of this allegation which was received by the Office of

the Ombudsman on the 13<sup>th</sup> September 2016 has resulted in a compre-

different members of the MPG.

The first meeting was with



Investigation team conducts interview with Principal of Aligegeo PSS during the investigation into MPG financial Mismanagement.

the members of the Executive Government, in particular the Hon. Premier Peter Ramohia, Deputy Premier, Hon. Alick Maeaba, a member of the Executive-Hon. Finly Fiumae and the MPG Provincial Secretary Mr. Jackson Gege.

The meeting with the MPG Executive Members and the Provincial Secretary were mainly to enable the Ombudsman’s Office get firsthand information on the way the MPG implement the recommendations highlighted in the Own Motion Investigation report...

***“The meeting with the MPG Executive Members and the Provincial Secretary were mainly to enable the Ombudsman’s Office to get firsthand information on the way the MPG implement the recommendations highlighted in the Office Own Motion Investigation report”***

## Highest number of complaints recorded for 2017



The Ombudsman's Office has recorded a total of 198 cases for the year 2017 as compared to the same period last year 2016. This represents an increase of 5 percent of cases received from both the public and Public Service.

Most case received are from the Public Service

and Teaching Service Commission. The nature of cases are mostly employment related issues and not issues that matters most to the common people in the country. The top three government ministries with the highest complaints recorded against them are the Ministry of Education and Human

Resources Development, Ministry of Health and Medical Services and the Ministry of Police, National Security and Correctional services.

A total of 15 cases were successfully closed, 41 cases are still being investigated and 6 cases were still accessed. Of the total of 198 cases register, 136 cases were closed in the assessment stage.

Most cases closed at the assessment stage are either out of jurisdiction or are referred to other relevant bodies or authorities.

*...continue from page 4...*

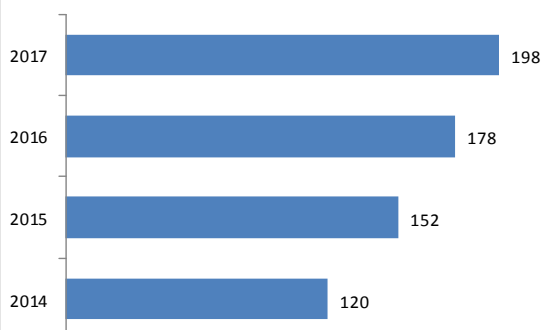
The feedbacks from the Province pertaining to the different recommendations and dateline were positive.

A second meeting was also held with the MPG Heads of Departments.

The meeting with the Heads of Departments focuses mainly on advocacy and advising the Heads of Departments to be diligent in performing their duties to serve the people.

The team was satisfied with the series of meeting held with MPG and return the next day, 12 October 2017 to Honiara.

**Total Complaints Recieved 2017**



The table above shows the total number of complaints the Ombudsman's Office registered from 2014- 2017

## Annual Report

The need to produce an annual report is a constitutional requirement which the Office of the Ombudsman need to do annually.

With the new Ombudsman in Office, producing annual reports will be a top priority for the

next five years and already the Governance Unit is tasked to ensure that happens.

The current report which is in progress will cover the periods 2016 and 2017. The focus for this annual report will be on the

transitional period from the old Act (Law) to the new Ombudsman Act. The annual report also highlights some strategic approach the Office will engage in the near future as the office work towards extending its operation and services to the provinces.

## Consultation with Ministry of Public Service into Complaint Handling System

Consultation was carried out with the Public Service Commission and the Ministry of Public Services by a team headed by the Ombudsman on the idea of setting up

The finding of which was then discussed with all government Permanent Secretaries, Under secretaries and Human Resources Managers in a con-

tary of MPS by the Ombudsman team, to discuss the possibility of setting up a Complaint Handling system throughout the public service.



Feedback receive from the Chairman of the Public Service Com-

*“Two meetings were then held with the chairman of the PSC and Permanent Secretary of MPS by the Ombudsman team to discuss the possibility of setting up a Complaint Handling system throughout the public service”.*

*Ombudsman and Executive Office members at the 2017 Planning meeting, Isaac Ooloni House Conference Room, Ombudsman's Office*

a Complaint handling System for the Public Service.

