

# Speaking Truth to Power The Ombudsman in the 21st Century

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**10<sup>TH</sup> WORLD CONFERENCE  
OF THE INTERNATIONAL  
OMBUDSMAN INSTITUTE**

WELLINGTON | 12 – 16 NOVEMBER 2012  
SPEAKING TRUTH TO POWER – THE OMBUDSMAN IN THE 21ST CENTURY



International Ombudsman Institute  
Institut International de l'Ombudsman  
Instituto Internacional del Ombudsman

**Ombudsman**  
Fairness for all

# Contents

# Schedule

## Quick Reference

Foreword	1
Organising committee	2
Conference Acknowledgements	2
General Information	3
Nearest Facilities	4
Venue Map	5
Speaker profiles	6
Conference Programme	40
Sponsor profiles	51
Conference Abstracts	52
Conference participants	176
Wellington map	<a href="#">Back cover</a>

<b>Wednesday 14th</b>	
9.00am – 9.15am	<b>Conference opening and welcome remarks</b> , Main Auditorium, MFC
9.15am – 12.30pm	<b>Plenary session</b> , Main Auditorium, MFC
1.30pm – 3.30pm	<b>Parallel sessions (A – C)</b> , Main Auditorium, Renouf 1 and Renouf 2
4.00pm – 5.30pm	<b>Parallel sessions (D &amp; E)</b> , Main Auditorium, Renouf 1
6.45pm – 8.15pm	<b>Optional Evening Activities: Carter Observatory or Zealandia</b>
<b>Thursday 15th</b>	
9.00am – 10.30am	<b>Plenary session</b> , Main Auditorium, MFC
11.00am – 12.30pm	<b>Parallel sessions (F – H)</b> , Main Auditorium, Renouf 1 and Renouf 2
1.30pm – 2.45pm	<b>Plenary session</b> , Main Auditorium, MFC
3.15pm – 4.45pm	<b>Parallel sessions (I – K)</b> , Main Auditorium, Renouf 1 and Renouf 2
5.15pm – 6.30pm	<b>New Board Meeting to consider candidate presentations for ExCom posts &amp; elect new post holders</b> , Civic 2, Town Hall
7.00pm – 10.30pm	<b>Conference Dinner</b> , Town Hall Auditorium
<b>Friday 16th</b>	
9.00am – 10.15am	<b>Plenary session</b> , Main Auditorium, MFC
10.45am – 12.15pm	<b>Parallel sessions (L – N)</b> , Main Auditorium, Renouf 1 and Renouf 2
1.00pm – 3.00pm	<b>Plenary session</b> , Main Auditorium, MFC
3.00pm – 3.15pm	<b>Conference Closing/Poroporoaki</b> , Main Auditorium, MFC
3.30pm – 5.00pm	<b>Meeting of the New Board</b> , Civic 2, Town Hall

# Foreword

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## Dear Colleagues

The New Zealand Office of the Ombudsman welcomes you to the 10th World Conference of the International Ombudsman Institute being held in Wellington from 14 – 16 November 2012. The IOI World Conference is a forum for Ombudsmen, or their equivalent, from around the world to meet to share their experience and expertise. Such an opportunity is particularly important at this time when public entities' governance and administration arrangements worldwide are undergoing fundamental change, and where challenges to the Ombudsman's role – political, social, economic and technological – mean that we have to review the way we do our work and how we may best ensure procedural fairness and administrative justice for all citizens.

Together with my colleague Ombudsman, Dr David McGee CNZM, and our staff, I look forward to engaging with you in debate and discussion and the prospect of a rich and diverse programme of topics and speakers providing a challenging assessment of the issues facing Ombudsmen everywhere. There will, of course, also be time for us to get to know one another better and to enjoy the unique New Zealand experience.

With warm good wishes

A handwritten signature in black ink that reads "Beverley A. Wakem". The signature is written in a cursive, flowing style.

Dame Beverley A Wakem DNZM CBE  
*Chief Ombudsman of New Zealand*  
*President of the International Ombudsman Institute*

# Organising committee

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**Dame Beverley A Wakem**  
DNZM CBE  
*Chief Ombudsman of New Zealand, President of the IOI*

**Tracey P.K Meredith LLB,**  
Senior Business Advisor  
*Office of the Ombudsman, New Zealand*

**Bridget Hewson,**  
Assistant Ombudsman  
*Office of the Ombudsman, New Zealand*

**Andrew Ecclestone,**  
Investigator  
*Office of the Ombudsman, New Zealand*

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**Mr Peter Kostelka,**  
*Secretary General*

**Ms Ulrike Grieshofer,**  
*Head of Unit*

**Ms Ursula Bachler,**  
*Administrator*

**Ms Karin Wagenbauer,**  
*Administrator*



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Email: [woc@confer.co.nz](mailto:woc@confer.co.nz)

# Conference Acknowledgements

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RUSSELL McVEAGH

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# General Information

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## Registration and Information Desk

The registration and information desk, located in the Fletcher Challenge Foyer of the Michael Fowler Centre, will be open throughout the conference for enquiries, accounts payment and messages. You can also contact the conference managers on 027 226 0339.

## Name Badges

Badge security is in place throughout the conference. Please wear your badge at all times to avoid being asked for identification.

## Presenters

To ensure smooth running of your presentation, if you are using any audio visual equipment (in particular data projection slides or video or internet connections) please report to the Speakers' Preparation Room (Frank Taplin Room – behind the Main Auditorium in the MFC) at least two hours prior to your session. There will be a technical director there to load your presentation and check all is in order. All presentations must be loaded onto laptops prior to presentation. Presenters should note that all sessions will be audio recorded and the plenary sessions will be video recorded. If any of the presenters have any issues with being recorded then please contact Amy Abel at the registration desk or on 021 226 0337.

## Wifi and Internet Cafe

There is free wifi access throughout the venue. This is kindly being sponsored by LANworx. There is no need for a user name or password, please simply connect to the "Positivelywellingtonvenues" wireless. There will also be a couple of computers with internet access in the Lion harbourview Lounge.

## Translation

Translation will be available from English into French and Spanish in all Plenary Sessions and the parallel sessions which take place in the Main Auditorium. If you require a translation headset, please collect one from outside the session hall door. Please ensure you return these headsets at the end of the day.

## Teas and Lunches

Teas and lunches will be served in the Promenades around the Main Auditorium in the Michael Fowler Centre. The caterers have been advised of special dietary requirements. If you requested a special diet in advance this will be available for you. Please make yourself known to the catering staff who will obtain your special requirements. Vegetarians are catered for at the main buffets.

## Coats

There will be a coat rack available in the registration area. Please talk to the registration desk staff. Items left are at owner's responsibility.

## Lounge Area

Lion Harbourview Lounge will be available for delegates to use as a lounge area for the duration of the conference. There will be a couple of computers with internet access and some lounge furniture.

## Messages and Phones

Messages received for participants will be put on the notice board by the registration desk. There are payphones in the Wellington Foyer and in the Old Civic Suite. Please turn off all pagers and mobile phones during conference sessions.

## Smoking

The Wellington Convention Centre is a smoke free venue.

## Disabled Access

The Wellington Convention Centre has full disabled access. Should you have any special requirements or require assistance please ask any member of the staff, who will be happy to help.

## Taxis

Taxis are usually available immediately outside the main entrance to the Convention Centre from in front of the Amora Hotel (opposite). Phone: 04 384 4444.

## Toilets

Male, female & disabled toilet facilities are located in all foyers. Baby change facilities are also available in most disabled toilets.

## Parking

Limited parking is available at the Michael Fowler Centre car park. Parking is available from Monday to Friday for a maximum of two hours between 8:00 am and 6:00 pm at \$4.00 per hour. Unlimited Parking from 6:00 pm until 8:00am is at \$2.00 per hour. There are approximately 88 car parks with 3 disability spaces also available.

Alternative (or overflow) parking is also available at the Tournament Car Park on Wakefield Street opposite the Wellington Convention Centre. The early bird rate is \$11.00 per day (paid before 9.00am), or after 9.00am the casual rate is \$4.00 per hour up to a maximum fee of \$25.00. The evening rate (6.00pm – 4.00am) is \$2.00 per hour.

# Nearest Facilities

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## Medical Centres

### After Hours Medical Centre

17 Adelaide Road  
04 384 4944

### City GPs

189 Willis Street  
04 381 6161

## General Health Service Providers

### CBD Physiotherapist

AMP Chambers  
187 Featherston Street  
04 916 6404

### City Osteopaths

166 Featherston Street  
04 499 1439

### Focal Point Optometrists

AMI Plaza  
342 Lambton Quay  
04 472 6662

### Gentle Dental Centre

104-108 Dixon Street  
04 384 6046

### Evidence Based Chiropractic

85 Victoria Street  
04 472 6476

### Unichem Perham Pharmacy

58 Willis Street  
04 472 6221

## Banks

### Westpac

74-76 Cuba Street  
0800 400 600

### National Bank of NZ

13-27 Manners Street  
0800 18 18 18

### BNZ

50 Manners Street  
0800 800 468

### ASB

29 Manners Street  
0800 803 804

### ANZ

18-32 Manners Street  
0800 269 296

### Kiwibank

2 Manners Street  
0800 11 33 55

The closest ATM to the Michael Fowler Centre/ Wellington Town Hall is outside the Westpac Bank, 74-76 Cuba Street.

