"Promoting Good Governance & Good Leadership"

WASDOK NIUS

March/April 2014

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VISION

By 2019; Ombudsman Commission is seen as a vibrant, premier institution in pursuit of promoting good governance and quality leadership in Papua New Guinea.

MISSION

Promote and protect the integrity of leaders and to help improve the work of government bodies and investigate any complaints against them to ensure there is good governance, accountability, transparency and quality leadership in the public sector.

The Ombudsman Commission is committed to (8) fundamental values in all dealings with government bodies, the private sector, members of the public and the leaders.

The values uphold are;

- Unity
- Leadership
- Impartiality
- Integrity
- Independence
- Accountability
- Responsiveness
- Respect

OC freezes UBS Loan

(Right) Chief Ombudsman Rigo Lua and Ombudsman Phoebe Sangetari addressing the media during the press conference.

Following a recent decision by the Government to borrow K3 billion from the international bank UBS to purchase a 10.1% stake for the state in Oil Search Ltd that generated public debate, mainly against it through various media outlets, the Ombudsman Commission has issued a direction under section 27 of the Constitution to freeze all further progress.

The Commission issued the direction requesting for collective cooperation from Prime Minister; and the members of the National Executive Council; the Chief Secretary; the Minister for Treasury and the Minister for Finance; the Secretary, Department of Finance; and the Secretary, Department of Treasury; the Attorney-General; and the Secretary for Department of Justice & Attorney-General; the Governor of Bank of Papua New Guinea; Petromin Holdings (PNG) Limited; and Independent Public Business Corporation (IPBC); and Port Moresby Stock Exchange Limited; and Oil Search (PNG) Limited; and UBS Nominees Pty Ltd on 14 March 2014.

The purpose of the direction is to ensure that all relevant laws surrounding such arrangements were followed and in particular to protect the integrity of leaders who are involved in the loan arrangement.

The Ombudsman Commission is not asserting that there are irregularities involved nor does it want to interfere with any development initiatives of the National Government, but to ensure compliance with all the relevant laws.

The direction will continue to apply until the Commission advises in writing that the investigations under the Leadership Code are completed and/or that the Commission is

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WASDOK Nius is a bi-monthly publication produced by the Ombudsman Commission's Media Unit.

Investigators taken through interview skills training

BY JOYCELYN WASAS

Officers of the Ombudsman Commission specifically from the Complaints Division were taken through an interview skills investigation training at the Head Office from the 28-29 April 2014, thanks to the Commonwealth Ombudsman, Australia for their assistance in making that happen.

The two days training was facilitated by John Masters, a consultant with the Commonwealth Ombudsman of Australia.

The training was aimed at equipping officers with the necessary skills to conduct interviews in their line of duties as investigators.

When officiating at the closing ceremony, Ombudsman Phoebe Sangetari thanked the Commonwealth Ombudsman and said she is looking forward to seeing the output of the training applied in their work. Ombudsman Sangetari told the participants to grasp the skills given in terms of how to frame the issues and recommendations in reports and apply them at work.

"The interview process is one of the most important things many investigators lack because there is no proper planning, instead we just write questions and ask without any structure," said Samuel Moang one of the Senior Investigators. Mr Moang said the training took them through some very basic but important interview skills that most of them have forgotten. It was more of a refresher course for most of them which was good.

Mr Masters who facilitated the workshop was very happy with the feedback received from the participants. He urged them to work as a team.

"You are all clever and experienced people, Ombudsman Commission wouldn't have recruited you if they didn't believe that you have the capacity," he said. "Keep working as a team because you have seen the result of working as a team today."

Participants of the Interview Skills Investigation training pose with the Members of the Commission and the facilitator after receiving their certificates of participation.

Direction to apply until investigations are completed

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satisfied with compliance to justify the loan.

When asked by the media how long the investigation would take, Chief Ombudsman Rigo Lua said the Commission is not able to predict the duration of the investigation. It depends on the information gathered.

And failure to comply with the terms of the direction will result in court proceedings and leaders can be prosecuted under the Leadership Code.

editorial

Hello WasDok Nius readers,

Hope you enjoyed reading our last edition of the WasDok Nius.

