



WASDOK NIUS



EYE WITHIN



April 2013 edition

OCPNG and PNGDF signs MOA



Left: Acting Chief Ombudsman Phoebe Sangetari shaking hands with PNGDF Brigadier General Francis Agwi after the signing of the MOA at Murray Barracks in Port Moresby.

A Memorandum of Agreement (MOA) was signed between the Ombudsman Commission and the PNG Defence Force to improve the management of complaints received from serving members, ex-members, their dependants and the public and investigations within the PNGDF through effective functioning of the revised Redress of Grievance (ROG) process. The signing of the MOA was done at the PNGDF Headquarters at Murray Barracks in Port Moresby on 03rd April 2013.

Acting Chief Ombudsman Ms Phoebe Sangetari said during the signing that the MOA marked a significant milestone between the two organisations. She added that the agreement will not only affect the Force’s servicemen but their families and dependants as well as the public in terms of effective complaint management and investigation of their complaints within the PNGDF.

While agreeing, Commander of the PNGDF Brigadier General Francis Agwi said the grievance process is an internal mechanism used within PNGDF to resolve complaints. It is accessible and efficient to address complaints concerning the defective administration by the PNGDF or the wrong conduct of its serving members.

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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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OC participates in International Seminar and Training Workshop in Thailand

Two officers of the Commission were privileged to attend the International Seminar and Training Workshop on “Ombudsman Administrative Investigation: International Experiences”, thanks to the Ombudsman Commission (OC) for seeing the need to expose its officers to international practices.

Timothy Wrumongo, Team Leader - Complaints Division and James Ngune, Senior Investigator – Leadership Division, participated in the Workshop commemorating the 13th Anniversary of the Establishment of the Thai Ombudsman under the Cooperation of International Ombudsman Institute (IOI) and Asian Ombudsman Association (AOA) from 3 – 6 April 2013 in Bangkok, Thailand.

The program commenced with a one-day workshop on Wednesday 3 April followed by Training from 4 – 5 April 2013.

It was quite an intensive training program that saw participants share their experiences with each other.

Main areas covered during the training are complaint assessment & diagnosis; investigation planning; communicating and dealing with different behaviours; resolving problems in investigations; evaluating evidence; interviewing; critical thinking & decision making and systemic investigation.

The facilitators of the two-day training program were from the Queen Margaret University in Edinburg, United Kingdom. They specialise in teaching academic perspective on the work of the ombudsman.

During the participants’ interaction with one and other, they were asked to go into groups and identify common problems faced by the ombudsman. Then they were to swap their problem charts with another group and come up with possible solutions to those problems.

OCPNG, Timor Leste and Pakistan were in one group and they provided solutions for the group comprising of Indonesia, Hong Kong and Malaysia. Mr Wrumongo presented the group’s work to the rest of the participants.

Surprisingly, the facilitator selected OCPNG, Timor Leste and Pakistan as the group with the best solutions to some of the common problems identified and they were awarded a prize.

Mr Wrumongo said that they have learnt a lot from the experiences shared by other participants. He added that their ultimate aim is to produce an investigation training manual for their respective divisions as an outcome of the training.

There were more than 30 participants who came as far as Tanzania, Bulgaria, Hong Kong, Pakistan, Indonesia, Timor Leste and Victoria – Australia, to name a few. PNG was represented by the two officers of OC.

editorial

*April edition of
Wasdok Newsletter*

Hello readers!

This month is significant to OC after it signed the MOA with PNGDF to oversight complaints and investigations under the ROG Process.

The month of April also turned out to be a busy one again for some officers who have travelled out on the nationwide pre-election LLG awareness.

OC has made history in some for these places where there has never been any government agency visits. People also had the chance to raise issues affecting them.

In this issue, we read about OC's maiden visit to Aitape/Lumi in a feature story and other stories.

**Cheers!
Editor**



Villagers learn the qualities of good leadership when OC visits Imonda, Bewani, Telefomin and Oksapmin in the West Sepik Province for the first time. Read more in our May issue of the Wasdok.

Media publicity key to raise profile of Ombudsman

Media publicity is the key to raise the profile of an ombudsman as Hong Kong Ombudsman Alan N. Lai shared with participants during the International Seminar and Training Workshop Commemorating the 13th Anniversary of the Establishment of the Thai Ombudsman under the Cooperation of International Ombudsman Institute (IOI) and Asian Ombudsman Association in Bangkok recently.

