



# WASDOK NIUS



EYE WITHIN



## March 2011 Edition

### Leadership Tribunal into Allegations of Misconduct in Office by Prime Minister, Grand Chief, Sir Michael

On 10 March 2011, the Leadership Tribunal commenced its enquiry into the alleged misconduct in Office by the Prime Minister Grand Chief Sir Michael Somare (the Leader). On 21 March 2011, it found the leader guilty on 13 of the 25 allegations. As penalty it decided to suspend the leader for two weeks without pay, commencing 4 April 2011. This was a historic occasion for the country for many reasons. Some of them will be highlighted in this article.



From left: Mr. Samoa Kedeo. Ms. Kamburi and Mr. Vergil Narokobi

Never before had a ruling Prime Minister been referred and tried before a Leadership Tribunal in PNG's 36 year history. Twenty five (25) allegations summarised into three categories were enquired into by the Tribunal:

- Three years for which no statements were filed;
- Five years for which statements were filed late;
- 10 years for which statements were filed were incomplete in material particulars.

The Tribunal was composed by three distinguished former judges of Australia, New Zealand and the United Kingdom. They were respectively, The Honourable Roger Gyles, The Honourable Sir Bruce Robertson and Right Honourable Sir Robin Auld. Hon. Roger Gyles was appointed Chairman of the Tribunal.

The case was prosecuted by Mr Pondros Kaluwin of the Public Prosecutors Office and assisted by Mr Tim Ai. The Leader was defended by Mr Ian Molloy, QC and Mr Kerenga Kua of Posman Kua Aisi Lawyers.

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#### VISION

Fair, just and effective leadership and good governance in Papua New Guinea.

#### MISSION

Promote and foster good governance, enforce compliance with the Leadership Code and strengthen respect for the Rule of Law in accordance with Section 218 of the Constitution.

#### VALUES

The Ombudsman Commission is committed to a number of fundamental values in all its dealing with government bodies, the private sector, members of the public and the leaders.

The values we will uphold are;

- Impartiality
- Integrity
- Independence
- Accountability
- Responsiveness
- Respect

[ Ombudsman Commission Strategic Plan 2011 – 2015 ]

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# Health Watch

## Food Additives to remove from your diet...

The introduction and sale of food additives in our shops have attracted many of us consumers to try out the products in their food and drinks without knowing if these additives could be bad for our health.

Studies done in some developed countries have indicated that many food additives are believed to be linked to various diseases.

The following are some of the most medically questionable and harmful additives in everyday foods.

- Sodium nitrite
- BHA & BHT (butylated hydroxyanisole & butylated hydroxytoluene)
- Propyl gallate
- Monosodium glutamate
- Trans fat
- Aspartame
- Acesulfame-K
- Food colourings (Blue, Red, Green, Yellow)
- Olestra
- Potassium bromate
- White sugar
- Sodium Chloride (salt)

Since some of these may not be familiar with you, sodium nitrite is a preservative added most commonly to bacon, ham, hot dogs, sandwich meats, and smoked fish. BHA and BHT are other preservatives added to foods like cereal, gum, potato chips, and vegetable oils. Propylgalate is found in meats, chicken soup base, and gum. All of these preservatives have been linked to cancer.

Monosodium glutamate (MSG) can cause migraines and other adverse effects. Trans fat are being eliminated from most foods, as the studies linking them to heart disease, strokes, and kidney problems are widely accepted.

Aspartame is an artificial sweetener found in products such as NutraSweet and Equal as well as in diet foods and soft drinks. An acesulfame-K is a newer sweetener used in soft drinks and some baked foods.

Potassium bromate is sometimes added to white flour, breads, and rolls to increase the volume of the products.

White sugar and sodium chloride (salt) can be dangerous if not kept to a minimum. When foods are processed valuable nutrients, texture, and flavours are lost and fibres are removed, hence food manufacturers must add them back by loading them with food additives.

## editorial

Welcome to the March Edition of the Wasdok Newsletter.

This month has brought about a lot to digest especially the debates on the Ombudsman Commission. These debates emanate from the Leadership Tribunal into Allegations of Misconduct in Office by Prime Minister, Grand Chief, Sir Michael Somare.

In this edition, we bring you a summary of the Leadership Tribunal. Never before had a ruling Prime Minister been referred and tried before a Leadership Tribunal in PNG's 36 year history.

Away from all the controversy, the Ombudsman Commission was proud to launch its Strategic Plan 2011—2015 and Ombudsplan 2011 on time.

