



**Ombudsman of Solomon Islands**

# **Annual Report**

## **FOR THE YEAR ENDED**

## **2019**

**Presented to**

**THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS**

**Pursuant to Section 98(3) of the Constitution**

# **Ombudsman Annual Report**

**FOR THE YEAR ENDED  
2019**

# **VISION AND MISSION**

## **Vision Statement**

Our vision is to promote fair, transparent and accountable public administration that benefits all people of the Solomon Islands.

## **Mission Statement**

Our mission is to protect the interests of the Solomon Islands community to:

- Assist people in resolving complaints about government bodies
- Independently investigate and report on the actions and practices of government bodies
- Foster accountable, lawful, and transparent and responsive administration

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## Foreword



I am pleased to again present to the National Parliament of Solomon Islands, the Ombudsman's Annual Report for year ending June 30<sup>th</sup> 2019. This is my third report to Parliament since my appointment to the Office in May 2017. It presents an account of the work done by my office for the year ending June 30<sup>th</sup> 2019. It puts together the collective effort of the hard working and dedicated staff entrusted to carry out the mandated responsibilities of the Ombudsman. In it are records of successes and challenges in advancing the objectives and vision for the Office of the Ombudsman of Solomon Islands (OOSI). This report also contains a compilation of collective grievances issues raised by the general public for the material year. It is important for the Parliament to give serious attention to the issues raised in the report.

At this juncture, I wish to thank the people throughout the country who have supported the work of my office through their various engagements with my officers. Whatever assistance offered in support of our service to our people, is always greatly appreciated and highly regarded with respect. Your office's continuous support has contributed enormously towards the work of my office to ensure that it meets its constitutional duty to assist our people on a wide range of matters. You have in one way or another supported the work to address administrative challenges that continue to grip services delivery in the public sectors. It is therefore, my hope that addressing the issues raised in this report will make a significant contribution to improving governance in Solomon Islands, especially in our public sector. I am sure the Parliament will read this report in earnest.

The staff of my office have taken a comprehensive approach to fulfilling its mandatory responsibilities. These include educational awareness tours to provincial headquarters, weekly radio talk-back shows, distributing pamphlets, and of course dealing with complaints. The tours to provincial centers have provided opportunities for people to honestly raise their views on various issues relating to the conduct of public offices in the delivery of public services. Awareness and advocacy continues to be one of the focus areas of my office, as it is considered to be the most effective means of advancing better understanding of the different services provided.

The Office of the Ombudsman of Solomon Islands, like other colleague independent integrity institutions also has had its share of challenges over the reporting period. Among these is the ongoing issue of staff shortages, an issue which continuously affects the service delivery of the Office. This manpower issue has the potential to continue in the future until the government, among other things, fully complies with its legal obligation under section 11(1) of the *Ombudsman Act 2017* which explicitly requires as follows:

*The Ministry responsible for the public service must ensure the Ombudsman's Office is provided with the staff necessary to enable the Ombudsman to properly exercise his or her powers and perform his or her functions.*

I also wish to repeat here that people have been asking for the Ombudsman to establish satellite offices in the provinces to allow our people out there easier and more regular access the services we provide. This issue had been raised over and over again in the successive Ombudsman reports going back to the 1980s and 1990s and until government addresses the staffing issue, succeeding Ombudsman will continue to raise it until it is addressed. In a country like ours, that is so scattered geographically, the continuing lack of such provincial offices significantly hampers our ability to fulfill our responsibilities.

On a more positive note, the Ombudsman has continued to enjoy a cordial working relationship with our external partners. Institutions like the Commonwealth Ombudsman of Australia and the New Zealand Ombudsman have continued to provide technical assistance to my office. Those external relationships have done so much for the office in building its capacity and improving its technical capabilities, and in closing I wish to take this opportunity to sincerely thank them for invaluable contributions they made.

Finally, I also wish to thank my staff for their continuous dedication towards ensuring that the office fulfill its mandated responsibilities. They continue to do so despite the many challenges they encounter. I currently have a small but fully dedicated, highly effective and professional staff, who are determined to use whatever limited resources available to continue to deliver to the best of their abilities, the services of the Ombudsman to the people of Solomon Islands.

**Fredrick L. Fakarii**  
**Ombudsman**

## Table of Acronyms

Acronym	Definition
<b>ACA</b>	Anti-Corruption Act
<b>COI</b>	Conflict of Interest
<b>CBI</b>	Complaint-Based Investigation
<b>CMS</b>	Complaint Management System
<b>HCC</b>	Honiara City Council
<b>ICETS</b>	Information, Compliance, and Enforcement Training
<b>LCC</b>	Leadership Code Commission
<b>LDSB</b>	Long and Dedicated Service Benefits
<b>MPA</b>	Members of the Provincial Assembly
<b>MFR</b>	Ministry of Forestry and Research
<b>MPS</b>	Ministry of Public Service
<b>MCILM</b>	Ministry of Commerce, Industries, Labor & Migration
<b>MEHRD</b>	Ministry of Education and Human Resources Development
<b>MPNSCS</b>	Ministry of Police, National Security and Correctional Services.
<b>MHMS</b>	Ministry of Health and Medical Services
<b>MPS</b>	Ministry of Public Services
<b>MJLA</b>	Ministry of Justice and Legal Affairs
<b>MID</b>	Ministry of Infrastructure Development
<b>MLHS</b>	Ministry of Lands, Housing and Survey
<b>MoFT</b>	Ministry of Finance and Treasury
<b>MFR</b>	Ministry of Forestry and Research
<b>MFMR</b>	Ministry of Fisheries and Marine Resource
<b>MPGIS</b>	Ministry of Provincial Government and Institutional Strengthening

<b>MRD</b>	Ministry of Rural Development
<b>MHA</b>	Ministry of Home Affairs
<b>MCT</b>	Ministry of Culture and Tourism
<b>MCA</b>	Ministry of Communication and Aviation
<b>NPO</b>	National Parliament Office
<b>NPF</b>	National Provident Fund
<b>OPMC</b>	Office of the Prime Minister and Cabinet
<b>OMI</b>	Own-Motion Investigation
<b>OOSI</b>	Office of the Ombudsman of Solomon Islands
<b>PIN</b>	Pacific Integrity Network
<b>SIBC</b>	Solomon Islands Broadcasting Corporation
<b>SOE</b>	State-Owned Enterprises
<b>SIG-ICT</b>	Solomon Islands Government Information and Communication Technology



# 1. Introduction

## 1.1 Executive Summary

This Annual Report provides comprehensive focus of the work of the Solomon Islands Ombudsman from July 1<sup>st</sup> 2018 to June 30<sup>th</sup> 2019. This year, the Ombudsman received a total of 202 complaints. A total of 176 cases falls within the Ombudsman's jurisdiction and is been dealt with accordingly. Of this figure a sum of one hundred and thirty two (132) cases were resolved and closed at the initial stage of receipt and assessment based on the legal criteria under section 18 of the Ombudsman Act and Part IX of the Constitution. Twenty three (23) cases were closed at the preliminary investigation stage with another one still at the preliminary assessment stage. Eighteen (18) cases were being fully investigated and for another two cases investigation has already been completed. A total of twenty six (26) cases is outside the jurisdiction of the Solomon Islands Ombudsman and has to be either dropped or referred.