## Post Offices

### Manners Street

43 Manners Street  
04 473 5922

## Public Transport

The nearest bus stop is on Wakefield Street, opposite the Amora Hotel or on Manners Street (for those heading to Lambton Quay or the Railway Station).

# Venue Map

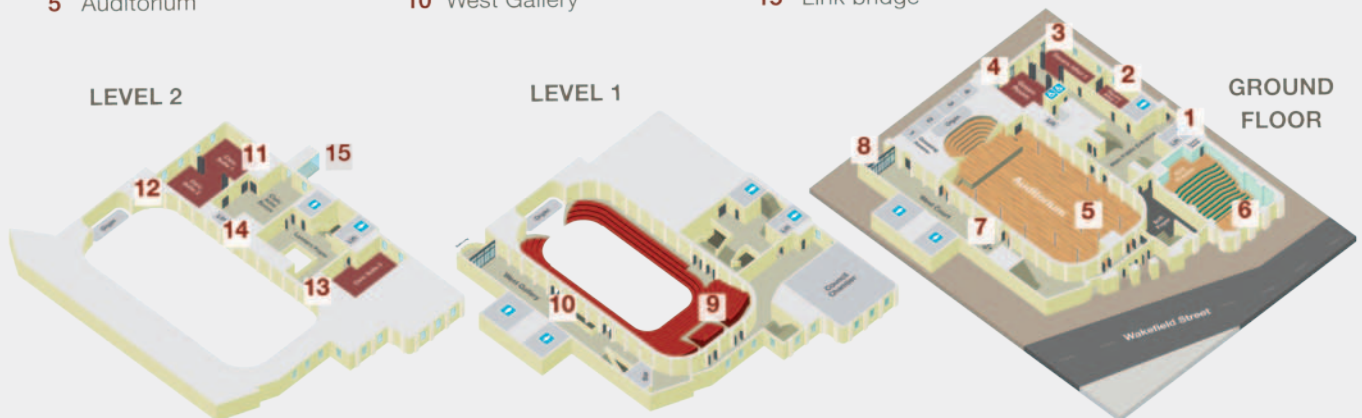
## Michael Fowler Centre

- |                            |                      |  |
|----------------------------|----------------------|--|
| 1 Fletcher Challenge Foyer | 6 Lower Promenades   | 11 Lion Harbourview Lounge 2                             |
| 2 Civic café and bar       | 7 Frank Taplin Room  | 12 Lion Harbourview Lounge 1                             |
| 3 Renouf Foyer 1           | 8 Auditorium Gallery | 13 Link bridge   |
| 4 Renouf Foyer 2           | 9 VIP Lounge         | (Main reception located in the Fletcher Challenge Foyer) |
| 5 Auditorium               | 10 Upper Promenades  |  |



## Wellington Town Hall

- |                   |                         |                    |
|-------------------|-------------------------|--------------------|
| 1 Main entrance   | 6 Ilott Theatre         | 11 Civic Suite 1   |
| 2 Square Affair 1 | 7 West Court            | 12 Civic Suite 2   |
| 3 Square Affair 2 | 8 Civic Square entrance | 13 Civic Suite 3   |
| 4 Green Room      | 9 Auditorium gallery    | 14 Civic Ante Room |
| 5 Auditorium      | 10 West Gallery         | 15 Link bridge     |



# Speaker profiles

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## Hewitt Humphrey

*New Zealand – Conference  
Master of Ceremonies*



Hewitt Humphrey, MC for the conference, has had a career in radio and television broadcasting spanning almost 48 years. He has worked as a presenter, interviewer, editor and newsreader on both media. Most of his work has been with *Radio New Zealand*, as a news presenter and manager, where he is currently Manager of Presentation Standards with responsibility for presenters, newsreaders and on-air training. He has also been a

teacher of speech, drama and public speaking.

Twice a year, he takes time out from his radio work to act as official MC for Royal Investiture ceremonies at Government House in Auckland and Wellington. He is also a marriage celebrant.

Hewitt is a Visiting Justice to prisons in the Wellington region. He also presides over summary and infringement offences, and bail hearings as a Judicial Justice in the District

Court and manages the JP Court Panel. A Past-President of the *Wellington Justices of the Peace Association*, he is responsible for the training of new, provisionally appointed JPs.

Hewitt is the current President of the *Rotary Club of Wellington*, an ambassador for *Variety – The Children's Charity* and is a member of the Management Committee of the NZ–UK Link Foundation. He is a former President of *Wellington Repertory Theatre*.

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## Ann Abraham

*UK Parliamentary Ombudsman  
and Health Service  
Ombudsman for England  
2002-2011, United Kingdom*



Ann Abraham was Parliamentary Ombudsman for the United Kingdom, and Health Service Ombudsman for England from 2002 to 2011. As Ombudsman, Ann was an ex-officio member of the Administrative Justice and Tribunals Council of Great Britain. She was previously Legal Services Ombudsman for England and Wales from 1997 to 2002 and Chief Executive of the National Association of Citizens Advice Bureaux from 1991

to 1997. Ann served on the UK Committee on Standards in Public Life from 2000 to 2002. During her tenure as Ombudsman Ann published her trilogy of 'Ombudsman's Principles': Principles of Good Administration, Principles of Good Complaint Handling and Principles for Remedy. These Principles have been widely endorsed and adopted in the UK and beyond. Ann has had a long involvement with the British and Irish Ombudsman

Association (BIOA), initially as a member of BIOA's Executive Committee, then as Chair of the Association from 2004 to 2006 and subsequently as a member of BIOA's Validation Committee. In 2010/2011 she chaired a working group reviewing BIOA's Criteria for Recognition of Ombudsman Schemes.



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## William P. Angrick II

*Citizens' Aide/Ombudsman for the State of Iowa, USA, 1978 – 2010, President of the International Ombudsman Institute 2004 – 2010, United States of America*



William P. Angrick II served as Citizens' Aide/Ombudsman for the State of Iowa, USA, from 1978 until his retirement in 2010. He held the offices of President of the United States Ombudsman Association (USOA) of Ombudsman and President of the Board of Directors of the International Ombudsman Institute (IOI). Angrick was a member of the Standards Committee of the United States Ombudsman Association which produced the 2003 Governmental Ombudsman Standards adopted by the USOA. He was also member of the Ombudsman Committee

of the Administrative Law Section of the American Bar Association (ABA), which produced the 2001 Resolution expanding upon the ABA's original definition and standards for Ombudsmen offices. He has made numerous presentations and authored papers and articles on ombudsmanship and public administration, including testifying before a Subcommittee of the US Congress and the Administrative Conference of the United States on matters relating to the establishment of ombudsman offices. Prior to his appointment as

Ombudsman, Angrick served on the Political Science and Public Administration faculty of Drake University in Des Moines, Iowa, USA, from 1973 to 1978. His primary teaching and research areas were state and local government. Angrick's graduate and undergraduate degrees in Political Science are from Purdue University in West Lafayette, Indiana, USA.

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## Michelle Bachelet

*Under-Secretary General and Executive Director of UN Women, President of Chile 2006 – 2010*



Ms. Michelle Bachelet is the first Under-Secretary-General and Executive Director of UN Women, which was established on 2 July 2010 by the United Nations General Assembly. UN Women works with the entire UN system, governments, civil society and the private sector to advance women's empowerment and gender equality worldwide. Ms. Bachelet most recently served as President of Chile from 2006 to 2010. A long-time champion of women's rights, she has advocated for gender equality and women's

empowerment throughout her career. One of her major successes as President was her decision to save billions of dollars in revenues to spend on issues such as pension reform, social protection programmes for women and children, and research and development, despite the financial crisis. Other initiatives included tripling the number of free early child-care centres for low-income families and the completion of some 3,500 child-care centres around the country. She also held ministerial portfolios

in the Chilean Government as Minister of Defence and Minister of Health. As Defence Minister, Ms. Bachelet introduced gender policies intended to improve the conditions of women in the military and police forces. As Minister of Health, she implemented health care reform, improving attention to primary care facilities with the aim of ensuring better and faster health care response for families.

# Speaker profiles

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## Bruce Barbour

*Ombudsman, New South Wales, Australia*



Bruce Barbour has been the New South Wales Ombudsman since June 2000. He has 25 years experience in administrative law, investigations and management. Bruce has led the office through significant change and growth, including a merger with the former Community Services Commission in 2002. Bruce

is a former Regional Vice President of the International Ombudsman Institute, representing the Australasian and Pacific Region of the IOI. He has played an active role in reforming the IOI and has been involved in projects aimed at strengthening the capacity of existing Ombudsman in the South Pacific.

Before his appointment as Ombudsman, Bruce was a senior member of the Commonwealth Administrative Appeals Tribunal and a member of the Casino Control Authority. He was also a former Director of the Australian Broadcasting Authority.