We also take a look at a feature story of Ms. Judith Sauto's sporting career.

We also bring you an update of the twinning placement and other training news.

Happy reading

Editor



## OC launches 2011- 2015 Stratplan & 2011 Ombudsplan

The Ombudsman Commission of Papua New Guinea is one of the first government organisations to launch its Strategic Plan for 2011 - 2015 together with its 2011 Ombudsplan on Friday 18 March 2011. This meets the National Government's requirement for all government agencies to have their Plans completed by the end of March 2011.

Chief Ombudsman Mr Chronox Manek in his keynote address pointed out that the plans were developed through both an internal and external consultative process which involved officers in the service of the Commission and key stakeholders including Law & Justice Sector and PNG & Australia Law and Justice Partnership in the planning process through meetings and workshops.

2011 – 2015 Strategic Plan is aligned to the Government of Papua New Guinea priorities including the *Constitution*, Vision 2050, Development Strategic Plan 2010 -2030 and the Medium Term Development Plan 2011 - 2015.

*Continued on page 4...*



*Policy & Planning Officer Mrs. Betty Gali assisting the Members of Commission to cut the ribbons.*

## Allegations of misconduct in office by PM

*From page 1*

In all cases that go before a Leadership Tribunal a leader is automatically suspended during the enquiry. The question is when does suspension take place? In a recent case concerning Honourable Patrick Pruaitch the Supreme Court says this takes place when the Chief Justice appoints the Leadership Tribunal. Prior to this, the leader is suspended when the charges are presented to the Tribunal. In this case, the Tribunal decided it was not prepared to suspend the Leader. A first for Papua New Guinea. The Tribunal ruled on a 2-1 majority that the Office of the Prime Minister is treated differently, and the Tribunal had discretion not to suspend. In this case it decided not to suspend for a number of reasons. Some of the reasons were that the allegations did not involve corruption, and the Tribunal would not take long to complete, as well as the length of time it took the Ombudsman Commission to refer the matter.

On the first category of non-lodgement for three years the Tribunal found the leader not guilty. The Tribunal accepted the evidence of the Leader that he had lodged the returns, but the Ombudsman Commission may have lost it. The Commission could not produce evidence to counter this evidence. As a result although the Tribunal was suspicious as to whether the Leader was telling the truth, it had no evidence to suggest otherwise.

Of the two remaining categories of five years for which statements were filed late and 10 years for which statements that were filed but were incomplete in material particulars, the Tribunal found the leader guilty.

As a result of the guilty finding, the Public Prosecutor and the Leader's lawyer were asked to make submissions on the appropriate penalty. The process that the Tribunal follows to arrive at

the relevant penalty is threefold. Firstly the leader ought to be automatically dismissed unless (secondly) the allegations do not involve serious culpability and (thirdly) public policy and public good do not require dismissal.

Mr Kaluwin submitted that the leader be dismissed from office on the basis of serious culpability. On the other hand, Mr Molloy argued that the offence committed did not involve corrupt conduct and a fine was fitting for the offences the leader was found guilty of.

Honourable Gyles and Sir Bruce Robertson ruled that there was no serious culpability and took note of the laudatory references provided of the Leader in the likes of Dame Carol Kidu, Sir Peter Batter, Sir Isi Kevau, Sir Rabbie Namaliu and Mr John Momis, and recommended a penalty of two weeks suspension.

On the other hand Sir Robin Auld ruled for dismissal. He asked, "How would the notional ordinary, reasonable and informed 'Grass Roots' man or woman in Port Moresby – say in Gordons Market or Boroko Tabari Place – view the Leaders proved misconduct in office...?" He said they would say that there was "serious culpability". Therefore the only penalty open was dismissal in office. But Sir Robin Auld was in the minority and the penalty of two weeks suspension prevailed.

At this juncture, let me express my sincere appreciation to Ms Suwae, Ms Sauto, Ms Kamburi, Mr Sea, Mr Kedeia, Mr Morehari, Mr Malawae, and Mr Alu, to name a few, for their considerable assistance to the Commission's participation in the Tribunal in different capacities. Our appreciation extends to the Members of the Commission for their usual support to officers.





# Performance Management Review Significant: Olto Thomas

Monitoring staff performance in any organisation is significant. It is important to see their progress and outline the issues and challenges faced and suggest ideas for improvement.

This was stated by the Policy and Planning Unit’s Monitoring and Evaluation Officer, Olto Thomas during her presentation on Performance Management Review (PMR) held early this month.