Ombudsman Lai said in his experience as Ombudsman and previously as Commissioner of the Independent Commission Against Corruption (ICAC) in Hong Kong, he found it essential for them to make conscious efforts to raise their profile.

He stated that we must not be shy of blowing our own trumpet and make the presence of our institutions known.

The common publicity measures deployed by his office include press conference announcing results of investigations; TV/online news reports; newspaper coverage; media interviews and advertising.

Ombudsman Lai who is also the Treasurer of the IOI said the ICAC has had particular success in Hong Kong due to its effective publicity campaigns over the years. He said it was particularly important in its early years of inception.

He shared a few of ICAC's early TV advertisements like the 'rotten apple' – a soft symbolic approach that shows how corruption could rot the society; 'the prison cell' – a direct deterrent approach that tells people that corruption does not pay.

Perception surveys undertaken by the ICAC indicate that these TV advertisements have left a deep impression on the minds of the Hong Kong people.

Ombudsman Lai stated that when complainants go to an Ombudsman, naturally they expect their grievances to be heard and redressed. They want tangible justice.

"The Ombudsman's work would not lead to compensation or grant of damages, which are always the results of court action. However, based on the recommendations of the Ombudsman, government agencies can rectify mistakes and put things right, either in respect of individual cases or in a systemic manner," he said.

He added that the success or effectiveness of an Ombudsman depends on the extent his/her recommendations are accepted by the government.

The Ombudsman must appear to be fair and impartial. "In administering justice, we should perhaps aspire to act like the Statue of Justice, who has eyes covered and has scales in one hand and a sword in the other. She would treat everyone equally, examine all the evidence, decide whether it shows the person is guilty or not and punish those who are guilty."

He went on to say that an Ombudsman does not mete out punishments but his /her criticisms carry weight.

Ombudsman Lai concluded that *justice* is the mission of the Ombudsman and *tangible* is to make mission real to the stakeholders.

MOA to improve the ROG process to resolve complaints

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He added that it is fair to say that over the years the internal investigations of the PNGDF has not satisfactorily addressed the concerns raised by serving members.

Many servicemen accepted the unsatisfactory state of affairs within its ROG process as a norm and these to some extent contributed to the PNGDF becoming less responsive to finalising their grievances.

Ms Sangetari said the commission will assist and ensure that the PNGDF is responsive to the needs and aspirations of its service personnel and ultimately to the people of PNG. OC is proud to announce that through its constitutional mandate, it now oversees complaints and investigations under the ROG Process.

The Commission through its Government Bodies Liaison Program which is aimed at promoting and building working relationships between OCPNG and Government Bodies or Agencies saw the need to establish this oversight to improve the Redress of Grievances (ROG) Process which is an internal mechanism used within PNGDF to resolve complaints.

Acting Chief Ombudsman has extended invitation to other government bodies to establish working relations with the Ombudsman Commission to assist with the establishment of structures and mechanisms to better ventilate grievances and complaints of citizens of PNG.

The Commission has success stories with the Department of Education and its Client Service Desk and also the Royal PNG Constabulary MOA arrangement with OC.



“Ombudsman Administrative Investigation: International Experiences”

When I talk about justice, what comes to my mind is right and wrong, reasonable or not reasonable, fair or unfair. And I accept that there is always a moral dimension in my approach to the subject. These were the words of Mr Alan N. Lai, Ombudsman of Hong Kong and Treasurer of the International Ombudsman Institute (IOI).

Mr Lai when making his speech during the International Seminar and Training Workshop Commemorating the 13th Anniversary of the Establishment of the Thai Ombudsman under the Cooperation of IOI and Asian Ombudsman Association (AOA) said it is always a daunting task to define justice.

“Indeed, over the centuries, philosophers have tried to do so from different perspectives, be they moral, utilitarian (useful) or others. I am no philosopher and I am hardly qualified to join their ranks. I can only have a sense of approach to the subject of justice in my capacity as an Ombudsman,” said Mr Lai who is also the Secretary of the AOA.

He said the Ombudsman as an institution is designed in such a way that he/she can achieve all these noble objectives.

“However, since we can only use our power of persuasion to convince the government to put in place measures which would result in a better and fairer system, I always ask myself what my office ought to do in order that our views and recommendations are taken seriously by the government,” he said.