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## Marco Bini

*Director, Policy and Coordination, Victorian Auditor-General's Office, Australia*



Marco is the Director, Policy and Coordination Directorate in the Office of the Victorian Auditor-General. The Directorate provides a range of services to senior executive in the Office and to the Auditor-General himself including co-ordinating public events, client relationships, liaison with the Parliamentary Accounts and Estimates Committee, providing secretariat for the internal audit committee and internal auditor, aspects of business planning and other policy issues. Marco also provides a range of legal

and administrative advice to the office including statutory interpretation, contracting, application of public sector legislation, and legal issues arising from audits. Marco is frequently involved in advising on performance audits. Prior to this, Marco worked for 5 years in Government branch within the Victorian Department of Premier and Cabinet. The branch provides a range of advice to Cabinet and the Premier in areas such as public sector industrial relations, intergovernmental agreements and relationships

and structural issues relating to government entities. Marco's field of expertise is primarily in the governance of government entities, public law and the public sector. Marco was instrumental in the development and passage of the Victorian Public Administration Act 2004. Prior to this, Marco has worked in a number of positions in the private and public sector including with the Victorian State Revenue Office, Local Government Victoria, the Workcover authority and private legal practice.

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## Dwight L. Bishop

*Nova Scotia Ombudsman,  
Canada*



Dwight Bishop was appointed Ombudsman for the Province of Nova Scotia on January 1, 2004, and reappointed in January, 2009. The Ombudsman's legislative mandate embraces general responsibilities with respect to provincial and municipal levels of government and also includes specific responsibilities in relation to children and youth, and disclosure of wrongdoing (whistleblowing). He was also Acting Review Officer, Freedom of Information and Protection of Privacy for the Province of Nova Scotia from January 2006 to February 2007. Previous to his appointment as Ombudsman, Mr. Bishop was a member of the Royal Canadian Mounted Police (RCMP) for 34 years, retiring as an Assistant

Commissioner, Commanding Officer for Nova Scotia. During his time with the RCMP he led the provincial police force through emergency situations such as the Swissair disaster and 9/11. Mr. Bishop is a member of the Canadian Council of Parliamentary Ombudsman, Forum of Canadian Ombudsman, International Ombudsman Institute, an executive on the Canadian Council of Provincial Child Youth Advocates, a member of the Nova Scotia Barristers' Society, and a life member of the Canadian Association of Chiefs of Police. He was previously an executive member of the Criminal Intelligence Service of Canada, and a Governor of the Canadian Corps of Commissionaires, NS. He has been involved

in a number of community organizations including the Law Enforcement Torch Run for the Special Olympics, and the WWII Annual Remembrance Day Church Service Association. The recipient of numerous commendations, Mr. Bishop has been awarded the Order of Merit of the Police Forces, Canada; the Queen's Jubilee Medal; the RCMP Service Medal; the Order of St. John's; an Honourary Doctorate, Civil Laws from Acadia University; service recognitions from the Government of Canada and the Province of Nova Scotia; and was named an Honorary Chief, Mi'kmaq First Nation. A native of the Annapolis Valley, Mr. Bishop is a graduate of Acadia University and Dalhousie Law School.

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## Professor Jonathan Boston

*Victoria University of  
Wellington, New Zealand*



Jonathan Boston is Professor of Public Policy in the School of Government, Victoria University Wellington. He served as Director of the Institute of Policy Studies during 2008-11. He has published widely in the fields of public

management, tertiary education, social policy, comparative government, New Zealand politics and climate change policy, including 27 books and nearly 200 journal articles and book chapters.

# Speaker profiles

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## Alex F M Brenninkmeijer

*National Ombudsman  
of the Netherlands*



Alex F.M. Brenninkmeijer started his work as Ombudsman on 1 October 2005. As Dutch National Ombudsman he aims to provide a service that is easily approachable and confidence-inspiring for members of the public with complaints against government. He encourages authorities to pay more attention to the way they deal with individual citizens in concrete cases. Parliament re-appointed him on January

18, 2011 for a new six years term. Mr Brenninkmeijer was professor of constitutional and administrative law at the University of Leiden and at the same time held a Chair in labour law and ADR (mediation). He also has occupied various judicial posts at district court level and as vice-president of the court of appeal. Alex Brenninkmeijer is a specialist in conflict analysis and methods of conflict resolution. He has been a

mediator in a great variety of cases. He has published widely in this area and has set up a number of research projects. He is a pioneer in the mediation field and has contributed to the professional development and quality assurance programme of the Netherlands Mediation Institute. He has also developed a master's course in mediation in co-operation with the University of Amsterdam.

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## Arlene Brock

*National Ombudsman  
for Bermuda*



Arlene Brock was appointed by the Governor of Bermuda (in a competitive process and after consultation with both the Premier and Opposition Leader) as the island's first Ombudsman. She holds a B.A. from McGill University; a J.D. (LL.B.) from York University in Toronto and a LL.M. from Harvard Law School (her thesis: the International Human Right to Reproductive Health). Ms. Brock worked in insolvency litigation in Toronto and reinsurance litigation in Bermuda. She trained negotiators and

mediators and conducted systemic reviews and strategic planning around the world with Conflict Management Inc. (corporate arm of the Harvard Negotiation Program which pioneered the "interest-based" negotiation / mediation methodology). She also interned with the N.Y. office of the U.N. Center for Human Rights. Ms. Brock was recruited home to Bermuda as Principal for Strategic Initiatives of a reinsurance company and later consulted to the Ministry of Labour. She was also an Acting

(judicial) Magistrate in Family Court and Lecturer in employment law. She served as Chair of both the Permanent Arbitration Tribunal and the Police Complaints Authority. In 2009, Ms. Brock was elected to the Board of Directors of the IOI and also as the Regional Vice-President for the Caribbean and Latin America.



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## Judge Sir David J Carruthers

*Chairman NZ Parole Board  
2005-2012, New Zealand*



Born and raised in Pahiatua, David Carruthers graduated in 1962 from Victoria University in Wellington, New Zealand, with an LLB and completed his LLM (Hons) in 1964. Judge Carruthers practised in Wellington before returning to practice law in his home town of Pahiatua. A move to Palmerston North and his own practice preceded being appointed a Family Court Judge and Youth Court Judge in Wellington in 1985. In 1995 Judge Carruthers was appointed Principal Youth Court Judge and in 2001 he was appointed as

Chief District Court Judge, a position he held until his retirement in 2005. In his former role as the Chair of the New Zealand Parole Board, Judge Carruthers has long been an advocate for alternative dispute resolution and an outspoken supporter of restorative and therapeutic justice initiatives. Judge Carruthers holds that it is better to involve communities directly in the criminal justice system in order to obtain better outcomes which reduce crime and acknowledge victims' concerns. He has spoken at a

large number of international and national conferences and has been an author of a number of papers presented in overseas seminars. In 2002, he chaired the Ministerial Taskforce on Youth Offending. Judge Sir David Carruthers was made a Distinguished Companion of the New Zealand Order of Merit in 2005 for his services to the District Courts. He was knighted by the Governor-General in 2009. Judge Carruthers is currently Chairman of the Independent Police Conduct Authority in New Zealand.

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## Mai Chen

*Founding Partner, Chen Palmer New Zealand Public Law Specialists and Professor (Adjunct) of Commercial and Public Law at the University of Auckland Business School, New Zealand*



Mai Chen is a founding partner of Chen Palmer New Zealand Public and Employment Law Specialists, Barristers and Solicitors, which has won the best Boutique Law Firm in 2010, and the best Public Law Firm in the New Zealand Law Awards in 2007, 2008, 2009, 2010, and 2011 Finalist in Employment Law. Mai is also Professor (Adjunct) in Commercial and Public Law at the University of Auckland Business School as of 1 January 2011. Mai is the author of *"Public Law Toolbox"*. Mai has published about 100 articles and conference papers and

contributed to 7 books and major reports, mainly in the public law area. Mai won Next Magazine's Business Woman of the Year in 2011. Formerly a Senior Lecturer at Victoria University Law Facility in Wellington, Mai has also sat on the Securities Commission, the New Zealand Board of Trade and Enterprise's Beachheads Programme, the Asia New Zealand Foundation, the Advisory Board of AMP Life Limited (NZ), and is Chair of the Advisory Board of New Zealand Global Women and President of the Harvard New Zealand Alumni Association (NZ).

Mai also sits on the New Zealand Law Society Public and Administrative Law Committee. Mai was in the 2009 and 2010 Unlimited magazine's top Influencers List. Mai has a First Class Law Honours degree from Otago University, a Masters degree from Harvard Law School, is a fellow of the New Zealand Institute of Management, and an Honary Associate of Auckland University of Technology.

# Speaker profiles

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## Fong Man Chong

*Commissioner Against  
Corruption of Macao SAR*



Fong Man Chong is the Commissioner Against Corruption of Macao SAR. He obtained his bachelor's and master's degree (majoring in criminal jurisprudence) from the University of Macau, and a doctoral degree from the Faculty of Law of the Renmin University of China, specializing in administrative law. Dr. Fong joined the public service of Macao in March 1987. In 1998, he was appointed the Judge of the Court of General Jurisdiction. Before he was promoted to the President of the Collegiate Bench of the Court of First Instance in September 2002, he served as the judge of the

Court of Penal Prosecution and the Administrative Court. On 4th November 2009, he was promoted to the Judge of the Court of Second Instance. In 2002, Dr. Fong took the position of standing member of the Pedagogic Council of the Legal and Judicial Training Centre. Not only was he assigned the President of the Management Committee of the Legislative Assembly Election held in 2001, 2005 and 2009, but was also a member of the Management Committee of the Chief Executive Election of Macao SAR in 2004 and 2009. Between 1996 and 2009, Dr. Fong taught in the Faculty

of Law of the University of Macau and had given lectures to students of the Bachelor's and the Master's Program in different subjects. In addition to tutoring various courses held by the Legal and Judicial Training Centre, the Macao Polytechnic Institute and the Academy of Public Security Forces, he also lectured apprentice lawyers on the course on civil litigation law held by the Macao Lawyers Association. Moreover, he has published a series of books and articles covering different aspects of jurisprudence.