The office has seven (7) fulltime working investigators to deal with cases in timely fashion. Many of the cases are brought against individuals and offices in the provincial centers and islands and consequently it takes a lot of time and effort to plan and deliver investigation work. These are some of the regular challenges the office faces in executing its duties.

Out of the 202 registered complaints, a total of 136 were raised against government Ministries. This represents a staggering 67.3%. Of these 136 complaints, Ministry of Education and Human Resources Development has the highest number—35 cases. It was followed by Ministry of Health and Medical Services (20 complaints), and Ministry of Commerce, Industries, Labour & Immigration (17 complaints). Other government ministries and departments have had their share of the complaints as well.<sup>1</sup> It is important to note here that the clusters of complaints regarding similar issues against public bodies exposes huge systemic deficiencies within the government sectors which hamper delivery of efficient services to the people. While the Ombudsman can and does work to address these systemic and administrative challenges, it is equally imperative that public officers take due diligence in carrying out their mandated duties. Public officials are reminded to always bear in mind that they are accountable to the general public whom they serve as public officials.

Additionally, a total of 35 complaints were raised against provincial governments including Honiara City Council (HCC), 17.3% of the total registered cases. A further nine (6) complaints

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<sup>1</sup> Go to the complaint-audit section for details.

were made against State-Owned Enterprises (SOEs), comprising 3% of the total registered cases.

A further 21 complaints were made against other institutions like unions and against private individuals, totaling 10.4 % of cases. Also, three (3) complaints were raised against Members of Parliament (MPs), Ministers, and other leaders for their Personal Conduct. One complaint was raised against the National Parliament Office. There are also two ongoing Own-Initiative Investigations.

To conclude, the office must manage its limited number of officers to execute its mandates. This challenge is persistent, along with that of limited financial resources, Services like health, teaching, and policing are widely distributed across the country and the country's geographical nature makes the task still more difficult. All that said, the office will continue to deliver its services to the people.

## 1.2 Looking Ahead

2018–19 was truly an exciting year for the OOSI because it achieved many of its major objectives for the year. It now looks forward to making more progress in delivering services to the people.

The office, through its Executive Management Team (EMT), anticipates completing the review of its corporate plan soon. This fundamental document will map out the office's five-year strategic plan.

The office is expected to launch its official website by June 2020 and anticipates going online with its services. This development will enable the public to access relevant information regarding the work and services rendered by the Solomon Islands Ombudsman online. The website development will bring the services of the Ombudsman closer to the people regardless of geographical, financial, or other barriers.

Another area of strategic importance the office will continue to pursue with other relevant government departments is the development of a general Complaint Management System (CMS) for the public. The CMS will provide avenues for the public bodies to effectively and expeditiously address complaints made to them with less or no cost at all and in this way support the work of integrity institutions.

The office may expect steady increase in its staffing over the next few years. This is result of the Ministry of Public Service's (MPS) response to the Ombudsman's submission to restructure

his office. A major part of this restructuring program will be the recruitment of additional officers, which will make the office better resourced and equipped to carry out its mandated duties.

Finally, the office looks forward to maintaining its cordial relationships with its regional alliances like the Commonwealth Ombudsman of Australia, the New Zealand Ombudsman, the Australasia-Pacific Ombudsman Region (APOR) and others. Such mutual relationships are fundamental to the Ombudsman's work and work in areas of mutual interests such as good administration, governance, and so forth.

### 1.3 Report Overview

The Ombudsman, by virtue of section 98(3) of the Solomon Islands Constitution, is required to submit an Annual Report to Parliament. Section 98(3) provides:

*The Ombudsman shall make an annual report and may make such additional reports to Parliament as he deems appropriate concerning the discharge of his functions, and may draw attention to any defects which appear to him to exist in the administration or any law.*

The current report formally starts with “highlights” in section two (2), which briefly lays out several remarkable milestone achievements of the Office up to July 1<sup>st</sup> 2019.

Section three (3) relates to the Ombudsman's supervisory role, in brief. It outlines the legal framework through which the Office discharges its duties. This includes the constitutional statutes pertaining to the establishment of the Ombudsman's Office and associated implementing provisions under the Ombudsman Act 2017.

The fourth section deals with the performance of the OOSI in executing its duties to promote good administration within public bodies. This includes the ongoing programs and activities that sustain good governance and good service delivery to the people.

The fifth section is an audit of complaints for the year ending June 30<sup>th</sup> 2019. It provides detailed documentation of the complaints that the Office registered, and expounds on the number of cases it received, how complaints were dealt with and the general distribution of complaints.

The sixth section takes a detailed look at the distribution of the nature of complaints among different Government ministries and departments, the provincial governments and state-owned enterprises.

Section seven (7) focuses on on-going issues and systematic challenges faced within the government sectors.

The eighth section focuses on the administration of the OOSI and looks at the functions of its various departments.

Section nine (9) consists of appendices, tables and statistics highlighted in the report.

## 2. 2018–2019 Highlights

### 2.1 Key outcomes in relations to complaints received, assessed and investigated

The Ombudsman's Office received a total of 202 complaints – 7 were received via email, 35 through mail, 5 through aerogram and 155 were made in person.

Most of the complaints received, that is, 176 representing 87.1% of the total complaints, are within jurisdiction. Regarding the rate of dispositioning of the 202 complaints, the Office resolved or closed 180 cases (representing 89.1%) during the year. Of these, 132 complaints were resolved at the initial stage of receipt and assessment based on the legal criteria under section 18 of the Ombudsman Act and Part IX of the Constitution. As required by law, advice on such early closure have been rendered to complainants concerned.

### 2.2 Work on the OOSI Official Website

The OOSI, with the support of the ICTSU department and the Ministry of Finance and Treasury, has embarked on developing an official OOSI website, which is expected to be up and running by 2020. The contractor Novus Ltd has already started the project's first phase, which includes gathering information and synthesizing it for website. The work on this website is progressing well. The website will make it much easier for the public to access Ombudsman services. It aims to make it easier to report complaints and ensure that people are kept updated with the latest developments regarding the work of the Ombudsman.

