



January 2012 edition

Administrative systems need strengthening

A team of four officers from the Ombudsman Commission (OC) including Director Regions & External Relations Nao Virobo, T/Leader Government Bodies Liaison Program (GBLP) Lydia Mulina, GBLP Coordinator Miriam Wawe and Senior Assessor Timothy Waringe commenced their liaison program meeting with Department of Personnel Management (DPM) as one of their strategic partners on 27 January 2012.

The purpose of the meeting was to inform DPM about OC's proactive strategy under GBLP activity called Internal Complaints Handling Mechanism (ICHM) by the Commission.

The meeting aimed at enabling the DPM team understand what ICHM is and get their feedback on whether it is possible for

the ICHM to be made mandatory by including it in the Public Service General Orders and the Public Service Management Act.

Nao Virobo, Director Regions & External Relations said the Commission believes that there is a need to strengthen the administrative systems and process through the ICHM program to see effective handling of complaints.

ICHM is a sub program of GBLP and is about working with government agencies, statutory bodies and provincial administrations to establish complaints desks within their set up for the purpose of handling administrative complaints.

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Far left, Acting DPM Deputy Secretary Operations, Michael Moke and his delegates listening attentively while OC Director Regions & External Relations Nao Virobo makes his presentation.

VISION

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

MISSION

To promote and foster quality leadership and good governance and strengthen respect for Rule of Law in accordance with Section 218 of the Constitution.

The Ombudsman Commission is committed to (6) fundamental values in all dealings with government bodies, the private sector, members of the public and the leaders.

The values uphold are;

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

[Ombudsman Commission Strategic Plan 2011-2015]

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Respect Human Rights: Together We Can Stop HIV/AIDS

Repression and abuse of people living with HIV/AIDS (PLWHAs) makes people too afraid to talk about HIV/AIDS, too afraid to get tested and, worst of all, too afraid to find out what to do to protect themselves and their families and loved ones from the infection.

It will be impossible to stop HIV/AIDS from spreading if people are too afraid to talk about it, too afraid to get tested for it and too afraid to get treatment.



Anyone should be able to walk into a clinic for a HIV test and feel confident that whatever the result, their rights (including their right to privacy) will be respected and they will get the things they need to look after their health and prevent transmission of HIV infection.

HIV testing currently is voluntary, private and confidential. All people who volunteer for a HIV test must be given the information and support they need both before and after the test and whether the result is positive or negative, to take care of themselves and to protect others from infection.

Hence, people who have the HIV virus should make sure they do not pass it on to anyone else. They should do everything possible to protect other people from being infected. Intentional transmission of HIV infection is a serious criminal offence.



editorial

Welcome to January's edition of Wasdok Newsletter

HAPPY NEW YEAR 2012 EVERYONE!

We would like to thank everyone who contributed on the Wasdok newsletter in one way or another in 2011.

Special mention to Policy & Planning Unit Manager Mr Albert Sambre for his contribution to the column 'Health & Safety at Workplace.'

Thank you everyone for your endless efforts in providing stories/events which were captured on the Wasdok newsletter.

We look forward to another successful year filled with exciting events in your respective offices in the service of the Ombudsman Commission of Papua New Guinea .

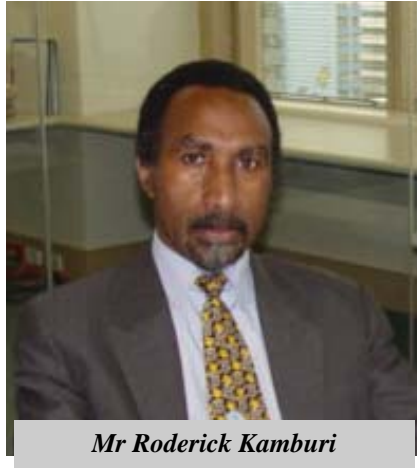
Editor...



Court dismisses Kamburi's proceedings

The National Court on 30 December 2011 dismissed the proceedings by Roderick Kamburi challenging the appointment of Ombudsman Commission's Director Leadership in 2009.

Mr. Kamburi was the former Director Leadership and served three years until his contract expired in January 2009. The Commission appointed him to act on the position while the position was advertised.



Mr Roderick Kamburi

The recruitment was made with the assistance of a reputable Human Resource Recruitment & Management Consultants, VanGuard International Ltd and the Commission appointed a new Director Leadership.

Mr. Kamburi then mounted legal proceedings by way of Judicial Review claiming that the Chief Ombudsman Chronox Manek acted in excess of jurisdiction and that there was error of law by not following Section 14 of the Organic Law on the Ombudsman Commission. He claimed that the Commission's appointment was unreasonable and that the decision made by the Chief Ombudsman Manek was bias.

Mr. Kamburi's lawyers argued that there was no quorum when the decision not to appoint Roderick Kamburi as Director of Leadership and that when Ombudsman John

Nero abstained from voting, Chief Ombudsman's one vote was not the majority vote.

Justice Manuhu when handing down the decision stated that the argument that there was no quorum is misconceived as the requirement under Section 14 (3) and the Organic Law recognized that possibility by making provision for equality of vote under subsection (5).