“PMR is the best avenue for all this to happen”, Ms Thomas said. She explained to those present that PMR is a brief report on the activities and performance of each division which managers present for the purpose of monitoring and evaluation.

She added that PMR helps with monitoring of projects and ensures officers have followed the right direction towards achieving their goal. She said evaluation also helps with the selection and design of future projects.

Ms Thomas stressed that the report is now taking a bottom up approach because of the need to assess and evaluate the progress, issues and challenges faced by the different units and the divisions in the Commission.

Ombudsman Ms Phoebe Sangetari while agreeing with Ms Thomas also commended the Policy and Planning Unit for coming up with a PMR issues tracking table. She said issues can now be tracked and followed up. The table will be uploaded on the intranet for all officers to see.



Regional Officers also participated in this workshop

## New Officer Onboard



As our Human Resources team continue the recruiting drive, we are happy to welcome onboard Mr. John Malisa to the Commission. John is attached to the IT Unit as the new Systems and Network Administrator.

John thanked the Commission for giving him the opportunity to be part of the working team here. He said this is a challenging task for him to get by with the rules and regulations of the Commission. He added that he has a new role to play in a new environment and he is happy to be here.

*Above: John Malisa swearing the oath of secrecy while Ombudsman Sangetari looks on..*

## Plan challenges OC officers

*From page 3*

The plan is aligned to Pillar 3 on Institutional Development and Service Delivery of Vision 2050 and contributes to two Critical Enablers of the Vision 2050, which are Effective Leadership & Good Governance and Performance and Accountability.

The Strategic Plan 2011—2015 is also aligned to the Law & Justice Sector Policy and Strategic Framework.

Mr Manek acknowledged all parties who contributed to the production of these two very important documents and stressed God Almighty as the source of all wisdom.

Ombudsman Mr John Nero in agreeing with Chief Ombudsman also challenged the officers of the Commission that to make the plans work, it will require full commitment and effort by all. He stressed that integrity, which is one of the values of the Commission, should be maintained by Members of the Commission down to the officers.

Ombudsman Ms Phoebe Sangetari echoed similar sentiments to Mr Nero by urging officers to take ownership of the plans and strive to achieve their goals. She also stressed that now that the plans have been launched, the onus is with the officers to implement them.



# I just played my game...feature story

*This month's edition features Judith Sauto's determination and achievements in sports.*

Originating from Nyada village on the north-west coast of mainland Manus, playing a game of football was part of Judith's every day activity. She grew up with soccer as this was the only sport known to the villagers during that time.

After coming to Port Moresby, she joined the NBC Public Service soccer team and played during the 1995 off season. In 1996, Judith was convinced by her aunt to join the Telikom team that played in the Port Moresby Soccer Association. The team won the National Club Championships for five consecutive years.

In 2003, Judith was grateful she got selected to the PNG National team that went to play the Oceania qualifier in Canberra, Australia. In the same year, the team went to Fiji for the SP Games winning Gold. They also played the Olympic qualifier in Fiji later that year and in 2006, the team played another Oceania qualifier in Lae. They qualified for the SP Games in Samoa winning Gold in 2007. Judith played backs and sweeper in the team.



*Judith in her 2007 Team PNG uniform*

"I enjoyed playing the game of soccer and did not really expect to get this far", she said. "I just played my game".

**"I learn when I put all my effort, if I do not like the sport than I do not learn anything".**

"I learn when I put all my effort, if I do not like the sport than I do not learn anything". She said she loves to encourage people to look at sports as a way of relaxing the mind from all the stress.

Apart from playing soccer, Judith plays hockey for the Sunam Hockey Club. She was also part of the Port Moresby Hockey Association that went to the Arafura Games in Darwin winning Bronze in 2007.

Furthermore, Judith decided to try out netball. She joined the Ombudsman Commission's netball team without knowing any rules. However, she was determined to learn the rules of the game. She always looked forward to the training days to master her skills in ball handling and tactics on how to defend and attack.

Her determinations lead her to be one of those in this year's OC Eagles that made it to the premiers in the Public Servants Netball Competition and then to the grand final winning trophy. This was a great achievement for the OC Eagles as most of the players are not seasoned netballers and this was their first season in the premier division. Judith received the award for being the best mid-court player for the year for the premier division.



## Training News for this month...

### Twining Placement

Human Resources Manager, Dick Morehari and Policy and Planning Manager, Albert Sambre left on Sunday 27 March 2011 for their one-month placement with the Commonwealth Ombudsman.

Their placement is from Monday 28 March to Friday 22 April 2011 and will return on Saturday 23 April 2011.