Finally, the website will ease some financial burden that stems from having to send officers to the provinces to follow up on cases or register complaints—people will be able to do that online, instead. The Ombudsman anticipates a closer working relationship with public once the website is launched.

### 2.3 Awareness on the Ombudsman Act 2017

The Ombudsman Act 2017 came into force on January 31<sup>st</sup> 2018. The officers of the Ombudsman's office have completed awareness visits to the 10 provinces, including the Honiara City Council (HCC) regarding the new Ombudsman Act 2017. In some provinces, the office has teams accompanying the Ministry of Provincial Government and Institutional Strengthening (MPGIS) officers doing Induction training to new Members of Provincial Assemblies (MPAs). The OOSI appreciates this kind of arrangement and looks forward to more such collaboration with other important department in the future. Representatives of provincial governments appreciate the new Act and pledge their support to the Ombudsman for his oversight role in the administration of government offices.

### 3. The Ombudsman's Supervisory System in Brief

The Solomon Islands Ombudsman's oversight role has been conferred by two legal authorities: the Solomon Islands Constitution and the Ombudsman Act 2017.

#### I. The Constitution

The Constitution establishes the Ombudsman's Office as an independent body with the following functions:

- (a) To enquire into the conduct and abuses of office or authority by members of the public service, the Police Force, the Prisons Service, the government of Honiara city, provincial governments, and such other offices, commissions, corporate bodies or public agencies as may be prescribed by Parliament;
- (b) To assist in the improvement of practices and procedures of public bodies; and
- (c) To ensure the elimination of decisions made on an arbitrary and unfair basis.

Designated authorities are exempted from the above powers and functions of the Ombudsman:

- (a) the Governor General and his personal staff;
- (b) the Director of Public Prosecutions or any person acting on his instructions; and
- (c) the Judges, Magistrates, and Registrars of Courts in their "judicial functions" or court decisions, rulings or judgements.

The Ombudsman is prohibited by section 98(2) of the Constitution from investigating matters prejudicial to the security of Solomon Islands if the Prime Minister notifies him of such matters.

The Ombudsman is required to make Annual Reports such as this one to Parliament and may make any additional reports as he sees fit regarding his work. In doing so, he ensures that public administrators comply with the legal frameworks governing their administrative functions. Apart from such legal concerns, the Ombudsman is authorised to take a step further by pinpointing any defects in the application of any law (as may be identified during investigations) and consequently make recommendations for necessary changes to rectify the legal or administrative defect so that the ultimate effect will be one of fairness and justice.

#### II. The Ombudsman Act 2017

The Ombudsman Act 2017 complements the role of the Ombudsman as stipulated in the Constitution and further provides for him to enter into agreement with other government organizations and make referrals to other government institutions when complaints are either outside the jurisdiction of his office or he considers it necessary for the another institution to

deal with the referred complaint. The Act further authorizes the Ombudsman to investigate the administrative conducts of government contractors and agents.

The OOSI is always independent and impartial when carrying out its duties. It provides its services free of charge.

## 4 Our Function

Section 97 of the Constitution clearly defines the major functions of the Ombudsman:

(a) Investigate maladministration (bad management practices) of prescribed public bodies<sup>2</sup>

(b) Assist in the improvement of practices and procedures of public bodies

(c) Ensure the elimination of arbitrary and unfair decisions.

The functions of the Ombudsman as spelt out in the Constitution provide the basis on which the Office performs its “watchdog” role on issues relating to administration in the public bodies. This is to ensure that good governance is promoted and maintained in the ways that services are delivered to the people. In so doing, the office engages in different activities to fulfil its mandated responsibilities. These activities include but are not limited to:

### Dealing with grievances about the administrative failings of public bodies

#### 1. Complaint bases

- Receiving complaints from members of the public who come to the Ombudsman’s office to register their complaints.
- Receiving complaints through emails, letter (including aerogram), and telephone.

#### 2. Own-Initiative Investigation.

### Awareness and Advocacy

- Awareness talks on the roles and responsibilities of the Ombudsman to public officers through programs organized by other government institutions like the Institute of Public Administration and Management Learning (IPAM).
- Awareness visits to Provincial Government Centres.
- Collaboration with other relevant institutions of the government like the Ministry of Provincial Government and Institutional Strengthening (MPGIS) to raise awareness of newly elected Members of Provincial Assembly (MPAs).
- A weekly radio awareness program on Solomon Islands Broadcasting Corporation (SIBC).
- Participation in public events such as the International Anti-Corruption Day (IACD).
- Publication and distribution of brochures and pamphlets to members of the public, many of whom collected these materials at the office front desk.

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<sup>2</sup> “Public bodies”, as used in relevant Section 97 of the National Constitution and the Ombudsman Act 2017, refers to government ministries, departments and agencies that can be investigated by the Ombudsman.



- The production of a bi-annual newsletter also provides regular bi-annual updates to the members of the public through SIG email distribution portals and other means of distribution.

#### 4.1 Handling of Complaints

Dealing with public grievances on matters of maladministration is part of the mandated responsibilities of the Ombudsman. The Complaint handling services provided by the Ombudsman not only provide much needed support to the citizens and members of public alike, but they also provide checks and balance on the conduct of public offices regarding administrative matters. It provides a symbiotic collaboration of the Ombudsman and the public to promote good administration in public offices. This is where the Ombudsman's role as a 'watchdog' on public administration is fully realized.

Not all complaints that come to the Ombudsman are within his jurisdiction to investigate. The complaints that are outside of Ombudsman's jurisdiction or those where complainants have not first tried existing complaints mechanisms before coming to the Ombudsman have been referred to other institutions or persons to deal with.

There are also Own-Initiative Investigations that the Ombudsman carries out on issues of national interest, which have the potential to effect citizens widely.