In this edition we continue to educate you on the different services of the Ombudsman Commission, this time discussing the types of Ombudsman offices we have around the world.

The Ombudsman Commission as you would have read in the other media outlets, has put a stop to all further discussions and arrangements on the much talked about K3 billion UBS loan to purchase 10.1% of shares in Oil Search Ltd. The direction issued under Section 27 of the Constitution will continue to apply until all investigations are completed.

Meanwhile, three officers from the Commission have reached a milestone in their education. Congratulations to Mr Molita, Mrs Kuipa and Ms Madu on your achievements.

And in the midst of every other event, OC continues to ensure prison inmates are treated fairly with its usual visitations to detention centres around the country.

Cheers!

Publication Team

New officers told to uphold integrity of the Commission

BY JOYCELYN WASAS

The Ombudsman Commission (OC) saw a slight increase in its staff-strength recently with the recruitment of three new officers. The officers were hired in Port Moresby for two of its regional offices. Jenny Wanis was appointed as an investigator for the Highlands Regional Office in Mt Hagen while Nick Penpagarea and Elleny Manhi were appointed senior investigators for the New Guinea Islands Regional Office in Kokopo.

Three of them were taken through two weeks orientation program which included training on the systems in place mainly the Standard Operating Procedures and the Complaint Handling Mechanisms before they were released to their respective offices.

During the signing of the Oath of Secrecy for the new officers, the Commission stressed the importance of upholding the integrity of this constitutional office and in particular the confidentiality of the information that they would be dealing with as investigators.

The Oath of Secrecy is an instrument that all new officers including those that are on short-term work attachment with OC, sign which binds the officer and the Commission from divulging sensitive information without authorisation.

The Commission gave emphasis on the significance of maintaining independence and transparency when officers carry out their duties.

"Seek advice if you are not sure of anything," stated Ombudsman Phoebe Sangetari. "The last thing we want to see is for you to get yourself into trouble and get terminated."

Jenny Wanis, investigator - Highlands Regional Office listens attentively as Ombudsman Sangetari stresses the Commission's expectations on new officers.

Ombudsman Sangetari added that the Commission in its attempt to create an environment conducive to recruit and keep officers has improved its Terms & Conditions which the new officers would be benefiting from.

Due to complaints received regarding some officers, mainly in the regional offices showing favouritism in their duties as investigators which prolongs some matters unnecessarily, the newcomers were cautioned not to get themselves involved in such practices.

They were told that the Commission had confidence that they will deliver in their capacities hence they were selected out of the many applicants who applied.

Organisational Review or Restructure is one of the Ombudsman Commission's impact projects which it (Commission) is expected to deliver by the end of the year.

The senior management and technical officers of the Commission have begun collective discussions to come up with an appropriate organisational structure.

As part of the restructure exercise, officers were taken on a two-day workshop at the March Girls Resort, outside Port Moresby on 4-5 April 2014.

Pictured is Mr Howard Maliso, Acting Director Legal Services presenting the proposed structure for the Office of Counsel.

OC Services

In this edition we continue to give you an insight in the overview of the Ombudsman and how it came into what it is today. We will discuss the types of ombudsman institutions as found in different parts of the world.

Types of Ombudsman

There are two types of ombudsman institutions as found in different parts of the world. They are determined by the nature and extent of the mandates of the respective offices. There are "classic ombudsman" offices which largely retain the form and role of the original Swedish Ombudsman whose function was mainly to combat maladministration in public sector agencies. There is also what is referred to as "hybrid human rights Ombudsman" which combine both the traditional Ombudsman and human rights commission roles.

Today, pure traditional Ombudsman offices are very few because many countries developed and developing, have chosen to give to such ombudsman additional duties such as overseeing freedom of information, privacy and/or whistle blower protection laws and so forth. On the other hand, human rights ombudsman institutions are hybrid in nature. Some resemble classic Ombudsman and others are more akin to pure human rights commissions.

Pacific Ombudsman Alliance (POA)

This is an alliance of all Ombudsman Institutions in the Pacific that started small and loosely several years back as the Pacific Ombudsman Network. In 2008 we progressed to being POA at the Board Meeting in Brisbane, Australia and have been growing steadily since. We have also embraced other of our small pacific island countries that have yet to have a clear Ombudsman office established.