Ombudsman Lai used the opportunity to share his experience with colleagues during the Seminar. He said that the fundamental factors must be that the Ombudsman is adequately empowered in terms of legislative backing and resources to carry out thorough investigations.

“In addition, we have to establish a strong public perception that the Ombudsman is truly independent from the government. He/she must be able to command the respect, confidence and trust of the people. Otherwise, people might think that the office of (the) Ombudsman is just another government department and its staff another set of bureaucrats who will shield on another,” Ombudsman Lai said.

The other speeches during the program were from Dame Beverley Wakem - New Zealand Chief Ombudsman and President of IOI and Dr Peter Kostelka - Austrian Ombudsman and Secretary-General of the IOI.

Police brutality rife in Aitape District, West Sepik Province

Police brutality amongst other human rights concerns was the common issue raised during the Ombudsman Commission’s LLG awareness in the Aitape/Lumi and Nuku districts in West Sepik Province.

There were complaints of police conducting raids without search warrants and unlawful detention of suspects.

Ward Councillor of Arop in the West Aitape LLG raised a complaint that police went to the community and took couple of boys suspected of using drugs like marijuana. The suspects were kept in police custody without being charged for a very long time.

Allan Barilae, Momase Regional Manager when responding to comments and questions clarified certain processes to follow to help address such incidents.

Mr Barilae mentioned that when police conduct a raid, there has to be a search warrant signed by a Court Magistrate that would give them (police) the authority to carry out the search. “However, the purpose of a raid is to apprehend suspects for questioning and not to assault people unnecessarily

and destroy properties,” explained Mr Barilae.

He gave a run down on the police oversight program that the Commission has established with the Police and the basic human rights of ordinary citizens.

People also raised queries about auxiliary police still in operation in West Sepik Province. They raised concerns that auxiliary police officers were involved in the assault of people particularly the youths for no good reason.

It was the first time the ordinary people in the community learnt of such processes. They were very thankful that the Commission has gone down to the village level to educate them on its roles and functions and the good leadership qualities.

Godfrey Baraka, President of Aitape West LLG when thanking the Commission for its first visit to the area requested more visits be done.

The Ombudsman Commission would like to thank the Nuku and Aitape/Lumi District Administrations for their support and assistance during the awareness program.



Mr Henumanu talking to students of St Ignatius Secondary School in Aitape.



OC's maiden visit to Aitape/Lumi...feature story

The 2013 pre-election LLG awareness nationwide, has taken the Ombudsman Commission to some parts of the very remote areas in the country.

This year the Commission made its maiden visit to the Aitape/Lumi District in West Sepik Province.

Ombudsman Commission is into its second month of a three-month pre-election drive that commenced in March 2013.

The awareness aimed at educating eligible voters about good leadership qualities to help them make the right choice in the upcoming LLG elections, has covered most of the provinces in the country. The awareness exercise

is very narrow with elephant grasses covering almost part of it and there were a lot of potholes. It takes local PMVs about nine hours drive from Wewak to Lumi because of the road condition.

All of us were first timers to the area except for Micah who had been to Nuku before. Allan who was the driver has never driven up that particular highway before hence he was just being lead by the road.

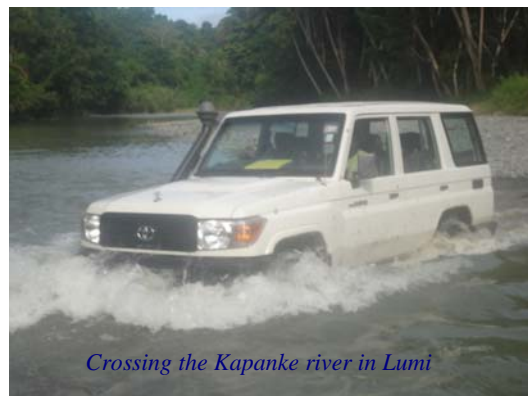
Our next stop was at the Nuku/Lumi junction to confirm with the villagers which trunk of road led to Lumi.

After driving for an hour or two we stopped at Asini River and asked some girls how far it was to Lumi. We were told we still had a long way to go. The girls also told us to look out for students who were on their way back to Lumi High School which is located at the government station.

As we drove on we spotted a group of students resting under a tree on the roadside. We drove past them and stopped at the Yalpu River where some female students were taking a bath to cool off after hours of walking.