***Figure 4.1—Total number of complaints from July 1<sup>st</sup> 2018 to June 30<sup>th</sup> 2019***

<b>No.</b>	<b>Nature of Issues</b>	<b>Total</b>	<b>Year</b>
<b>1</b>	Complaints-Based Complaints	202	2018–19
<b>2</b>	Own-Initiative Investigations	ongoing	2018–19

***Fig. 4.2—Mode of receiving complaints from July 1<sup>st</sup> 2018 to June 30, 2019***

Mode of Complaints	Complaints received
In person	155
Mail	35
Aerogram	5
Email	7
<b>Total</b>	<b>202</b>

***Fig 4.3—Status of cases registered from July 1<sup>st</sup> 2018 to June 30<sup>th</sup> 2019***

Status of cases	Total
Closed (investigation completed)	23
Closed (no investigation)	158
Full investigation	18
Investigation completed (draft report)	2
Preliminary investigation	1
<b>Total</b>	<b>202</b>

***Fig 4.4— Status of cases under jurisdiction and not under jurisdiction for year ending June 30<sup>th</sup> 2019.***

<i>Cases under and not under jurisdiction</i>	<i>Number of cases</i>
<b><i>Cases under jurisdiction</i></b>	
• Closed (Investigation completed)	23
• Full investigation	18
• Investigation Completed (Draft report)	2
• Preliminary Investigation	1
• Cases finalized/closed upon assessment	132
<b><i>Cases not under jurisdiction</i></b>	
• No Investigation - dismissed and/or referred	26
<b>Grand Total</b>	<b>202</b>

## 4.2 Training

OOSI officers had the opportunity to undertake capacity-building training in Australia in 2018–2019. These trainings were made possible by the Commonwealth Ombudsman of Australia Ombudsman. With this training support, the local investigators were able to obtain Australian and New Zealand professional standard certificate training in Investigation Compliance and Enforcement Training System (ICETS).

These professional capacity-building training programs were part of the long-term Memorandum of Understanding (MOU) between the Solomon Islands Ombudsman and the Commonwealth Ombudsman of Australia. Many of the Ombudsman's office investigators have already completed their first certificate in Government Investigations while others have either completed or continued with the Diploma in Government Investigations. The purpose of the Office sending its investigators to attend the ICETS training program is to address capacity building needs of our local officers.

## 5 Audits of Registered Complaints from Year Ending June 30<sup>th</sup> 2019

The problem of maladministration is a persisting one. It is obvious that every year complaints of a similar nature are being made against same institutions, and this trend will likely to continue if responsible ministries or departments are reluctant to take necessary steps to address it. Regardless of how we look at it, this indicates that either the public bodies are stagnant, or that they are not prioritizing dealing with matters relating to the people they are supposed to be serving.

This year, again, we have seen a considerable increase in the number of complaints raised to the Ombudsman compared to the preceding years. This indicates that more work still needs to be done to further advance efficiency and effectiveness in the ways in which public bodies respond to grievances relating to their administration and service delivery.

What is obvious is that similar complaints are made each material year, and that the same problems are prevalent in the public offices. These are clear indications that public officers must be made to understand that they are there to serve the public. They must pursue the virtues of effectiveness, efficiency and professionalism when dealing with the public.

Members of the public and public officers alike have symbiotic responsibilities to keep the administrative duties of the government intact. They play equally important roles in ensuring that public bodies are effective and efficient.

Consequently, a strong administration is a vital prerequisite for fighting corruption in the public sectors. Below are the different types of complaints registered by the Ombudsman's office Complaint Management System (CMS).

**Fig. 5.1—Non-employment related complaints registered for year ending June 30<sup>th</sup> 2019**

Non-Employment Related Issues		
No	Complaint Types	No. of Cases
1	Claims of withdrawal, refund, outstanding payments, compensation, damages, etc.	43
2	Poor customer service, complaint handling, service delivery (including delays)	23
3	Private matters/other	8
4	Diversions of fund, fraud, corruption	4
5	Unfair judicial decisions, awards, etc.	2

<b>6</b>	Withholding letters, certificates, endorsement, etc. (excluding employment)	2
<b>7</b>	Poor financial management, mishandling imprests, etc. (executive corruption, fraud)	4
<b>8</b>	Unprofessional conduct/misconduct by internal party, failure to investigate, punish, etc. (including MPS, PSC, TSO, TSC)	2
<b>9</b>	Unfair/un-procedural conduct relating to visas, passports, permits, licenses, approvals, land-rights, etc. (excluding corruption and delay)	5
<b>10</b>	Unfairness relating to awards of scholarships, grades, college admission etc.	4
<b>11</b>	Registration of information, titles, record-keeping, etc.	2
<b>12</b>	Wrongful/illegal conduct by external party, failure to investigate, put to court, punish, etc. (Police, LCC, record keeping, etc.)	1
<b>13</b>	Non-payment or termination of benefits, entitlement, scholarships, etc.	6
<b>14</b>	Unfair award of tender/grant (\$)	1
<b>Total</b>		<b>107</b>

**Fig. 5.2 Employment related complaints registered for year ending June 30<sup>th</sup> 2019**

Employment-Related Issues		
<b>No.</b>	<b>Complaint types</b>	<b>No. of Cases</b>
<b>1</b>	Salary	26
<b>2</b>	Others	12
<b>3</b>	Allowances	6
<b>4</b>	Terminations	12
<b>5</b>	Transfers, postings	6
<b>6</b>	Suspensions	4
<b>7</b>	Redundancy, retirements, pensions, LDSB	6
<b>8</b>	Appointments, probations, confirmations	7

<b>9</b>	Work-safety, compensation	5
<b>10</b>	Holidays, leaves	3
<b>11</b>	Disciplinary processes, complaint handling	5
<b>12</b>	NPF	2
<b>13</b>	Housing	1
<b>Total</b>		<b>95</b>

**Fig. 5.3 Distribution of complaints according to government departments and ministries**

Registered Complaints by Government Ministries and Departments for Year Ending June 30 <sup>th</sup> 2019		
<b>No.</b>	<b>Government Departments/ministries</b>	<b>No. of Complaints</b>
<b>1</b>	Min Education and Human Resources	35
<b>2</b>	Min Commerce, Industry, Labour & Migration	17
<b>3</b>	Min Health and Medical Services	20
<b>4</b>	Min Justice & Legal Affairs	9
<b>5</b>	Min Infrastructure Development	8
<b>6</b>	Min Lands, Housing & Survey	6
<b>7</b>	Min Public Service	6
<b>8</b>	Min Rural Development and Indigenous Affairs	4
<b>9</b>	Min Finance and Treasury	5
<b>10</b>	Min Forestry and Research	6
<b>11</b>	Min Police, National Security and Correctional Services	11
<b>12</b>	Min Fisheries and Marine Resources	1
<b>13</b>	Min Culture and Tourism	1
<b>14</b>	Min Home Affairs	1
<b>15</b>	Min Communication and Aviation	2
<b>16</b>	Min Provincial Government & Institutional Strengthening	2
<b>17</b>	Min Agriculture & Livestock Development	2
<b>Total</b>		<b>136</b>

**Fig. 5.4 Complaint cases received against state-owned enterprises**

<b>Cases against SOEs for year ending June 30<sup>th</sup> 2019</b>	<b>Number of complaints</b>
Commodities Export Marketing Authority (CEMA)	2
SI National Provident Fund	2
SI National University	2
<b>Grand Total</b>	<b>6</b>