Whatever we are, the POA stands common in preserving the rule of law, good governance and oversight functions in areas of protection, promotion and enforcement of fundamental human rights and freedom.

Some of us are pure traditional Ombudsman Offices while others are hybrid in nature. Out of the hybrid there are others who also assume or have been mandated with extra jurisdiction to supervise and enforce certain codes of conduct such as the Leadership Code in Papua New Guinea, Vanuatu and Solomon Islands.

Continue in next edition

Congratulations... Two officers from the Ombudsman Commission were part of the graduating students at the Divine Word University (DWU) on 9 March 2014. Joseph Molita, Director Complaints & Administrative Investigation Division graduated with a Masters in Public Administration and Airegi Madu, Admin Officer-Internal Screening Unit graduated with a Diploma in Management. Mr Molita and Ms Madu did their studies through DWU's Faculty of Flexible Learning. Pictured above are Mr Molita and Ms Madu after the graduation ceremony.

Meanwhile, there was another officer of the Commission who graduated with a Bachelors of Laws Degree at University of Papua New Guinea. Alice Kuipa has been juggling her studies with work and her hard work paid off in the end.

Mrs Kuipa is now at the Legal Training Institute (LTI) for further training.

We wish her all the best in her training for the remaining months at LTI.

OC visits Correctional Institutions

BY KURI TUMUL - Anti-Discrimination & Human Rights Unit

The Ombudsman Commission in its endeavour to help eliminate unfairness and discriminatory practices in PNG pays regular visits to detention centres around the country to ensure they are well looked after and the facilities they use are in good condition. During these visits the officers educate the prison inmates of their basic rights and also on the roles and functions of the Commission. The Commission recently visited the Bekut Correctional Institution in the Autonomous Region of Bougainville and Bihute Correctional Institution in Eastern Highlands Province (EHP). During the visit to the Bihute Correctional Institution in EHP, we came across this juvenile (pictured right with Patrick Niebo, Senior Investigator - ADHRU) of about ten years old of Bena District, EHP. The boy was taken into custody in 2013 for accidentally killing his brother using his father's unlicensed firearm during a play session. He had gone into his father's room where the gun was hidden and taken it out to play with his small brother. Not knowing that the gun was loaded with live ammunition, he pointed it at his small brother and pulled the trigger, killing him instantly. Police arrested him for murder, along with his father and have detained them both. They are awaiting their sentence at the Goroka National Court.

Senior Investigator Kuri Tumul receiving a complaint from an inmate at Bekut Correctional Institute in the Autonomous Region of Bougainville while Ephraim Manhi, a Team Leader in the Complaints Division looks on.

The boy is currently detained as a remandee. Bihute does not have a juvenile facility so he is kept with the adults, but shares the same cell block with his father for security reasons. When he is convicted he will be sent down to Erap Boys town in Markham, Morobe Province.

Officers arrested and charged for sale of stolen property

(Right) The complainant, Mr Eckom with the retrieved outboard motor.

BY JOYCELYN WASAS

Following a complaint lodged to the Ombudsman Commission (OC) against police and customs officers of Vanimo, the OC police oversight team from Momase Regional office carried out investigations in Vanimo from 24 February to 7 March 2014. In the investigation process, a police officer and a customs officer were arrested and charged for selling and being in possession of a stolen property.

The complainant, Mr Bonnie Eckom stated that during a raid involving the police officers of Vanimo at his village in Sissano, Aitape on 23 June 2011, goods including rice, flour, noodles and other imported items were confiscated from him including two outboard motors.

The complainant has been following up on his outboard motors on numerous occasions but was not given a good response by the parties involved. It was not until the Commission conducted a nationwide Local Level Government awareness prior the 2013 LLG elections at Aitape in 2013 that he learnt of the Commission's police oversight role and lodged his complaint.

Police oversight is a function that the Commission plays to oversee police investigations and ensure offending officers of the police force are properly dealt with.

Investigations to trace the whereabouts of the outboard motors found that the confiscated items were locked up at the Vanimo Police station however; Mr Valentine Wekre, the customs officer claimed the items with the intention to sell them, which he did to Mr Robert Babia, the police officer who bought one of the outboard motors.