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## Rt Hon Helen Clark

*Administrator of the United Nations Development Programme, Prime Minister of New Zealand 1999 – 2008*



Helen Clark became the Administrator of the United Nations Development Programme on 17 April 2009, and is the first woman to lead the organization. She is also the Chair of the United Nations Development Group, a committee consisting of the heads of all UN funds, programmes and departments working on development issues. Prior to her appointment with UNDP, Helen Clark served for nine years as Prime Minister of New Zealand, serving three successive terms from 1999 – 2008. Throughout her tenure as Prime Minister, Helen Clark engaged widely in policy development and advocacy across the international, economic, social and cultural spheres. Under her leadership, New Zealand achieved significant economic growth, low levels of unemployment, and high levels of investment in education and health, and in the well-being of families and older citizens. She and her government prioritized reconciliation and the settlement of historical grievances with New Zealand's indigenous people and the development of an inclusive multicultural

and multi-faith society. Helen Clark advocated strongly for New Zealand's comprehensive programme on sustainability and for tackling the problems of climate change. Her objectives have been to establish New Zealand as being among the world's leading nations in dealing with these challenges. Helen Clark was also an active leader of her country's foreign relations and policies, engaging in a wide range of international issues. As Prime Minister, Helen Clark was a member of the Council of Women World Leaders, an international network of current and former women presidents and prime ministers whose mission is to mobilize the highest-level women leaders globally for collective action on issues of critical importance to women and equitable development. Helen Clark held ministerial responsibility during her nine years as Prime Minister for New Zealand's intelligence agencies and for the portfolio of arts, culture and heritage. She has seen the promotion of this latter portfolio as important in expressing the unique identity of her nation in a positive way.

Helen Clark came to the role of Prime Minister after an extensive parliamentary and ministerial career. First elected to Parliament in 1981, Helen Clark was re-elected to her multicultural Auckland constituency for the tenth time in November 2008. Earlier in her career, she chaired Parliament's Foreign Affairs Committee. Between 1987 and 1990, she was a Minister responsible for first, the portfolios of Conservation and Housing, and then Health and Labour. She was Deputy Prime Minister between August 1989 and November 1990. From that date until December 1993 she served as Deputy Leader of the Opposition, and then as Leader of the Opposition until winning the election in November 1999. Prior to entering the New Zealand Parliament, Helen Clark taught in the Political Studies Department of the University of Auckland. She graduated with a BA in 1971 and an MA with First Class Honours in 1974. She is married to Peter Davis, a Professor at Auckland University.

# Speaker profiles

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## Phil Clarke

*Ombudsman, Queensland, Australia*



Phil Clarke, Queensland's sixth Ombudsman, since January 2011. He took up the role of Ombudsman after a 26-year career in the Queensland Public Service, including executive roles in education and training, local government and justice administration. During his career in the public sector, he oversaw the establishment

of the Queensland Civil and Administrative Tribunal and reforms to the civil and criminal justice system in Queensland. He also led the implementation of local government reforms in Queensland, halving the number of local councils. Mr Clarke holds a Master of Regional Science from the University of Queensland,

Diploma of Teaching from Griffith University and a Bachelor of Applied Science from the Queensland University of Technology.

## Roberta Clarke

*Regional Program Director for the Caribbean Regional Office of UN Women*



Roberta Clarke is the Regional Programme Director of UN Women Caribbean Office. She is a sociologist and attorney at law with a specialisation in human rights law. She has written on gender and development including on violence against women and gender mainstreaming. She has

been the Vice President of the Trinidad and Tobago Family Planning Association, Editor of the legal journal of the Law Association of Trinidad and Tobago "The Lawyer" and Board member of the organisation- Women, Law and Development International. Roberta has also been a member of the

Advisory Council of Interights as well as the International Council for Human Rights Policy. She is the mother of four children.

## Professor Andrew Coyle CMG PhD FKC

*Emeritus Professor of Prison Studies in the University of London and Visiting Professor in the University of Essex, United Kingdom*



Andrew Coyle CMG PhD FKC is Emeritus Professor of Prison Studies in the University of London and Visiting Professor in the University of Essex. He has a PhD in criminology from the Faculty of Law in the University of Edinburgh and is a Fellow of King's College London. Between 1997 and 2005 he was founding Director of the International Centre for Prison Studies. Previously he worked for 25 years at a senior level in the prison services of the United Kingdom. He is a member of the Judicial Appointments

Board for Scotland, the UK Administrative Justice and Tribunals Council and the UK Foreign Secretary's Expert Committee against Torture. He is a prisons adviser to the UN High Commissioner for Human Rights, the UN Office on Drugs and Crime, the UN Latin American Institute, the Council of Europe, including its Committee for the Prevention of Torture, and several national governments. He has recently drafted a Code of Ethics for Prison Staff on behalf of the Council of Europe. His books include

The Prisons We Deserve, Managing Prisons in a Time of Change, A Human Rights Approach to Prison Management (published in 16 languages), Humanity in Prison and Understanding prisons: Key issues in policy and practice. He was appointed a Companion of the Order of St Michael and St George in 2003 for his contribution to international penal reform.



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## Jeannine Mireta Upokoina Daniel

*Assistant Ombudsman,  
Cook Islands*



Miss Jeannine Daniel, Assistant Ombudsman, 37 years old, has been employed by the Office of the Ombudsman in the Cook Islands since 2007 and has in the last 10 months managed the Office of the Ombudsman following the resignation of Ombudsman, Ms Janet Maki. Her role is to assist the Ombudsman in fulfilling his/her functions under

the Ombudsman Act 1984, and any other legislation. The Office is responsible for administering the Ombudsman Act 1984, the Official Information Act 2008, Disability Act 2008 and establishing a human rights mechanism in the Cook Islands.

Jeannine is solely responsible for the delivery and management of the

implementation of the Official Information Act Training program throughout the 70 government ministries; crown agencies, island administrations and councils which fall under the ambit of the OIA, including public sector record keeping reviews and workshops, community meetings for the wider community and Non-Government Organisations.

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## P. Nikiforos Diamandouros

*European Ombudsman*



P. Nikiforos Diamandouros is the European Ombudsman. From 1998 to 2003, he was the first National Ombudsman of Greece. He has also been Professor of Comparative Politics at the Department of Political Science and Public Administration of the University of Athens since 1993 (currently on leave). From 1995 to 1998 he served as Director and Chairman of the Greek National Centre for Social Research (EKKE). He received his B.A. degree from Indiana University (1963) and his M.A. (1965), M.Phil. (1969) and Ph.D. (1972) degrees from Columbia University. Prior to joining the faculty of the University of Athens in 1988, he held teaching and research appointments at the State University of New York and Columbia University respectively (1973-78). From 1980 to 1983, he served as Director of Development at Athens

College, Athens, Greece. From 1983 to 1988, he was Program Director for Western Europe and the Near and Middle East at the Social Science Research Council, New York. From 1988 until 1991, he was the Director of the Greek Institute for International and Strategic Studies, Athens, a policy-oriented research organisation established with joint funding from the Ford and MacArthur Foundations. In 1997, he held an appointment as Visiting Professor of political science at the Juan March Centre for Advanced Studies in the Social Sciences (Madrid). He has served as President of the Greek Political Science Association (1992-98) and of the Modern Greek Studies Association of the United States (1985-88). In 1999 and 2000, he was appointed member of Greece's National Commission on Human Rights

and the National Council for Administrative Reform respectively. In 2000, he was a participant in the Bilderberg Conference. Since 1990, he has been co-chair of the Subcommittee on Southern Europe of the Social Science Research Council, New York, whose activities are funded by a grant from the Volkswagen Foundation. He is also joint General Editor of the Series on the New Southern Europe published by the Johns Hopkins University Press and the recipient of Fulbright and National Endowment for the Humanities research grants. He has written extensively on the politics and history of Greece, Southern Europe and Southeastern Europe and, more specifically, on democratisation, state and nation-building, and the relationship between culture and politics.

# Speaker profiles

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## Leo Donnelly

*Deputy Ombudsman,  
New Zealand*



Leo Donnelly is Deputy Ombudsman of New Zealand. He graduated from Victoria University of Wellington and was admitted as a Barrister and Solicitor in 1981. After working initially for the Parliamentary Counsel Office, he joined the Office of the Ombudsmen in 1985 as an investigating officer in the Official Information Act section of the Office. He was appointed Assistant Ombudsman in November 1996 and Deputy Ombudsman in

September 2004. As Deputy Ombudsman, Leo is Head of Professional Practice and assists the New Zealand Ombudsmen to carry out their statutory investigation and review functions under the Ombudsmen Act, the Official Information Act, the Local Government Official Information and Meetings Act, the Protected Disclosures Act and the Crimes of Torture Act. Leo has played a major advisory role to the New Zealand Ombudsmen and public sector agencies

on Information Law and good administrative practice issues for over 25 years. He is recognised as a leading authority on the operation of Freedom of Information legislation in New Zealand. He has written papers and addressed seminars both in New Zealand and overseas on issues relating to procedural fairness, good administrative practice, and the operation of New Zealand's official information legislation and its interaction with public records legislation.