FIG. 5.5 Number of cases by agencies

No.	SIG Agencies	Number of complaints
1	SIG Ministries/Departments	136
2	Provincial Government/HCC	35
3	Others/Union/Private	21
4	SOEs	6
5	MPs, Ministers and other leaders personal conduct	3
6	National Parliament Office	1
Total		202

Fig. 5.6 Pie chart of complaints by public agencies for year ending June 30<sup>th</sup> 2019

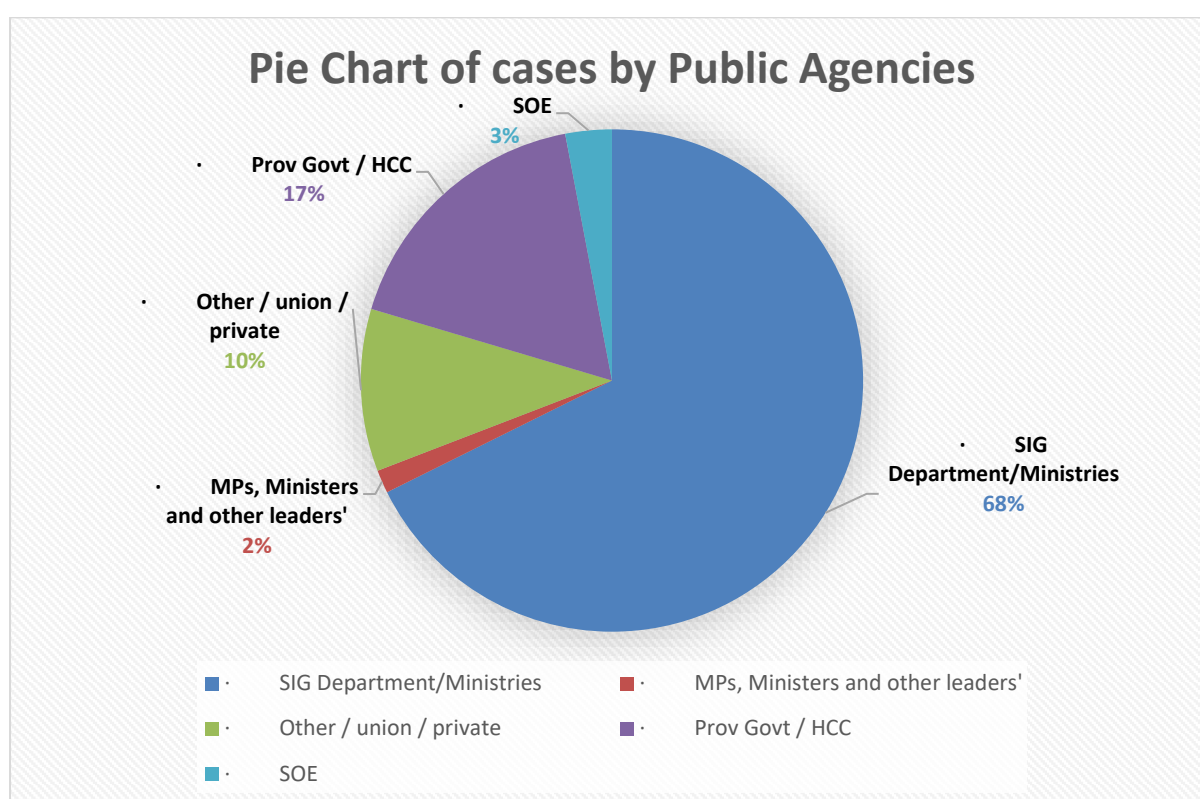


Fig. 5.7 Cases distribution by provinces

<b>Count of Cases by Province July 1<sup>st</sup> 2018 to June 30<sup>th</sup> 2019</b>	<b>Number of Complaints</b>
Honiara	121
Malaita	19
Guadalcanal	16
Western	12
Temotu	6
Makira	12
Choiseul	5
Central	7
Isabel	3
Renbel	1
<b>Grand Total</b>	<b>202</b>



## 6 Putting the Complaints into Perspective

This section puts the different types and substances of complaints received for the year up to June 30<sup>th</sup> 2019 into perspective. It starts by organizing the sum and substance of complaint types made against government ministries. Secondly, it does the same for complaints that are registered against provincial governments/HCC, and then the SOEs. This is to shed light on the distribution of complaints across different public bodies.

### 6.1 Complaints Made against Government Ministries

<b>Types of Complaints Made against Government Ministries</b>	<b>Cases per Ministry</b>
<b>Ministry of Education and Human Resources</b>	<b>35</b>
<i>Non-employment issues</i>	
• <i>Non-payment or termination of benefits, entitlements, scholarships, etc.</i>	<i>5</i>
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>14</i>
• <i>Unfairness relating to award of scholarships, grades, college admissions, etc.</i>	<i>4</i>
• <i>Withholding letters, certificates, endorsement, etc. (excluding employment)</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>5</i>
• <i>Allowances</i>	<i>3</i>
• <i>Terminations</i>	<i>1</i>
• <i>Redundancy, retirements, pensions, LDSB</i>	<i>1</i>
• <i>Holiday, leaves</i>	<i>1</i>
<b>Ministry of Commerce, Industry, Labour &amp; Migration</b>	<b>17</b>
<i>Non-employment issues</i>	
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	<i>9</i>
• <i>Private matters/ other</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Terminations</i>	<i>3</i>
• <i>Work safety, compensations</i>	<i>2</i>
• <i>Other</i>	<i>2</i>
<b>Ministry of Health and Medical Services</b>	<b>20</b>
<i>Non-employment issues</i>	
• <i>Unprofessional conduct/misconduct by internal party, failure to investigate, punish, etc. (including MPS, PSC, TSO, TSC, etc.)</i>	<i>1</i>
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>4</i>
• <i>Allowances</i>	<i>2</i>
• <i>Transfers, postings</i>	<i>1</i>
• <i>Appointments, probations, confirmations</i>	<i>4</i>
• <i>Suspensions</i>	<i>1</i>
• <i>Disciplinary processes/ complaint handling</i>	<i>1</i>
• <i>Work safety, compensation</i>	<i>1</i>
• <i>Terminations</i>	<i>1</i>
• <i>Holidays, leave</i>	<i>1</i>