The court further observed that it was Ombudsman Nero that attempted to have the Chief Ombudsman Manek declare his interest and step aside.

However, Chief Ombudsman Manek stood his grounds and gave valid reasons that a decision had to be made and Ombudsman Commission needed to carry out its confidential responsibilities.

Chief Ombudsman Manek sought advice from Counsel to the Commission and gave valid reasons to reject the recommendation for the Plaintiff to be appointed.

The court ruled in favour of the Ombudsman Commission after being satisfied that the decision in not appointing Roderick Kamburi as Director of Leadership was reasonable and was not tainted by any bias and that Mr. Kamburi failed to establish any grounds for review and accordingly dismiss the proceedings with cost.

OC assists gov't agencies set up complaints desks

From page 1....

It is a proactive approach by the Commission to complement its investigative functions under Section 218 of the *Constitution*.

OC through the years has experienced through its in administrative complaints handling that more than 90 % of the administrative complaints received are usually referred back to the concerned agencies to deal with.

Lydia Mulina, T/Leader GBLP said that a large number of complaints were being referred to relevant agencies to deal with and the Commission felt that it

was not fulfilling its duties.

The Commission saw the need to assist the government agencies to set up their own internal complaints management systems to take ownership of their administrative complaints. The reason being that each agency has the necessary records/files and relevant policies/procedures to help resolve the issues.

Senior officers of DPM who were present in the meeting were very thankful of OC's initiative and hope to draw the same practice from OC.





Your Health & Safety at Workplace

...with PPU Manager Albert Sambre

This edition will briefly cover information on the three stages in Risk Management Process. These stages include Hazard Identification, Risk Assessment and Risk Control. This edition will cover Hazard Identification.

1. Hazard Identification

This step involves identifying real and potential hazards that exist at workplaces and their sources. Several methodologies can be used to identify the hazards:

(i) Hazard Inspection

This involves conducting a survey using a check-list to identify the hazards and their sources.

(ii) Past Records

This involves doing analysis of past records of injuries and incidents. It also involves sharing information with other similar organizations on records of injuries and incidents.

(iii) Hazard Analysis Techniques

These are various systematic techniques used to determine and assess the tasks associated with the work process that are likely to contribute to hazards in the workplace.

(iv) Employee Consultation

This involves sitting down and talking to employees to identify the hazards in the workplace.

(v) Product Information

Labels and safety information on products are essential sources of information regarding hazards associated with them.

(vi) External Specialists and Expert Judgements

Engage external specialist to determine the potential hazards that may exist in the workplace.

(vii) Hazard Register

This is the last stage of documenting the findings on the actual and potential hazards and their potential consequences in the workplace.

Next edition will continue with Risk Assessment and Risk Control. Enjoy reading this column.

Lack of gov't services in rural areas



Participants listen attentively to the facilitators of the LLG Workshop held in Nuku District, Sandaun Province.

There is so much money going down to the District level under the Government District Service Improvement Program (DSIP) but there is no improvement in infrastructure, services and life for the ordinary people in the rural areas.

This was one of the many issues raised by participants of the Local Level Government (LLG) workshop held in Nuku District, Sandaun Province from the 23 to 26 January 2012.

Similar concerns have been raised by LLG members in almost every district the Commission visited.

It was also raised that Joint District Planning and Budget Priorities Committee seem to be a stumbling block in terms of planning, budgeting and allocation of financial resources down to Local Level Governments.

One LLG member said there is no proper co-ordination and communication between LLG, District and Provincial Administrations.

Nuku Central LLG Manager Joe Aflatawa on his closing remarks thanked the facilitators from the Commission including two officers from Department of Prime Minister & NEC and Department of Provincial & Local Level Government Affairs respectively.

Mr Aflatawa requested for similar training workshops to be conducted after the 2013 LLG Elections.

New year, new officers

While employees of different organisations returned to their old jobs from their Christmas break, some started on new jobs.

Ombudsman Commission was amongst those who received new officers on-board. The Commission welcomed David Roika, senior investigator with Complaints Division and Sam Kupul senior investigator with the Leadership Division.

As is the norm all new officers to the Commission have to sign an oath of secrecy. This agreement or document binds the officer and the Commission

together.

The new officers were once again reminded that the oath of secrecy is very important and one could end up being prosecuted if it is breached. It is a document that seals officers' lips from leaking critical information to the public even if they leave the Commission.

Chief Ombudsman Chronox Manek when welcoming the officers said the Commission is a family and its business is Papua New Guinea's business.

The new officers expressed gratitude for the Commission for picking them out of the many applicants.



David Roike with the Bible in his hand swearing the oath of secrecy before the Commission.

Did you know?

An Ombudsman is an independent person who investigates people's concerns or complaints about the government. The Ombudsman idea started in Sweden in the early 1800s and eventually spread to countries around the world.



Our Ombudsman Commission was set up in 1975 when Papua New Guinea gained independence. It is an independent institution established directly by the Constitution. It is not controlled by any arm of the government.



Those who wrote our Constitution knew that government would not be perfect. They established the Ombudsman Commission to assist those who have a complaint against a government department or agency and persons employed in such agencies.



The function of an ombudsman is to investigate complaints either on its own initiative or upon receiving a complaint.



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