The need to have a Complaint Handling System in the Public service comes about after a successful survey was conducted by the Ombudsman's office into whether all government ministries had a complaint handling system in place to deal with grievances from the public.

consultation workshop in 2016 through which an over whelming support was rendered for the Ombudsman to take up the recommendations of the survey report to the Public Service Commission and Ministry of Public Service.

Two meetings were then held with the chairman of the PSC and Permanent Secre-

mission and Permanent Secretary of the Ministry of the Public Service were positive.

Currently the Ombudsman's office is liaising closely with the Public Service Commission and Ministry to implement a policy for the setting up of a CMS for the Public Service.

## Officers attend training on ‘conflict of interest’ in Nadi, Fiji.

The Solomon Islands Ombudsman Office was fortunate to have representation in the three day Conflict of Interest Management Training held in Nadi, Fiji, from 1<sup>st</sup> to 3<sup>rd</sup> May 2017. Participants from integrity institutions of seven Pacific Island nations attended this workshop.



*In picture—DLS Nelson Dhita (front) and SIO Philip Manetohua (in green) during a discussion session at the training in Nadi, Fiji.*

Our two representatives, Senior Investigation Officer—Mr. Philip Manetohua, and Director of Legal Services—Mr. Nelson Dhita, attended the training on behalf of the Office.

On the officers return, and as required by the Office, both had conducted a PowerPoint presentation to staff in sharing

the knowledge and skills acquired from the workshop.

Among the shared knowledge and skills are discussions on what conflict of interest is, why it arises, the type and nature of conflicts of interest, the inevitability of conflict of interest arising

at times and significantly, how to manage such conflict in order to maintain the integrity of an officer and his or her Organization.

This information learnt and shared will help officers in their responsibility in providing services to citizens.

“Our two representatives, Philip Manetohua and Nelson Dhita, shared the knowledge and skills acquired from the workshop by giving a power-point presentation to our staff after their return from the training”.

## Officers attends Corruption Training in Tonga

Director Investigations—Mr James Maneforu, and Director Legal Services—Mr Nelson Dhita of the Ombudsman’s Office along with colleagues from our sister-organisation, the Leadership Code Commission, attended and participated in this training workshop in Nukualofa, Tonga.

Many participants from other Pacific nations also took part in this training

workshop.

The office looks forward to hearing and learning from Mr Maneforu and Mr Dhita who will soon give a presentation on the advanced investigation skills necessary for integrity bodies which they had

acquired from the training.



*In picture, second from left is DI James Maneforu with other participants in a group discussion during the training.*

## Officers attends Investigation Training in Brisbane, Australia.

Three investigation officers from Ombudsman's Office were fortunate to attend a two weeks of training on Investigation Compliance & Enforcement Training Systems (ICETS) in Brisbane, Australia, from the 11<sup>th</sup> to 22<sup>nd</sup> of September 2017. They are the Principal Investigation officer—Mr. Billy Kerepiniano, and Senior Investigation Officers—Ms. Agnes Tarai & Mr. Komatang Baia.



*In picture—On far left is SIO Komatang Baia. Standing is SIO Agnes Tarai. Sitting from left to right is Ombudsman Fred Farkari and SIO Fred Topia.*

*“The need to send officers to ICETS, especially investigation officers is a long term approach, the Ombudsman’s Office pursues for its investigation team”.*

The training is a Certificate IV in Government Investigation. The trio's recent training with ICETS was funded by the SIG government and the Pacific Regional Ombudsman Alliance network group. This follows a successful completion of the same training by three other officers back in 2015. The first group of officers had since continued on with their Diploma training in Government investigation with ICETS.

The Certificate IV in Government Investigation is a ten day intensive program that incorporates both theory and

practical aspects of Government investigation in real life situations. “The specialized training qualification covers the competencies required by those responsible for statutory investigation under a range of legislation, regulations, mandated government and organizational policy and instructions”.