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## Andrew Ecclestone

*Head of FOI Policy Branch,  
Department of Constitutional  
Affairs, UK 2001 – 2003*



Andrew Ecclestone has worked on Freedom of Information issues since 1993, when he started working for the UK Campaign for Freedom of Information. After 8 years' work with the Campaign, success was achieved when Parliament enacted the Freedom of Information Act 2000. Following this, he was seconded to the UK government department with responsibility for leading work on implementation of the Act from 2001-3, as Policy Manager for FOI.

During this period, he also represented the UK in negotiating the Council of Europe Recommendation 2002(2) on Access to Official Documents. Since 2006, he has worked in the Office of the Ombudsman in New Zealand, but is speaking here in a personal capacity. He has a BA (Hons) in History from the University of Sussex, and a Masters in Public Policy from Victoria University of Wellington. He has spoken at workshops and provided advice on FOI to the World

Bank Institute, governments, information commissioners, and civil society in Mexico, Serbia, Indonesia, Cambodia, the Solomon Islands, Bangladesh and Australia, and works as a researcher and consultant from time to time. He organized the 5th International Conference of Information Commissioners for the New Zealand Ombudsman in 2007, and was a speaker at the 3rd ICIC in Mexico in 2005 and the 7th ICIC in Canada in 2011.

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## Sir Brian Elwood

*Chief Ombudsman of  
New Zealand 1994 – 2003  
and President of International  
Ombudsman Institute  
1999 – 2002*

A retired Barrister and Solicitor. Former Chief Ombudsman of New Zealand. Former President of the International Ombudsman Institute.

Currently Chairman of the Kiwifruit New Zealand Board.

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## Chris Field

*Ombudsman Western Australia*



Chris Field is the Western Australian Ombudsman. He concurrently holds the roles of Energy Ombudsman and State Records Commissioner. He is an Adjunct Professor in the Faculty of Law at the University of Western Australia and holds a Professorial Chair in Consumer Law at La Trobe University. He is the author of the university text, *Current Issues in Consumer*

*Law and Policy*, numerous articles on law, economics and public policy and the 'Consumer Dealings' editor of the Australian Business Law Review. Immediately prior to his appointment as Ombudsman he was an inaugural Member of the Economic Regulation Authority, Western Australia. His previous roles include Executive Director,

Consumer Law Centre Victoria; Chair, Australian Consumers' Association (now Choice); Chair, Consumer Utilities Advocacy Centre, Director, Energy and Water Ombudsman Victoria and lawyer, Arthur Robinson and Hedderwicks (now Allens Arthur Robinson). He holds Arts and Law (Honours) degrees.

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## Karen Finnegan

*Deputy-Director of Government Information Services, US National Archives & Records Administration, United States of America*



Karen Finnegan is the first Deputy Director of the Office of Government Information Services (OGIS), which is part of the National Archives and Records Administration. The mission of OGIS is to review agency compliance with the Freedom of Information Act (FOIA), to provide mediation services to resolve FOIA disputes, to recommend policy changes to Congress and the President to improve the

administration of FOIA, and to serve as the government-wide FOIA Ombudsman. Ms. Finnegan has served as an Attorney, Program Manager, and leader with extensive experience in multiple Federal agencies, working on Freedom of Information Act (FOIA) and related programs. Over a 14-year career, she has developed an expertise in transparency and open government issues. For nearly 10 years she has served on

the Board of the American Society of Access Professionals (ASAP), including service as President, Treasurer, and National Conference Chair. Ms. Finnegan graduated from The Pennsylvania State University and Temple University School of Law and served in a judicial clerkship in the U.S. District Court for the Eastern District of Pennsylvania.

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## Arne Fliflet

*Ombudsman, Norway*



Arne Fliflet was born in 1946 and received his law degree in 1971.

He was a university lecturer in jurisprudence at Oslo University in 1973 and has subsequently lectured on public law at the Universities of Oslo, Bergen and Tromsø, as well as acting as examiner in this field.

He was Assistant Judge in Førde in Sunnfjord in 1974 to 1975. From 1975 to 1990 he practiced law, both in

public administration and in a private practice.

From 1976 to 1986, he worked at the office of the Attorney General, interrupted by a study period in London in 1979 and a period as Public Prosecutor at the Eidsivating Public Prosecutor's office in 1980-81. He was granted right of audience in the Supreme Court in 1978 and was permanent counsel for the defence in Eidsivating Court of Appeal from 1989 to 1990.

The Storting appointed Arne Fliflet as Parliamentary Ombudsman for the first time in 1990. He has subsequently been re-elected five times, the last appointment being in 2009.

Arne Fliflet has published specialist literature on public law both in book form as well as articles.

# Speaker profiles

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## Dr Tom Frawley CBE

*Ombudsman, Northern Ireland*



In September 2000 Tom Frawley was appointed Assembly Ombudsman and Northern Ireland Commissioner for Complaints. Born in 1949, Tom moved to Belfast as an eleven year-old from his native Limerick. He studied at St Mary's Grammar School in Belfast and graduated from Trinity College, Dublin in 1971. Following graduation in 1971 he joined the National Health Service. In 1973 he was appointed Unit Administrator at the Ulster Hospital, Dundonald and his career in the health service later took him to North and West Belfast and Lisburn. In 1981 he became Chief Administrative Officer

in the Western Health and Social Services Board, at the age of 31 the youngest person in the UK to be appointed to such a post, and in 1985, following the implementation of the Griffiths Report, he was appointed as the Board's General Manager, a post he held until September 2000. In 2001, as Ombudsman, the Standards and Privileges Committee of the Assembly asked that he become the interim Commissioner for Standards at the Assembly. In June 2002, at the invitation of the Office of the First Minister and Deputy First Minister, he became the chair of the Panel of Experts that was appointed to support the Review of Public Administration.

In 2003 Tom Frawley received an honorary doctorate from the University of Ulster. The award acknowledged his impressive track record of public service. In November 2006, Tom was elected as the Vice President of the World Board of the International Ombudsman Institute (IOI), and is currently a Director of the European Board of the Institute. In 2008 Tom was awarded a CBE in the New Year Honours List. Tom has a keen interest in public and current affairs and in outdoor activities generally but especially rugby and gaelic football, both of which he has played in the past.

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## Professor Andrew Goldsmith

*Strategic Professor in Criminology and Criminal Justice, Flinders Law School, Adelaide and Adjunct Professor, Regulatory Institutions Network, College of Asia and the Pacific, Australian National University, Canberra, Australia*



Andrew Goldsmith is Executive Director, Centre for Transnational Crime Prevention, and Professor of Law, University of Wollongong, NSW, Australia. He holds degrees in law, criminology and sociology, and has practised law in South Australia and Victoria. He has a longstanding interest in police governance

and accountability, and has published extensively in this area, including two books on civilian oversight of policing. In 2010, he established the Integrity Studies program at the University of Wollongong. In November 2011, he was the keynote speaker at the Australian Public Sector Anti-Corruption Conference in Fremantle, Western Australia.

Among his current research interests is the significance of social media for public sector accountability.



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## Nathaniel Heller

*Executive Director, Global Integrity, United States of America*



Nathaniel Heller has split his time between social entrepreneurship, investigative reporting and traditional public service since 1999, when he joined the Center for Public Integrity and began, along with Marianne Camerer and Charles Lewis, to develop the Integrity Indicators and conceptual model for what would become Global Integrity. At the Center, Heller reported on public service and

government accountability; his work was covered by the Associated Press, The Washington Post, The New York Times, Los Angeles Times, USA Today, Chicago Tribune, Moscow Times, The Guardian (London), and Newsweek. His reporting on the human rights impact of post-9/11 U.S. military training abroad won awards from both Investigative Reporters and Editors and the Society for Professional Journalists.

In 2002 he joined the State Department, focusing on European security and transatlantic relations. He later served as a foreign policy fellow to the late-Senator Edward Kennedy in 2004. In 2005, Heller returned to head Global Integrity as an independent international organization and has led the group since. You can learn more about Nathaniel by visiting <http://integrilicio.us>

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## Professor Philip Joseph

*School of Law, University of Canterbury, New Zealand*



Philip Joseph is Professor of Law at the University of Canterbury, New Zealand specialising in public law. He is the author of the text *Constitutional and Administrative Law in New Zealand* (3rd ed), Wellington, Thomson Brookers, 2007, which is currently being revised for a fourth edition. He contributed the "Administrative Law" and "Constitutional Law" titles for the legal encyclopaedia

*The Laws of New Zealand*, and authored the chapter "The Judicial System" for the government publication, *Te Ara – the Encyclopaedia of New Zealand*. He has contributed to specialist books of essays and has published widely in the legal periodicals. In 2004 he was awarded the degree of Doctor of Laws in recognition of his research contributions. Professor Joseph is Consultant to the law firm

Russell McVeagh and has been advisor to government departments, parliamentary select committees and corporate and private clients. He is on the editorial advisory boards of *Public Law Review* (Sydney) and *New Zealand Journal of Public and International Law* (Wellington), and is a Contributing Editor to *New Zealand Law Review* (Auckland).