• <i>Other</i>	2
<b>Ministry of Justice &amp; Legal Affairs</b>	<b>9</b>
<i>Non-employment issues</i>	
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	3
• <i>Unfair judicial decisions, awards, etc.</i>	1
• <i>Private matters/ other</i>	2
<i>Employment issues</i>	
• <i>Suspensions</i>	1
• <i>Other</i>	2
<b>Ministry of Infrastructure Development</b>	<b>8</b>
<i>Non-employment issues</i>	
• <i>Diversions of funds, fraud, corruption</i>	2
• <i>Claim for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	6
<b>Ministry of Lands, Housing &amp; Survey</b>	<b>6</b>
<i>Non-employment issues</i>	
• <i>Diversions of funds, fraud, corruption</i>	2
• <i>Unfair/un-procedural conduct relating to visas, passports, permits, licenses, approvals, land right, etc. (excluding corruption and delays)</i>	2
• <i>Poor customer service, complaint handling, Service delivery (including delays)</i>	1
• <i>Private matters/other</i>	1
<b>Ministry of Public Service</b>	<b>6</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	1
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	1
<i>Employment issues</i>	
• <i>Salary</i>	1
• <i>Suspensions</i>	1
• <i>Appointments, probations, confirmations</i>	1
• <i>Redundancy, retirements, pensions, LDSB</i>	1
<b>Ministry of Rural Development and Indigenous Affairs</b>	<b>4</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	1
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	1
<i>Employment issues</i>	
• <i>Salary</i>	1
• <i>Holidays, leave</i>	1
<b>Ministry of Finance and Treasury</b>	<b>5</b>
<i>Non-employment issues</i>	
• <i>Poor financial management, mishandling imprests, etc. (except corruption, fraud, etc.)</i>	1
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	1
<i>Employment issues</i>	
• <i>Redundancy, retirements, pensions, LDSB</i>	1
• <i>Other</i>	2
<b>Ministry of Forestry and Research</b>	<b>6</b>

<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>3</i>
• <i>Unfair/un-procedural conduct relating to visas, passports, permits, licenses, approvals, land right, etc. (except corruption and delays)</i>	<i>2</i>
<i>Employment issues</i>	
• <i>Disciplinary processes/complaint handling</i>	<i>1</i>
<b>Ministry of Police, National Security and Correctional Services</b>	<b>11</b>
<i>Non-employment issues</i>	
• <i>Wrongful/illegal conduct by external party, failure to investigate, put to court, punish, etc. (Police, LCC, public solicitor)</i>	<i>1</i>
• <i>Unfair judicial decisions, awards, etc.</i>	<i>1</i>
• <i>Unfair/un-procedural conduct relating to visas, passports, permits, licences, approvals, land right, etc. (except corruption and delays)</i>	<i>1</i>
• <i>Poor customer service, complaint handling, service delivery, (including delays)</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>2</i>
• <i>Terminations</i>	<i>1</i>
• <i>Disciplinary processes/complaint handling</i>	<i>3</i>
• <i>Other</i>	<i>1</i>
<b>Ministry of Fisheries and Marine Resources</b>	<b>1</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>1</i>
<b>Ministry of Culture and Tourism</b>	<b>1</b>
<i>Non-employment issues</i>	
• <i>Private matters/other</i>	<i>1</i>
<b>Ministry of Home Affairs</b>	<b>1</b>
<i>Non-employment issues</i>	
• <i>Private matters/other</i>	<i>1</i>
<b>Ministry of Communication and Aviation</b>	<b>2</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refunds, outstanding payment, compensation, damages, etc.</i>	<i>2</i>
<b>Ministry of Provincial Government and Institutional Strengthening</b>	<b>2</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refunds, outstanding payment, compensation, damages, etc.</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Housing</i>	<i>1</i>
<b>Ministry of Agriculture and Livestock Development</b>	<b>1</b>
<i>Non-employment issues</i>	
• <i>Redundancy, retirements, pensions, LDSB</i>	<i>1</i>
<b>Ministry of Mines, Energy and Rural Electrification</b>	<b>1</b>
<i>Employment Issues</i>	
• <i>Other</i>	<i>1</i>
<b>Grand Total</b>	<b>136</b>

## 6.2 Complaints Made against Provincial Governments and HCC

Types of Complaints Made against Government Ministries	Cases per Provincial Government
<b>Central Provincial Government</b>	<b>4</b>
<i>Employment issues</i>	
• <i>Transfers, postings</i>	<i>1</i>
• <i>Appointments, probations, confirmations</i>	<i>1</i>
• <i>Terminations</i>	<i>2</i>
<b>Choiseul Provincial Government</b>	<b>3</b>
<i>Employment issues</i>	
• <i>Salary</i>	<i>3</i>
<b>Guadalcanal Provincial Government</b>	<b>2</b>
<i>Employment issues</i>	
• <i>Work safety, compensation</i>	<i>2</i>
<b>Honiara City Council</b>	<b>9</b>
<i>Non-employment issues</i>	
• <i>Unprofessional conduct/misconduct by internal party, failure to investigate, punish, etc.</i>	<i>1</i>
•	
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	<i>3</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>3</i>
• <i>Suspensions</i>	<i>1</i>
• <i>Terminations</i>	<i>1</i>
<b>Isabel Provincial Government</b>	<b>2</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Redundancy, retirements, pensions, LDSB</i>	<i>1</i>
<b>Malaita Provincial Government</b>	<b>7</b>
<i>Non-employment issues</i>	
• <i>Claims for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>1</i>
• <i>Unfair awards of tender/grants (\$)</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>3</i>
• <i>Transfers, postings</i>	<i>1</i>
• <i>Appointments, probations, confirmations</i>	<i>1</i>
<b>Temotu Provincial Government</b>	<b>1</b>

<i>Employment issues</i>	
• <i>Redundancy, retirements, pensions, LDSB</i>	<i>1</i>
<b>Makira Provincial Government</b>	<b>7</b>
<i>Non-employment issues</i>	
• <i>Poor customer service, complaint handling, service delivery (including delays)</i>	<i>1</i>
<i>Employment issues</i>	
• <i>Salary</i>	<i>4</i>
• <i>Transfers, postings</i>	<i>1</i>
• <i>Terminations</i>	<i>1</i>
<b>Grand Total</b>	<b>35</b>

### 6.3 Complaints Made against State-Owned Enterprises

<b>Types of Complaints Made against State-Owned Enterprises</b>	<b>Cases per SOE</b>
<b>Commodities Export Marketing Authority (CEMA)</b>	<b>2</b>
<i>Employment issues</i>	
• <i>Allowances</i>	<i>1</i>
• <i>Other</i>	<i>1</i>
<b>Solomon Island National Provident Fund</b>	<b>2</b>
<i>Non-employment issues</i>	
• <i>Poor customer service, complaint handling, Service Delivery (including delays)</i>	<i>1</i>
• <i>NPF</i>	<i>1</i>
<b>Solomon Island National University</b>	<b>2</b>
• <i>Non-employment issues</i>	
• <i>Claim for withdrawal, refund, outstanding payment, compensation, damages, etc.</i>	<i>1</i>
• <i>Non-payment or termination of benefits, entitlements, scholarships, etc.</i>	<i>1</i>
<b>Grand Total</b>	<b>6</b>

## 7 On-Going Issues—Systemic and Recurring Challenges

Sections 5 and 6 provides a comprehensive look into the nature of complaints OOSI received and their distribution across public bodies. Here is a summary of the different types of complaints that are registered. It is important that these issues be brought to the attention of Parliament.