The need to send officers to ICETS, especially investigation officers is a long term approach that the Ombudsman's Office pursues for its investigation team. Not only that, but the Office anticipates to standardize its

investigation capabilities to face new challenges in the ever changing public service environment. Furthermore, the training allows Officers to attain the same qualification with Australia and New Zealand investigators.

Finally, as required by the Office, the three investigation officers were able to deliver a combine presentation and discussion session to staff of the Ombudsman's Office upon their return from Brisbane. This was proved to be very useful for the trainees and staff.



# Ombudsman Staff donate blood towards NRH blood bank

Blood Recruitment Officers from the National Referral Hospital recently visited the Ombudsman's Office on a blood drive session on the 27th July and 20th September of 2017.

During the two visits, the Office warmly welcome officers from the National Referral Hospital and encourage staff to donate to this worthy cause.

Prior to the blood donation sessions, the Ombudsman staff were given promotional and awareness talk on the importance of giving blood to save lives. This was greatly appreciated by staff.

As a result, a good number of staff willingly give blood. Staff from the Leadership Code Commission who

by the National Referral Hospital for government, private and individuals to donate blood towards the blood



**Senior Training & Public Relations Officer, Mr. Patson Tomu, during one of the blood donation session in 2017**

were present at the sessions also donated blood.

bank, for those who desperately need them.

The Blood donation call, is a National call,

*“During the two visits, the Ombudsman’s Office warmly welcome officers from the National Referral Hospital and encourage staff to donate blood to this worthy cause.”*



Ombudsman’s Office Senior Investigation Officer, Ms. Julia Hiru, assisted by an Officer from the National Referral Hospital, during one of the blood donation sessions at the Isaac Qoloni House Conference Room, Ombudsman’s Office, in 2017.

## Ombudsman Office celebrates Anti-Corruption day

The Ombudsman's Office participated in marking the Anti-Corruption day with other stakeholders on the 15th of December 2017.

The celebration begins with a march from the Honiara City Council car park to the national museums compound. The International Anti-Corruption Day (IACD) is a UN designated day. The aim is to raise awareness of corruption and its negative impact and what people can do to fight it.

The UN as highlighted by CEO of Transparency Solomon Islands, Ruth Liloqula, has set this day 9th of December as a time for political leaders, governments, legal bodies, and lobby groups to work together against

corruption and corrupt conduct by promoting

country, the involvement of the Office of



Ombudsman's Officers holding the Office banner during the 2017 Anti-Corruption march from the Honiara City Council car park to the National Museum.

the issues that surround this event.

The theme for this year is, "Corruption: An impediment to Sustainable Development Goals". The Slogan is, "United Against Corruption".

As one of the integrity institutions in the

the Ombudsman in the march is a significant one, not only to promote the importance of good governance in all government administration, but as frontline defense in the fight against corruption in the public service..

*"the involvement of Office in the march is a significant one, not only to promote the important of good governance, in all government administration, but as frontline defense in the fight against corruption in the public service".*

### In pictures...(from left to right).

Chairman of the Leadership Code Commission, Mr. Solomon Kalu (in blue island shirt), was invited to talk to staff on the topic 'bureaucracy in the work place'.

DLS Nelson Dhita and SIO Philip Manetohua giving a presentation to staff on the topic "Conflict of Interest".



## Ombudsman greets staff on festive season

To those of you who are now having your official leaves and to those of us who are looking after the office. May I take this opportunity to wish you and your families a joyous Christmas and a Happy and Prosperous new year.