# Speaker profiles

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## Young-ran Kim

*Chairperson Anti-corruption and Civil Rights Commission, Republic of Korea*



Ms Young-ran Kim has been the Chairperson of ACRC since January 2011. She is playing an active role in enforcing of the newly passed Act on the Protection of Public Interest Whistleblowers. She was elected to the Asian Directors on the IOI Board of Directors in August 2011. She

had worked as a judge for 30 years(1981-2010), including 6 years(2004-2010) as the first female Justice of the Supreme Court in Korea. As a judge, she had tried to accomplish the social justice by listening to the voices of socially disadvantaged people and minorities.

She holds LL.B.(1979) and LL.M.(1983) from School of Law, Seoul National University.

## Dr Richard Kirkham

*School of Law University of Sheffield, United Kingdom*



Dr Richard Kirkham has been researching the ombudsman institution for almost ten years and has written extensively on the subject. In 2011 his book *"The Ombudsman Enterprise and Administrative Justice"* (co-authors T. Buck and B. Thompson – Farnham: Ashgate) was published

which analysed the constitutional role of the ombudsman in the 21st century. Dr Kirkham's current research is centred on exploring the different means by which the ombudsman institution can demonstrate its impact, as well as the effectiveness of

the various ways by which the ombudsman's work can be called to account.

## Dr Peter Kostelka

*Secretary-General, International Ombudsman Institute and Ombudsman, Austria*



Ombudsman and IOI Secretary General Dr. Peter Kostelka obtained a degree in law from the University of Vienna. He was an Assistant Professor at the Institute of State and Administrative Law of the University of Vienna for two years.

Kostelka began his political career in the Parliamentary Group of the SPÖ, whose secretary he was starting from

1974. In 1990, he was briefly a member of the Federal Council before he was appointed State Secretary in the Federal Chancellery. From 1994 to 2001, Kostelka was a member of the National Council and chair of the Social Democratic Parliamentary Group.

Kostelka has been an ombudsman since 1 July 2001 and has also been active in the International Ombudsman

Institute (IOI) since 2004: First as chair of the European region, and since June 2009 as its Secretary General.

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## Professor Irena Lipowicz

*Human Rights Defender,  
Republic of Poland*



In 1976, Irena Lipowicz graduated with honours from the Faculty of Law and Administration of the University of Silesia, and started to work there. In 1981, she acquired the title of the Doctor of Law, and in 1992 the title of Doctor Habilitatus. Since 1980, Irena Lipowicz has been a member of “Solidarność” Trade Union and she was a founding member of its Upper Silesian division. Between 1991 – 2002, a Sejm deputy; she was a member of the Constitutional Committee of the National Assembly which drafted the Constitution of 1977. Since 1977, she has chaired the Local Self – Government Committee of the Sejm; she was a Deputy Chairman of the Freedom Union Parliamentary Club as well as of the parliamentary assembly of the Organization for Security and Co-operation

in Europe (OSCE); she was also a member of the Foreign Affairs Committee. Since 1998, a Professor of Cardinal Stefan Wyszyński University in Warsaw; currently the Head of its Administration Law and Local Self-Government Department. Between 2000 and 2004, she held the office of Ambassador Extraordinary and Plenipotentiary of the Republic of Poland to Austria. Between 2004 – 2006, she served as the Ambassador – Representative of the Minister of Foreign Affairs for Polish – German relations. Elected to the College of the Supreme Audit Office for the years 2005 – 2010. Between 2006 and 2010, a teacher of Warsaw School of Social Sciences and Humanities. Between 2008 and 2010, a member of the Committee on Legal Sciences of the Polish Academy of Sciences. Between 2008 and 2010, she

held the office of Managing Director of the Foundation for Polish – German Cooperation. Decorated with the Knight’s Cross of the Order of Polonia Restituta, Granted the Edward J. Wende award as well as the award of Grzegorz Palka for the services rendered to local self-government. In 2009, awarded the degree of Doctor honoris causa by the Osnabrück University. She was also awarded the Grand Decoration of Honour in Gold for the Services to the Republic of Austria, the Grand Cross of the Order of Merit of the Federal Republic of Germany, as well as decorations of the provinces of Styria and of Upper Austria. On 10 June 2010, Professor Irena Lipowicz was appointed by the Sejm and the Senate of the Republic of Poland as the Human Rights Defender.

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## Advocate Thulisile Madonsela

*Public Protector of South Africa*



Advocate Thulisile Madonsela, was appointed as South Africa’s third Public Protector in October 2009. A human rights and constitutional lawyer, equality expert and policy specialist with over two decades of post legal qualification experience, Advocate Madonsela holds a BA Law (University of Swaziland) and an LLB (University of Witwatersrand). Her postgraduate studies include partial LLM studies and legal courses mainly in the area of equality, administrative justice,

legal drafting and public administration.

She is one of drafters of South Africa’s democratic constitution and worked as a full time Commissioner at the South African Law Reform Commission. She is co-architect of Justice Vision 2000, the National Action Plan on the Promotion and Protection of Human Rights, Promotion of Equality and Prevention of Unfair Discrimination Act, Employment Equity Act, Local Government Transition Act and has contributed to

several other laws enacted to transform the South African legal system since 1994 including the Promotion of Administrative Justice Act.

She contribute to efforts of promoting good governance, respect for human rights and the upholding of the rule of law locally and continentally through her role as the Executive Secretary of the African Ombudsman and Mediators Association, a position she has held since April 2010.

# Speaker profiles

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## Mariana Sotto Maior

*Head of Cabinet, Provedor de Justiça, Portugal*



Mariana Sotto Maior is, since September 2010, the Head of the Cabinet to the Portuguese Ombudsman (the National Human Rights Institution accredited with A Status by the ICC). Before this she was Deputy Director of the General Directorate of the Policy of Justice

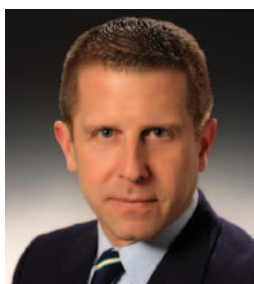
of the Ministry of Justice (2010), Deputy Director of the General Directorate of Internal Affairs of the Ministry of Interior, responsible for the international relations, within the Ministry of Interior (2007-2009), and Deputy Director of the Bureau for International, European

Affairs and Cooperation of the Ministry of Justice. She had been working in the area of Human Rights, International Law and European Union Law for the past 16 years.

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## André Marin

*Ombudsman of Ontario, Canada*



As Ombudsman of Canada's largest province since 2005 (reappointed in 2010), André Marin's investigations into broad systemic issues have sparked widespread government reforms affecting millions of citizens. His Special Ombudsman Response Team (SORT) focuses on high-profile field investigations affecting large numbers of people, from the screening of newborn babies to property tax assessment to the provincial lottery

system. Mr. Marin's training course, "Sharpening Your Teeth," hosted annually by his office in Toronto and also in Vienna by the IOI, has trained hundreds of ombudsmen and administrative watchdogs around the world in the SORT methodology and best practices for conducting systemic investigations, assessing evidence, and putting together memorable, persuasive reports. Mr. Marin has been North American Regional Vice-President of the

IOI since 2006. He is the sixth Ombudsman of Ontario since 1975 and the first to be reappointed. Mr. Marin also served as Canada's first military ombudsman from 1998 to 2005, and Director of Ontario's Special Investigations Unit from 1996 to 1998. Prior to that, he was an Assistant Crown Attorney and part-time professor of law at the University of Ottawa, where he also received degrees in common and civil law.

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## Dr Jane Martin

*Local Government Ombudsman and Chair, Commission for Local Administration in England, United Kingdom*



Dr Jane Martin was appointed to the post of Local Government Ombudsman and Vice-chair of the Commission for Local Administration in England in January 2010. In April 2012 she was appointed Chair of the Commission. She has extensive knowledge and experience of public service delivery. At the

University of Birmingham and Warwick Business School she conducted research on public management and governance in the fields of education, health and local government. She has worked in local authorities across England as a consultant for the Improvement and Development Agency for Local Government (IDeA)

and was the first Executive Director of the Centre for Public Scrutiny. Prior to joining LGO she was Deputy Chief Executive at the Local Better Regulation Office and a Non-executive Director of Coventry Primary Care Trust.



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## Dulcie McCallum

*Nova Scotia Freedom of Information and Protection of Privacy Review Officer, Ombudsman for the Province of British Columbia 1992 – 1999, Canada*



Dulcie McCallum was the first female Ombudsman for the Province of British Columbia. During her seven year term as Ombudsman, Ms. McCallum completed over 100,000 inquiries and investigations. Of the over 15 public reports, many involved vulnerable populations most notably: *Listening* a systemic investigation into BC's largest psychiatric facility, *Jericho Hill School* abuse of deaf children and *Fair Schools*. For the three years following her term as Ombudsman, Ms. McCallum completed a report *The Need to Know*, a systemic administrative review of physical and sexual abuse at the Woodlands School, a former institution for persons with intellectual and physical disabilities.

Subsequently, Ms. McCallum worked over a period of four years in New York as one of two official NGO members of Canada's delegation to the

Ad-Hoc Committee of the United Nations to draft and complete the *UN Convention on the Rights of People with Disabilities*. Ms. McCallum was a special advisor to the delegation as a constitutional human rights legal expert for people with intellectual disabilities for over 20 years. Her work included preparing a report on supported decision, a precursor to Article 12, and acting as counsel in major disability court cases including *Re Dawson* [access to medical treatment], and *Re Eve* [sterilization] in the Supreme Court of Canada.