The 5-door land cruiser vehicle that we were travelling in could only accommodate two passengers as we had our cargoes occupying most of the spaces. We decided to give a lift to two students to show us the way to the Lumi station. Just to make it fair on the other girls' we loaded their bags in the vehicle so that they travel light.

At around 4pm we arrived at the station. By then we were all worn out. We checked in at the Catholic Guest House and retired for the day.



Crossing the Kapanke river in Lumi

will also help intending candidates to be aware of the duties and responsibilities of leadership so that when they get elected they would know what is expected of them as leaders.

A team of three officers comprising of the OC Momase Regional Manager Allan Barilae, investigator Micah Henumanu and Media Officer Joycelyn Wasas covered Nuku and Aitape/Lumi Districts, West Sepik Province within two weeks.

The awareness trip started in Wewak where the team had flown in on Saturday 31 March 2013. The next day we drove up to Lumi which is about 200 km from Wewak.

The drive from Wewak to Maprik was smooth with not many potholes. However, after our first stop at the Maprik station to refill, we were now travelling on rough roads. The road



Mr Barilae talking to Lumi Vocational School students.

The parish priest Fr Jiani was quite shocked when he learnt that we made it in less than 9 hours. He jokingly said, "Man, upela 5 toea long em tasol na kam."



Handing awareness materials to ward members of Lumi at the Council Chambers.



Lumi high school teachers pleased with the OC for going to their school for the first time.



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OC Fellowship

Bible Quote for the Month

There was a small city with a few men in it and a great king came to it, surround it and constructed large siege works against it.

But found in it was a poor wise man and he delivered the city by his wisdom. (Ecc 9:14 -15).

Mathew 10:16

To become wise as serpents yet innocent and harmless as doves.

- ◇ Devine wisdom & Christlike innocence is the tap root of victory.
- ◇ Wisdom must precede warfare & Virtue before victory

Encouragement

Everything under the sun has a time & a season for it.

When it is dark at night we know for sure that the sun will shine the next day.

When it is storming we know for sure that the sun will shine after the storm.

The dark cloud over OCPNG will be over soon & the sun will shine after the rain.

We need patients & persevering spirit.

By Miriam Wawe



Pictures of the LLG awareness in various areas of Enga Province



Sepiks call Lumi “back page”

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During our interaction with people living in the station, we learnt that Lumi is known to the Sepik people as “Back page” because of its remoteness and maybe of the level of development in the area.

It is a very quiet and sleepy government station that comes alive only on Fridays. This is the day that brings people from other Districts to Lumi.

People come as far as Wewak to sell and buy. It is this day that the cash flow runs high and it is called the “Golden Friday.” From the sale of garden produce to the sale of gold nuggets panned in the area.

Unfortunately, we were not around to witness that day as we left for Nuku in the mid-week. Had we known such events, we would have used that opportunity to talk to the crowd.

It had rained the night before we left Lumi. That was the last thing we expected because there were three big rivers to cross without bridges on our way out. In addition, the road condition would have deteriorated and we would be stuck there.

The first river without a bridge was the Kepanke River. When we got there, the river was already starting to swell. Just to make sure we avoided the deep sections of the river, I got off to assess it by walking across.

The second river without a bridge was much wider and by the time we got there, the clear crystal water had already turned muddy.

Recalling how we crossed the river on our way to Lumi, Allan navigated the vehicle to the other side without much difficulty.

When we arrived at Asini, the third river without a bridge it was not a challenge anymore. There was no sign of flood.

By midday, we arrived at Nuku District station. It was Wednesday 3 April 2013. We paid a courtesy call to the District Administration to advise of OC’s LLG awareness program. The Nuku District Administrator and his officers then assisted to inform the people of the program.

We conducted awareness at Yangkok and at the station. The people of Palai LLG could not make it because they are scattered and it was short notice.

At 5am on Saturday, we left Nuku for Wewak. On Monday 8 April 2013, we took off to Aitape. Hertz hire car suggested we change vehicles from the 5-door land cruiser to a 10-seater because of the fact that the Wewak-Aitape highway had a lot of rivers without bridges to cross.

We were informed that a few weeks before our visit, there was a bridge along the highway near Aitape that broke. We were told that we would have to be dropped off on one side of the river and got on a dinghy to the other side.