### 7.1 Employment-Related Complaints

Employment-related complaints makes up for 95 complaints of the total 202 received, or 47% of the total complaints. Complaints of this type vary in substance and distribution. Below are provided instances of recurring, employment-related complaints.

#### (i) Salary

Once again, when it comes to employment related matters ‘salary’ still ranks the highest, accounting for 30 cases across public bodies. This prevalent issue shows the ongoing challenges to administering public offices. The persistence of these issues makes it abundantly clear that public bodies need to step up and deal with salary issues.

#### (ii) Terminations

Complaints related to terminations of public officers also persists and account for many of the employment-related complaints. It is important that disciplinary issues relating to public officers be dealt with in accordance with relevant guiding rules and regulations. It is also important to ensure that ‘natural justice’ is served before making decisions that will harm not only the officers involved but their families. This is bad administration, pure and simple. It is important that due diligence be taken when making such hefty decisions that can destroy people’s socio-economic well-being.

#### (iii) Other Complaints Relating to Employment

Employment-related complaints are one of the two types of complaints most common in public offices. Employment-based complaints vary in substance and depth. While salary and termination-related complaints are highlighted above, there are others. These relate to allowances, transfers and postings, suspensions, redundancy, retirements, pensions, LDSB, appointments, probations, confirmations, and work safety and compensation. Others include, holidays and

leaves, housing, complaint handling, promotions and demotions. The nature and substance of these different types of complaints vary across public officers. However, it speaks volumes about the persistence of these issues in the public sectors. It is therefore important that respective leaders within the government offices are kept aware of the recurrence of these issues each year.

## 7.2 Non-Employment-Related Complaints

Non-employment-related complaints again make up for a 95 total number of complaints received for the year ending June 30<sup>th</sup> 2019. This makes up for 52.9 % of the total complaints for the material year. Non-employment-related complaints come in many forms and are quite prevalent within the public offices. Below are some examples of non-employment-related complaints.

**(i) Claims of Withdrawal, Refunds and Outstanding Payments, etc.**

Complaints of varying nature relating claims of withdrawals, refunds and outstanding payments persist within the public sectors. These grievances display dissatisfaction with how government sectors facilitate payments to individuals and service providers who deliver important services to the government. It is important that responsible public offices take steps to address these issues since their recurrence can indicate negligence of the duties entrusted to public officers.

**(ii) Poor Customer Service**

Poor customer service is a stumbling block to fair, effective and efficient public service delivery to our citizens. Unfortunately, this problem persists in the government sectors. Customer services range from simple tasks like answering phone calls or responding to requests in a timely manner, to serious ones like avoiding undue delays, not making timely decisions on issues and avoiding chronic “come back tomorrow” delays. While some of most prevalent complaints are related to these sorts of service challenges in the government sectors, there are also maladministration issues that will continue to hamper public service delivery and breed mistrust.

**(iii) Diversion of Funds, Fraud and Corruption**

Issues relating to diversions of funds, frauds and corruption falls outside of OOSI’s jurisdiction. Having said that, complaints relating to these issues are still prevalent among cases reported to our office. It is important to recognize that the high number

of cases of this nature reveals a weak administrative system that is vulnerable to such corruption-related problems.

**(iv) Other Complaints**

There are also numerous other non-employment-related areas that generated complaints in 2018. These are important because not only do they underscore grievances, but they also show the important challenges that face the delivery of public services to our citizens. Among other issues, persistent ones include unprofessional conduct by public officers issuing of visas, passports, permits, licenses, approval, land rights, and so forth. These shortcomings continue to nurture grievances and public mistrust of government institutions.



## 8 Our Administration

### 8.1 Operations

The Office of the Ombudsman is headed by the Ombudsman. It is divided into five working units. See Appendix 1 for details of the OOSI organisational structure. The five working units are: Secretarial Services, Corporate Services, Research & Communication, Legal, and Investigations. The Office currently has a total of 23 serving officers. This includes an additional post for Senior Accountant who is responsible for managing office finance. In addition, the position of the Director of Governance is still vacant when the incumbent left office to take up the position of Provincial Secretary (PS) for Malaita Provincial Government. Other positions were still remain vacant within the office.

The Secretarial Services Unit provides executive support to the Ombudsman via the Executive Personal Secretary, mans the front desk through the receptionist.

The Corporate Services Unit provides administrative support to the Ombudsman's Office. It is headed by the Chief Administration Officer (CAO) assisted by the Principal Administration Officer (PAO) and a Senior Accountant. This unit also looks after the office driver, and custodial and security staffs.

The Research & Communication Unit is headed by a Director. This unit is formerly the Governance Unit. The Director is supported by a Principal Research Officer and a Senior Training and Public Relations Officer (STPRO). The unit is responsible for matters relating to awareness and advocacy, outreach programs, training and public relations matters. The unit also manages and monitors the CMS database, and provides monthly and other report updates.

The Legal Services Unit provides legal advice and assistance to the office. It consists of the Director and the Legal Officer.

The Investigations Unit is divided into three teams. One deals with the complaints-based investigation, another focuses on Own-Motion Investigation issues, while the third is responsible for receiving and assessing complaints and providing action recommendations. Each team is made up of three Senior Investigation Officers (SIOs) and is managed by a Principal Investigation Officer (PIO), except that the receipt and assessment team has only one SIO. PIOs all report to the Ombudsman via the Director of Investigations (DOI).

## 8.2 Decision-Making

The Ombudsman is the ultimate decision-maker regarding the exercise of his powers and performance of his functions under Chapter IX of the Constitution, the Ombudsman Act 2017 and any other related Acts. However, his powers of authorisation and delegation under the Ombudsman Act enable his authorised staff to decisions in certain matters so that the work of the office can move forward in a timely manner. To further enhance the OOSI's work, particularly regarding important administrative and welfare decisions, the Ombudsman has decided to operate through an Executive Team comprised of all the unit heads. The Ombudsman believes in teamwork and collective decisions and wants to see that senior management level personnel are part of crucial decisions that the Ombudsman's Office makes.