In 2011 Ms. McCallum was given an award from the Canadian Association for Community Living for her contribution to the *UNCPRD*. In Nova Scotia Ms. McCallum's work around the *UNCPRD* continues. Since ratification by Canada, Ms McCallum has been invited to conduct Forums in British Columbia,

Prince Edward Island, and Nova Scotia focussing on supported decision making and employment under the *UNCPRD*. She is Vice-President of NS Association for Community Living and was elected to the national board of the Canadian Association for Community Living in 2011. She sits on CACL committees: *UNCPRD* Oversight and Compliance, Supported Decision-Making and National Legal Strategy Committees.

During her work at the UN, Ms. McCallum moved to Halifax, Nova Scotia where she is presently the first female Nova Scotia Freedom of Information and Protection of Privacy Review Officer [Commissioner] appointed on February 5, 2007.

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## Dr David McGee CNZM

*Ombudsman, New Zealand*



David McGee was appointed an Ombudsman in November 2007.

He was previously Clerk of the House of Representatives, an office he had held since 1985. In that capacity he was the principal advisor to the Speaker and Members of Parliament on parliamentary law and practice.

He was a member of the committee which reported on New Zealand's constitutional arrangements and devised

the legislation that became law as the Constitution Act 1986. He was also a member of the panel which arranged and oversaw the public information campaigns organised for the electoral referendums held in 1992 and 1993. As Clerk of the House he determined the final form of questions to be put to voters by way of citizens initiated referenda.

He is the author of *Parliamentary Practice in New Zealand*, now in its third

edition, the authoritative guide to parliamentary procedure in New Zealand. He has also written extensively in the area of parliamentary and constitutional studies.

He was admitted as a barrister and solicitor in 1977 and appointed a Queen's Counsel in 2000. In the Queen's Birthday Honours of 2002 he was made a Companion of the New Zealand Order of Merit (CNZM).

# Speaker profiles

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## Dr Judy McGregor

*Equal Employment Opportunities Commissioner in the New Zealand Human Rights Commission (NZHRC)*



Dr Judy McGregor, PhD, PGDip, LLB, BA is the Equal Employment Opportunities Commissioner in the New Zealand Human Rights Commission (NZHRC). She is responsible for women's rights and is author of the New Zealand Census of Women's Participation, a biennial benchmark report evaluating the status of women in governance, management,

professional and public life, which is used globally. She is the Australasian editor of the international journal, Gender and Management. Dr McGregor is a former Massey University Professor and Head of Department. She holds a Companion of the New Zealand Order of Merit (CNZM) for services to journalism.

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## Professor John McMillan AO

*Australian Information Commissioner, Commonwealth Ombudsman 2003-2010, Australia*



Professor John McMillan AO was appointed Australian Information Commissioner in November 2010, to head a new office responsible for freedom of information, privacy protection and advice to government on information management policy. John was formerly the Commonwealth Ombudsman from 2003–2010; and the Integrity Commissioner

(Acting) for the Australian Commission for Law Enforcement Integrity in 2007. He is an Emeritus Professor of the Australian National University. He is co-author of a leading student text, *Control of Government Action*. John was a founding member in the 1970s of the Freedom of Information Campaign Committee, which led the public campaign for

enactment of the Freedom of Information Act 1982. He is a National Fellow of the Institute of Public Administration Australia; a Fellow of the Australian Academy of Law; and former President of the Australian Institute of Administrative Law.

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## Dr David Miller

*OmbudsmanThe Global Fund to Fight AIDS, Tuberculosis and Malaria Geneva, Switzerland; Editor, Journal of the International Ombudsman Association, New Zealand*



David is a New Zealander, with degrees in Philosophy, Psychology, Clinical Psychology, and Public Health Medicine and Epidemiology.

David spent the bulk of his clinical career in England, where he developed the protocols and algorithms for Counselling and Testing for HIV, and for psychological and psychosocial management in HIV/AIDS – these protocols were then adopted and implemented globally. He worked on HIV/AIDS clinical and public health policy and service development in the UK, Europe, Africa and Asia throughout the 1980s and 1990s, as a specialist for the World Health Organisation and in a variety of other roles with numerous national governmental and international agencies.

From 1994-1998 David headed the department of Clinical Psychology for HIV/STD at University College London Medical School/

Camden & Islington NHS Trust in central London, before moving to UNAIDS in Geneva as their Psychosocial Advisor in November 1998. During his latter period of work in London David undertook two national multicentre research studies in the UK on health worker work stress and burnout (two of his books are on this subject). From 2001-2003, David was based in New Delhi as the Director of UNAIDS in India, where he liaised closely with all 36 governments in India.

In mid-2004 David was appointed Ombudsman for the World Health Organization and those agencies WHO administered, including UNAIDS, The Global Fund and many other UN agencies and offices globally. His work on organizational crisis investigation and mediation has spanned all continents and almost all manner of organizational crises. He has worked extensively with the

International Ombudsman Association (IOA) as a trainer in Europe and North Africa, and as Editor of the Journal of the International Ombudsman Association. He currently works as the Ombudsman for the Global Fund to Fight AIDS, Tuberculosis and Malaria, working remotely from New Zealand on a part-time basis.

David has published 7 books on aspects of HIV/AIDS care and management, with many appearing in multiple translations. In 1988 he was awarded the Terrence Higgins Trust Award, and in 2003 became an Honorary Fellow of the Indian Public Health Association. David is married to Carole and together they live in Decanter Bay, New Zealand.

# Speaker profiles

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## Rt Hon Sir Geoffrey Palmer SC

*Prime Minister of New Zealand 1989 – 1990 and President of Law Commission 2005 – 2010, New Zealand*



Sir Geoffrey Palmer was admitted as a solicitor in 1965 and to the bar in 1966 and practised in Wellington with O'Flynn and Christie before taking up a British Commonwealth Fellowship to the University of Chicago where he graduated JD cum laude in 1967. He was a law professor in the United States and New Zealand for some years before entering politics as the MP for Christchurch Central in 1979. In Parliament he held the offices of Attorney-General, Minister of Justice, Leader of the House, Deputy Prime Minister and Prime Minister.

On leaving politics in 1990 he was a law professor at the University of Iowa and the Victoria University of

Wellington. In 1994 he became a Foundation Partner of Chen & Palmer Public Law Specialists where he remained until 2005 when he was appointed President of the Law Commission. He has appeared extensively in the superior courts including the Privy Council.

He is a member of the Her Majesty's Privy Council, was made a Knight Commander of the Order of St Michael and St George in 1991 and was made an honorary companion to the Order of Australia the same year. He was made a member of the Global 500 Roll of Honour by the United Nations Environment Programme. He holds three honorary doctorates.

He was elected a member of the American Law Institute and is a Member of the American Association of International Law.

Since leaving the Law Commission at the end of 2010 he has been chairing the Panel of Inquiry on the 31 May 2010 Flotilla Incident for the United Nations in New York. For eight years he was New Zealand's Commissioner to the International Whaling Commission. Sir Geoffrey is a Distinguished Fellow of the New Zealand Institute of Public Law and the Law Faculty at the Victoria University of Wellington.

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## Lyn Provost

*Controller & Auditor-General,  
New Zealand*



Lyn Provost took up the position of Controller and Auditor-General on 5 October 2009. She joined the Audit Office as an Assistant Auditor in 1978 before a stint in the United Kingdom and South Africa. Lyn came back to the Office in 1985 as the Director of Professional Services, and became an Assistant Auditor-General in 1990. Lyn's career included senior roles within the State Services Commission and

Archives New Zealand, before eight years as the Deputy Commissioner of Police (Resource Management). As Controller and Auditor-General, Lyn's principal functions and duties are set out in the Public Audit Act 2001. In summary, they are to:

- ensure that the office carries out its obligation to conduct audits of public sector bodies, and report to Parliament on the results of the audits; and

- ensure the efficient, effective, and economical management of the Office of the Auditor-General.

Lyn is a fellow of the Institute of Chartered Accountants of New Zealand (ICANZ). She is on the governing board of INTOSAI and is Secretary-General of PASAI.

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## Professor Linda Reif

*Faculty of Law, University of  
Alberta, Canada*



Professor Linda Reif obtained her law degree from the University of Windsor (1982) and her master's degree in law from the University of Cambridge (1985). A member of the Faculty of Law, University of Alberta, she is the CN Professor of International Trade and from 2009 to 2011 she served as Associate Dean (Graduate Studies). She was I.O.I. Editor

of Publications from 1989 to 2009. Professor Reif has published widely on the ombudsman and national human rights institutions. Her publications include her 2004 book *The Ombudsman, Good Governance and the International Human Rights System* (Martinus Nijhoff Pub., 2004), and articles and book chapters, including in the Harvard Human Rights

Journal, Boston College Third World Law Journal, Alberta Law Review, Asia Pacific Law Review, and I.O.I. publications. Professor Reif has provided consulting services and academic support on NHRIs to the Commonwealth Secretariat. In 1991 she was Director of Legal Services, Office of the Alberta Ombudsman.