The summary of their placement program are as follows: -

#### Week 1: 28 March to 1 April 2011

HRM & PPM on placement with Commonwealth Ombudsman, Canberra  
 HRM & PPM depart for Sydney over the weekend

#### Week 2: 4 April to 8 April 2011

HRM & PPM on placement with New South Wales Ombudsman, Sydney  
 HRM departs for Brisbane over the weekend  
 PPM departs for Melbourne over the weekend

#### Week 3 – 4: 11 April to 20 April 2011

HRM on placement with Queensland Ombudsman, Brisbane  
 PPM on placement with Victorian Ombudsman, Melbourne  
 PPM joins HRM in Brisbane by 21 April 2011  
 PPM & HRM leave for Port Moresby on 23 April 2011

*On the right is Mr. Ephraim Manhi during the launching of the Strategic Plan 2011—2015 at the National Research Institute.*

*Mr Manhi and Ms Antoinette Auo are attending the Behavioural Interviewing Skills Enhancement Program*

### Behavioural Interviewing Skills Enhancement Program

Mr Ephraim Manhi, Team Leader, Team 8, (CAID) and Ms Antoinette Auo, Assistant Investigator, Unit 2, Leadership also accompanied Messrs Morehari and Sambre for their travel to Canberra, on Sunday 27 March 2011.

Mr Manhi and Ms Auo are attending the Behavioural Interviewing Skills Enhancement Program (BISEP). It is hosted by the Australian Commission for Law Enforcement Integrity (ACLEI) and will run from 27 March to 1 April 2011.

The BISEP is designed to suit the needs of anti-corruption investigators, with particular focus on the challenges presented by witnesses who themselves are experienced interviewers and who may be skilled at concealing deception. It is an advanced residential program designed to challenge even the most experienced practitioner.

As the host, ACLEI paid for the officers' course fees, accommodation and meals whilst the Commission met their airfares, insurance, taxi fares and allowances.

They will return to the country on 2 April 2011.





## PROCESS OF OBTAINING A BIRTH CERTIFICATE OR PASSPORT

### **CERTIFICATE OF BIRTH ENTRY/BIRTH CERTIFICATE**

#### Procedure for obtaining certificate of birth entry/birth certificate

- Collect a Birth Registration Form from HR and have it filled.
- Pay K15.00 at Cash Office at Finance/Treasury and collect Receipt.
- Lodge application with Office of Civil Registry and collect Receipt.
- Collect Certificate of Birth Entry/Birth Certificate within one working week.
- Offices are open between 9:00 am and 12:00 noon.

Applications for children are free.

### **PASSPORT**

#### Procedure for obtaining a passport

- Collect an application form from HR/PNGICS (Immigration) website [www.immigration.gov.pg](http://www.immigration.gov.pg) and have it filled and certified.
- Attach two certified recent passport photos
- Collect a Birth Registration Form from HR and have it filled (if you do not have one).
- Pay K100.00 at the Cash Office at Finance/Treasury for passport application and collect Receipt.
- Pay K15.00 or K25.00 at the Cash Office at Finance/Treasury for birth registration application and collect Receipt.
- Lodge birth registration application at Office of Civil Registry and collect Receipt.
- Collect Certificate of Birth Entry
- Lodge passport application, attaching Receipt and copy of Certificate of Birth Entry at PNG Immigration & Citizenship Service (PNGICS) and collect Receipt.
- Collect passport after three working weeks.

### Food for Thought

Making others happy

A little girl was walking along the city street with her grandfather.

They came up to a garden fence that was covered with beautiful red roses.

Pulling in a deep breath, the little girl said,

“Grandpa, can you smell those roses? Aren’t they nice?”

Then the two of them heard the voice of an elderly lady who was sitting on the veranda.

“Take all you want,” the voice said.

So both the grandpa and granddaughter took a rose apiece and thanked the lady and praised her nice flowers.

Then she explained,

“I grow these roses purposely to make other people happy.

I can’t see them myself.

I’m blind.”

When was the last time you made someone happy?

How about trying it again today? It won’t cost; it will pay.

“Taken from a book titled Good Morning PNG! By Frank Mihalic.

**Ombudsman Commission of Papua New Guinea,  
Ground Floor, Deloitte Tower, Douglas Street, PO Box  
1831, Port Moresby 121, NCD, PAPUA NEW GUINEA,  
Phone: 675-308-2600 Fax: 675-320-3260,  
Email:  
ombudspng@ombudsman.gov.pg**

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