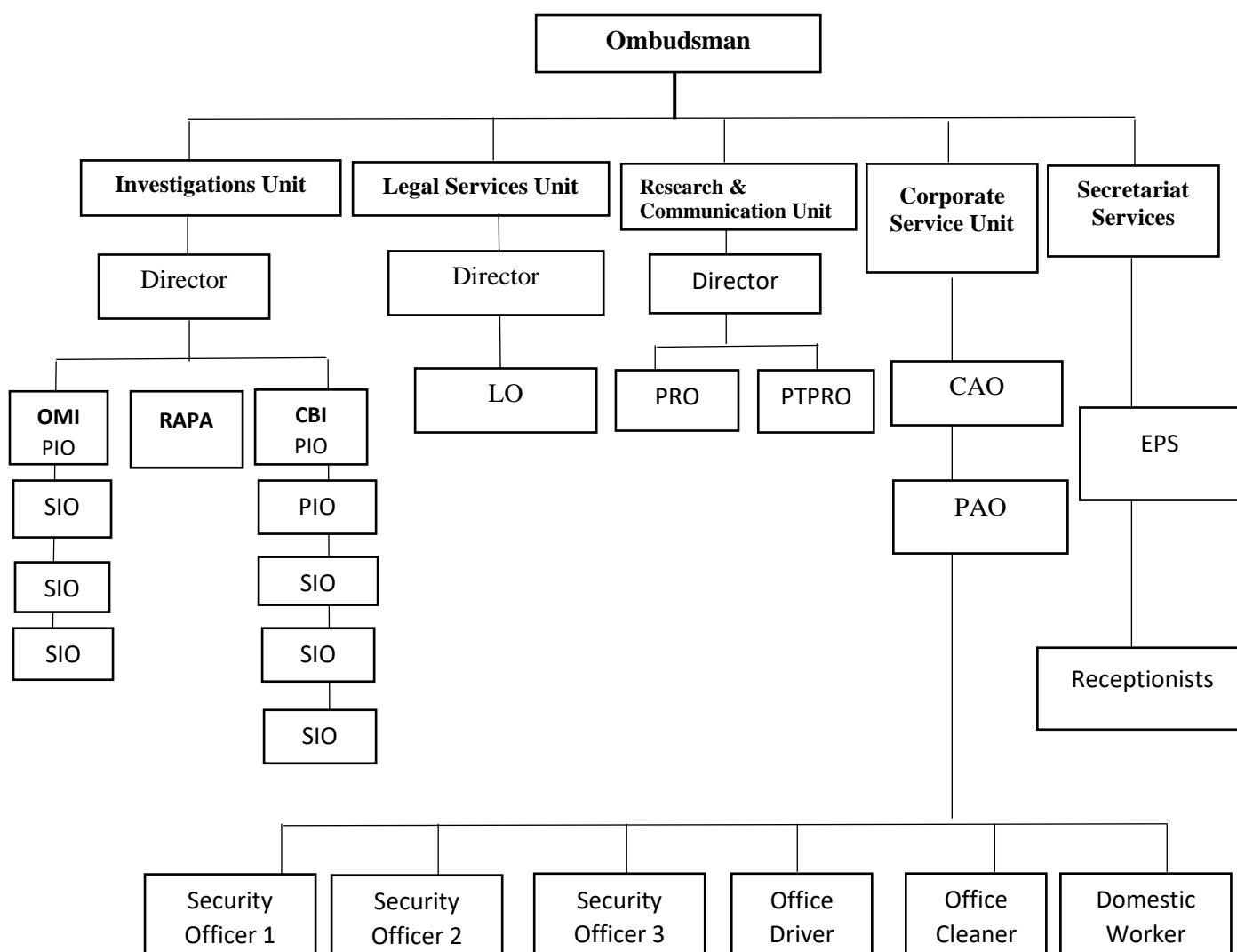
Below the Executive team sits the rest of the OOSI staff. Decisions made are often conveyed to the rest of the staff through the office's general staff meetings. Where it is determined that it is urgent to convey information relating to some matter, it can be communicated via the SIG email network, or by way of written records or circulars.

## 8.3 Budget and Manpower

For year 2019 the Ombudsman's office had a total operational budget of \$SBD3, 325,556.00. This is reduced from \$ SBD3, 579,573.00 allocated in 2018. The reduction of budget allocation for 2019 has had some negative impacted the work of the office. The office has to cut down on its spending in order to implement its Annual Work plans.

Also, the office has a total of 29 positions of which 23 were filled positions. These includes an additional position of Senior Accountant that was recently added. The former Director Governance Post Holder Mr. Fredrick Fa'abasua has left office to take up a new prominent role in the Malaita Provincial Government Administration while the Office Driver's position was also vacant. Other positions still needs to be filled.

## 9.1 Appendix 1: The Current OOSI Organizational Structure

**Key:**

PIO—Principal Investigation Officer

SIO—Senior Investigation Officer

LO—Legal Officer

PRO—Principal Research Officer

PTPRO—Principal Training and Public Relations Officer

CAO—Chief Administration Officer

PAO—Principal Administration Officer

EPS—Executive Personal Secretary

(v)—vacant position

RAPA—Receipt and Preliminary Assessment

CBI—Complaint Based Investigation

**9.2 Appendix 2: Record of OOSI Officers Attending Training, July 1<sup>st</sup> 2018–June 30<sup>th</sup> 2019**

<b>No.</b>	<b>Name</b>	<b>Types of Training</b>	<b>Date</b>	<b>Venue</b>
1	Julia Hiru	Certificate in Government Investigation	September 2018	Australia
2	Fred Topia	Certificate in Government Investigation	September 2018	Australia
3	John Maelalia	Certificate in Government Investigation	September 2018	Australia
4	Philip Manetohua	Diploma in Writing Skills Diploma in Government Investigations	July 2018	Island Christian College, Honiara
5	Judith Waleanisia	Post-Graduate Certificate in Gender Studies	July–August 2018	IPAM, Honiara

**9.3 Appendix 3: OOSI Internal Training Topics covered for year ending June 30<sup>th</sup> 2019**

<b>No.</b>	<b>Responsible Institution</b>	<b>Topics</b>
1	Public Service Commission	The role of the public service in Solomon Islands.
2	Ministry of Infrastructure Development (MID)	Identifying and managing institutional challenges to procurement processes within the ministry (Ministry of Infrastructure Development [MID]).
3	OOSI Legal Service Department	Remuneration Entitlements & Eligibility Rules Under the General Order
4	OOSI Legal Service Department	Writing Effective OOSI Investigation Reports: Some Tips
5	OOSI Legal Service Department	SIG Procurement Process - Part 1
6	OOSI Legal Service Department	Preliminary Inquiry
7	OOSI Legal Service Department	Offences Under the Electoral Act 2018