The Hertz Hire car driver was then engaged to drop us off. Just as well we had a local driver to take us to Aitape. Had we came by ourselves we could have turned back and returned to Wewak because some parts of the highway were so confusing.

At one stage, we had to drive about 50 meters down the river to cross to the other side. When we came to this particular river, we were trying to locate the road on the other side just to be told by Ben the driver that it is further down.

It was a 4-hour bumpy ride to Aitape.

Aitape is a small beautiful place. If planned properly and developed, it would be one of the tourist destinations in the country. With its long stretch of sandy beaches it is indeed home away from home.

Most of the goods sold in shops and in the informal market are products of Indonesia. Most business houses purchase their supplies from across the border because it is cheaper and it is easily accessible by boats.

One of the highlights of our awareness program there was the St Ignatius Secondary School. They were not included in the initial program put in by the provincial government however, because the Aitape East LLG did not organise themselves in time we decided to conduct awareness at the school.

From past experiences schools are very flexible when it comes to educational programs such as awareness and OC was pleased to use the opportunity to talk to the students.

The program commenced at around 8pm in the night and it received an overwhelming feedback from students. It was the first time in the history of the school a team from OC talked to the students. The students raised a lot of questions ranging from the penalties of the Leadership Code to Human Rights issues particularly police brutality and where to seek help with such issues.

After the program, students flocked in with more questions. We spent another 30 minutes to attend to their questions and comments.



Travelling up the Sissano Lagoon



School kids at Nuku pose for camera



Crowd listen attentively at Nuku Station

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Stranded at the flooded Rimboi river in Aitape

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It was very interesting to note that the students felt that there was finally hope to address some of the pressing issues on the ground. Most of the students did not know that such office as the OCPNG existed while a few heard of it but did not understand its the roles and functions of the Commission.

As if it was some kind of goodbye sign to us, we experienced the same thing that happened in Lumi and Nuku on the night before we left. Just as we were winding down at the St Ignatius Secondary School, there was a heavy downpour. The first thing that came to mind was flood.

The next morning on Thursday, 11 April 2013 the Hertz driver, Ben was there to pick us up to return to Wewak.



The temporary bridge at Yakamul.

When we came to Rimboi, the first river without a bridge in the Yakamul area, the river was already swelling. There was once a bridge on the river but it got washed away some years back and has never been fixed ever since.

We stopped at the side of the river to assess the flood. Within a few minutes, water was flooding into where we parked so we had to move back.

All of a sudden the current got stronger and the

river was flooding its banks. We just sat there and watched as the river was carrying debris from upstream down the river. Ben had to move the vehicle back one more time as the water was flowing along the road.

As we waited prayerfully for the rain to stop and the water to drop, more and more debris were floating down the river.

At about 3pm, the water began to subside but the current was still strong. By then the road was dry and Ben moved the vehicle closer to the edge of the river.

After assessing the tide, he decided to give it a try and cross. Allan objected and told the driver that we should not risk it, however he continued into the river.

A few metres into the water and the vehicle got stuck. Ben tried reversing and going forward but he could not. Eventually the two boys that escorted him plus Micah and I got off the vehicle.

In the event of trying to get the vehicle out, some young boys from the nearby Rimboi village came and assisted. It was of no help because the base of the river was sandy with no rocks and the vehicle had sunk.

The rain had begun pouring again and we feared that fresh floods would come any time and wash away the vehicle and all our belongings.

Seeing that we were all wet and trying to hide our bags from the rain, the boys offered to take us to shelter at their house. Allan and I went with them while Micah stayed back with the rest of the guys.



The boys from the nearby village trying to pull the vehicle out

It was already late in the afternoon and it was impossible for us to make it to Wewak in time to catch our early flight out to Port Moresby the next day. Anyway, thanks to Digicel there was network coverage to call for help.

At around 7pm the Aitape West LLG vehicle came to our aid. Part of the highway between Bauk and Mara was under water and almost caused the Aitape West LLG vehicle to turn back because the flood was about two metres high. We had to dive through the flooded road back to Aitape. It was an experience that we would never forget.

While we enjoy the luxury of good roads in the towns and cities, these are some of the difficulties that people in the rural areas are faced with. They have come to accept things as they are because it is beyond their control.

The people were very appreciative of OC's initiative to go right down to the village level to educate them on good leadership qualities and the roles and functions of the Commission. 🙏



Driving through the flooded road.

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