Further investigations showed that the release of the items from the police station was facilitated by Sergeant Wilson Poli and the indemnity receipt signed by Mr Wekre. One of the outboard motors was retrieved and returned to the complainant whilst the other one is still outstanding.

Mr Wekre was arrested and charged for stealing while Mr Babia was arrested and charged for being in receipt and in possession of the stolen property. Both men appeared before the District Court and their cases were adjourned to 30 March 2014.

Twinning, way forward to expose officers to different work cultures

(Left) Patrick Niebo - Senior Investigator, Anti-Discrimination & Human Rights Unit, Gerega Asisi - Team Leader, Annual Statement Assessment Unit, James Ngune - Senior Investigator, Leadership and Anthony Champanien - Acting Regional Manager . New Guinea Islands Office in Kokopo.

Twinning is an ongoing workplace placement program between the Ombudsman Commission of Papua New Guinea (OCPNG) and the Office of the Commonwealth Ombudsman (OCO) of Australia and has been a success story for both offices since its inception in 2007.

The purpose of placements is to enable placement officers, through training, practical application and mentoring, to develop best practice investigatory and other allied skills. A key goal of the program is to ensure that the placement officer is positioned and supported to integrate the skills and knowledge learnt on placement back into their home work environment, including promoting such practices within the OCPNG.

This year the program began with two officers from OCPNG sent down on a six-week placement with the OCO. Anthony Champanien was attached with Commonwealth Ombudsman while James Ngune was attached with the Victorian State Ombudsman in Melbourne.

"Placements of OCPNG officers in the OCO and other anti-corruption institutions in Australia through the Twinning Program is the way forward to detect, expose, fight, and minimize maladministration and corruption in PNG," recommended Mr Ngune in his report to the Commission.

He stated that in the absence of necessary legislative powers, he suggests that OCPNG embark on a very strong approach towards building and maintaining relationships with state agencies. This will enable OCPNG to serve the people of Papua New Guinea better.

Mr Ngune also stressed the importance of developing good working relationships with other integrity agencies with specific regard to information sharing and referral protocols to effectively fight against corruption.

"The use of coercive powers by OCPNG is not the only way to obtain information, agency relationships are important," he said. "We can just call up for quick information and write to the agencies to formalize and legalize the exchange and provision of documents."

Gerega Asisi, was one of the officers that was on twinning placement last year.

In a very detailed report to the Commission, Mr Asisi pointed out some very valid points for the Commission's consideration as a way forward.

"I suggest that a Development Practitioner from the OCO be made available to the Leadership Division to assist develop and document our work processes and procedures," he stated. "A Work Practice Manual, a Standard Operating Procedure and Information Classification guide would be the likely areas the OCO Officer can look into."

Mr Asisi also suggested that the twinning program continues so that a lot of officers in the Leadership Division can get exposed to working in places like the OCO. Apart from only developing their skills or mental capacity, they can be exposed to work cultures and practices in a developed country like Australia and in the long run change their mind sets, work attitudes, practices and culture when they get back to their local setting.

"My time with the Office of the Commonwealth Ombudsman has been very fruitful in the sense that it has refreshed my analytical, investigative, organisational, managerial and administrative skills," he added. "Implementation of my suggestions and views highlighted under key goals identified for this twinning placement and others are achievable through administrative restructures and policy directions. Whether they are implemented or not depends on myself and the relevant persons that will be involved in one way or another."

Capacity building workshop vital...One of the Ombudsman Commission's role is to supervise and enforce the Leadership Code on leaders specified under Section 26 of the Constitution. OC believes that in order for leaders to abide by the Leadership Code they have to be educated of their roles and responsibilities and what is expected of them as leaders. Hence the Commission has partnered with its external stakeholders to conduct capacity building workshops on leaders especially those in the Provincial and Local Level Governments. OC was part of a team comprising the Office of Vision 2050, Department of Provincial & Local Level Government Affairs, Finance Department, Department of Implementation & Rural Development, Health Department and Village Court Secretariat from the Attorney General's office that conducted a similar workshop in Vanimo, West Sepik Province recently. Pictured right is Andrew Sea, Acting Team Leader (Leadership) presenting on behalf of OC.

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