Take time to enjoy the Christmas blessing with your families, but in doing so, please also have some time to reflect on the true spirit of Christmas. As Chris-



Ombudsman send greetings to staff

tians we celebrate Christmas, because it is the day in which we join with millions around the world to remember the birth of our Lord Jesus Christ. His birth was heralded by the host of angels as the good news to all

mankind. For a son was born in Bethlehem. His name is Jesus, because he will save the people from their

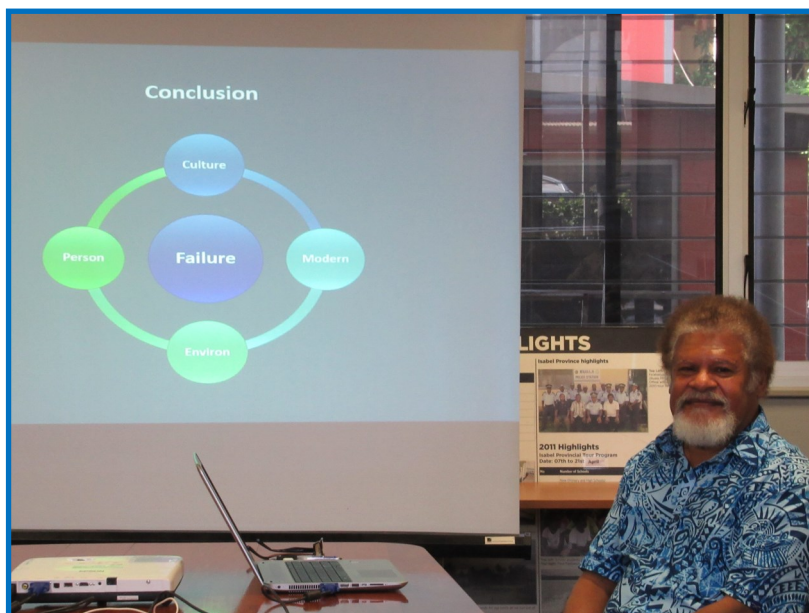
sins. Certainly that is the good news which we must celebrate over the this Christmas Festive season. So we do have a good reason to celebrate.

Thank you and may God richly bless you and your families.



*“Integrity institutions need to be innovative, in order to be effective and efficient in carrying out their responsibilities as the watchdogs on how the executive administer justice to citizens”.*

## In Pictures cont...



Dr David Gegeo, Research Coordinator , Solomon Islands National University, was invited to lead a discussion session on “culture factor and its impact on workplace” with staff of the Ombudsman’s Office as part of the Office monthly discussions to share information, skills and knowledge with officers in 2017.

## Staff Profile



ombudsman

- **Will listen**
- **Won't take side**
- **Service is free**
- **Will give you a fair go**

*"Before taking up the position of Principal Research Officer (PRO) for the Ombudsman's Office, Mr. Rex Akomae worked on various research project for different organizations".*

**Name: Rex Heartfield Akomae**

**Title: Principal Research Officer (PRO)**

Province of Origin: Malaita/  
East Kwaio.

Religion/denomination:  
Seventh Day Adventist (SDA)

Education background:  
Bachelor of Arts Degree from  
the University of South Pacific,  
majoring in Politics/  
International Relations and  
Sociology.

**Work experience:** Mr. Akomae had a keen interest in Research. Before taking up the position of Principal Research Officer (PRO) for the Ombudsman's Office he worked on various research project for different organizations.

From 2010 to 2012, he worked as a Research Officer for the Truth and Reconciliation Commission (TRC) before moving to work on



Post-Conflict Peace Building Project with UNDP and MNURP. Recently he worked as a Project Officer for the CDF Community Consultation and Assessment Project with Transparency Solomon Islands (TSI) documenting the impacts of CDF in the rural communities.

In between Mr. Akomae also participated in Re-

search Training and other Professional Development Programs at Australia National University and East-West Center. His work is also published with the Pacific Islands Leadership Program—'The Voice of Generation One' at East-West Center and more recently the Journal of Pacific History (JPH).

## For more information you can contact the Office through:

PHONE: (+677) 21855/21856

FAX: (+677) 28626

WRITE TO US: OFFICE OF THE OMBUDSMAN, P.O. BOX 535, ISAAC QOLONI HOUSE, HIBISCUS AVENUE, HONIARA

E-MAIL: [ooosi@ombudsman.gov.sb](mailto:ooosi@ombudsman.gov.sb)

OR VISIT US AT: ISAAC QOLONI HOUSE