# Speaker profiles

## Rafael Ribó

*Síndic de Greuges de Catalunya, Spain*



Born in Barcelona on May 10 1945, Ribó was elected twice Síndic de Greuges de Catalunya. First, he was elected on June 17 2004, and took office on July 1 of the same year. He was re-elected on February 10 2010 and took office on March 1 2010. In June 2009, in Stockholm, Ribó was appointed Regional Vice President of the Board of Directors for Europe of the International Ombudsman Institute (IOI), where he had been a member since 2006. As a President and Director for the European Region, Ribó is also a full member of IOI worldwide Board of Directors. With degrees in Economics and Law from the University of Barcelona, he holds a PhD in Political, Economic and Business Science from the same University and is Master of Arts in Political Science from The New School for Social Research of New York. He is a university lecturer of

Political and Administration Science and since 1970 has taught at the University of Barcelona, the Autonomous University of Barcelona, Pompeu Fabra University, the American College and the New School for Social Research. He began his political activity in 1963 as a member of the faculty senate for the Democratic Students' Union of the University of Barcelona. At the beginning of the 1970's, he formed part of the Assembly of Intellectuals of Catalonia, was one of the drivers behind the campaign to restore the Catalan language's official status, and served as secretary of the liaison committee for the Catalonia Assembly. In 1977, he participated in the Catalan Culture Congress as coordinator of the institutional area, and headed up the campaign for the self-government institutions within the Congress itself.

Elected Secretary General of the PSUC (Unified Socialist Party of Catalonia) in 1986, he has served as MP in the Catalan Parliament until the end of the sixth legislature (1980- 2001), MP in the Spanish Parliament (1993-1995) and President of the Iniciativa per Catalunya political party (1987-2000). He has been Chairman of the Board of Trustees of the Ulls del Món (Eyes of the World) Foundation since 2001. He has published various books, chapters and studies such as Catalonia's Political System, The National Question and the Catalan Nations, Handbook of Political Science, Citizenship and Nationalism and Special Regions and European Union Treaty Reform. His doctoral thesis was entitled: "The concept of political culture". He regularly collaborates with Catalan, Spanish and international newspapers and magazines.

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## Professor Alasdair Roberts

*Jerome L. Rappaport, Professor of Law and Public Policy at Suffolk University Law School, and Faculty Director of the Rappaport Center for Law and Public Service, United Kingdom*



Alasdair Roberts is the Jerome L. Rappaport Professor of Law and Public Policy at Suffolk University Law School, and Faculty Director of the Rappaport Center for Law and Public Service. Previously, he was a Professor of Public Administration in the Maxwell School of Citizenship and Public Affairs at Syracuse University, and an Associate Professor of Public Administration at Queen's University, Canada. Professor Roberts writes extensively on problems of governance, law and public policy. His next book, *America's First Great Depression*, will be published by Cornell University Press in 2012. His last book, *The Logic of Discipline: Global Capitalism and the Architecture of Government*, was published by Oxford University Press in March 2010. In 2011 it received an honorable

mention from the Best Book award committee of the American Society of Public Administration's Section on Public Administration Research. A previous book, *The Collapse of Fortress Bush: The Crisis of Authority in American Government*, was published by New York University Press in 2008. Kirkus Reviews called it "a trenchant analysis of the last eight years of American political history." An earlier book, *Blacked Out: Government Secrecy in the Information Age*, received the 2006 Brownlow Book Award from the US National Academy of Public Administration, and three other academic book awards. Professor Roberts has also won several awards for his journal articles. Professor Roberts was elected as a fellow of the US

National Academy of Public Administration in 2007. He was appointed as a public member of the Administrative Conference of the United States in 2010. He is also an Honorary Senior Research Fellow of the School of Public Policy, University College London. He is co-editor of the journal *Governance* and serves on the editorial boards of several other journals in the field of public administration. At Suffolk Law, Professor Roberts teaches Administrative Law and Law and Public Policy. Professor Roberts received a JD from the University of Toronto in 1984, a Master's degree in Public Policy from Harvard University in 1986, and a Ph.D. in Public Policy from Harvard University in 1994. His web address is [www.aroberts.us](http://www.aroberts.us).

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## David Rutherford

*Chief Human Rights Commissioner, New Zealand*



David Rutherford took up the five-year appointment as Chief Human Rights Commissioner of New Zealand on September 1, 2011. Before taking up the position Mr Rutherford was the Managing Director of Special Olympics Asia Pacific and prior to that he was Chief Executive of the New Zealand Rugby Union. He has worked as a sport and commercial lawyer and lecturer in sports law with a particular focus on human rights law. He is a passionate advocate for sport and promoting the rights of people with disabilities, and also has strong community links with young people and

education. Mr Rutherford approached the Commission as spokesperson for a group of parents following incidents of serious bullying at Hutt Valley High School. In response to the complaint, the Commission, alongside the Office of the Children's Commissioner, examined the human rights and systemic issues surrounding bullying in schools. The analysis, which found that school pupils who are the victims of violence, abuse and bullying lack access to the same rights as the bullies was later confirmed by a report from the Office of the Ombudsman about serious assaults at the school.

His responsibilities are:

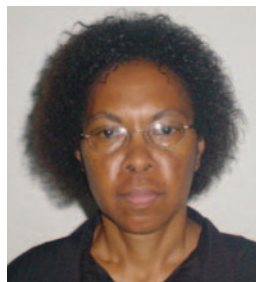
- Chairs the Commission.
- Acts jointly with the EEO, Race Relations and Disability Commissioners in their areas of designated functions.
- Has overall responsibility for the Commission's organisational health and capability and the activities undertaken in the performance of the Commission's functions, and for the administration of the Office of Human Rights Proceedings. Coordinating Commissioner
- Human Rights Environment

# Speaker profiles

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## Phoebe Sangetari

*Ombudsman Commission  
of Papua New Guinea*



Ms Phoebe Sangetari was appointed an Ombudsman (one of 3 Ombudsmen) in Papua New Guinea on 15th November 2007 for a 6 year term. She holds a Bachelor of Laws Degree from the University of Papua New Guinea and Masters of Laws from the Australia National University (ANU). Prior to her appointment as an Ombudsman, Ms Sangetari served in various capacities with various Government Agencies in Papua New Guinea and has wide experience in the Public

Service in Papua New Guinea. She served as Legal Officer then Senior Legal Officer with the Ombudsman Commission of Papua New Guinea from May 1984 to October 1993; Legal Officer with Department of Environment & Conservation from November 1993 to 1999; Deputy Registrar with the Department of Mining from 2000 to 2001; Assistant Secretary – Legal & Contracts with Department of Personnel Management from 2002 to 2003; Director Senior Executive Services with Department of Personnel

Management from 2004 to September 2006; and Deputy State Solicitor (International Law & Human Rights) with Department of Justice & Attorney General (from September 2006 to November 2007) Ms Sangetari is the second female Ombudsman in the history of the Ombudsman Commission of Papua New Guinea and she is a Member of the Papua New Guinea Law Society.

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## Rt Hon Sir Anand Satyanand QNZM QSO KStJ

*Patron to Transparency  
International New Zealand,  
Governor-General of New  
Zealand 2006 – 2011, New  
Zealand Ombudsman  
1995 – 2005, New Zealand*



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## Howard Sapers

*Correctional Investigator  
of Canada*



On March 5, 2009 Mr. Howard Sapers was reappointed as Correctional Investigator of Canada, having first been appointed on February 24, 2004 for a five-year term. Previously, Mr. Sapers was the Vice-Chairperson for the Prairie Region of the National Parole Board of Canada. From 2001-2003, he held the position of Director of the Crime Prevention Investment Fund at the National Crime Prevention Centre. In 1993 he was elected to the Alberta Legislative Assembly and represented Edmonton Glenora until 2001. He served as health critic, treasury critic, House Leader and Leader of the Official Opposition. He was active on a number of committees including the Standing Committee on Legislative Officers, the Public Accounts Committee and the Select Committee on Privacy and Access to Information. Mr. Sapers was the Executive Director of the John Howard Society of Alberta in Grande

Prairie from 1982 to 1983, and then moved to Edmonton where he served as the Society's Provincial Executive Director until 1993. Mr. Sapers has taught courses in Criminology, Correctional Law and Communications in the Correctional Services Program at Grant MacEwan University in Edmonton. Mr. Sapers obtained a B.A. in Criminology from Simon Fraser University in 1979. He has a strong background in corrections, rehabilitation of offenders and crime-prevention gained through employment and community service. Volunteer positions held have included: Chairman of the Organizing Committee of the 1999 Biannual Congress on Criminal Justice, President of the Canadian Criminal Justice Association, President of the Alberta Criminal Justice Association and Vice-Chair of the City of Edmonton Safer Cities Advisory Committee. He is currently an Advisor to the YOUCAN Certificate

Program at Ottawa's St. Paul University, Chairman of the DND/Canadian Forces Ombudsman Advisory Committee, and a Member of the Board of Directors of the Forum of Canadian Ombudsmen. Mr. Sapers has received significant recognition for his contribution to the community-at-large and for his pursuit of social justice, including: the Canada 125 Medal; the Weiler Award for Social Development; and the Queen Elizabeth II Golden Jubilee Medal. In 2010, Mr. Sapers was recognized as a Champion of Mental Health by the Canadian Alliance on Mental Illness and Mental Health and he received the President's Commendation from the Canadian Psychiatric Association. Mr. Sapers has authored several publications, including articles regarding the role of the Ombudsman, human rights and corrections, and the prevention of crime.

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## Associate Professor Rick Snell

*Faculty of Law, University  
of Tasmania, Australia*



Associate Professor Snell is regarded as an international authority on Freedom of Information law and one of Australia's leading law teachers. He was awarded the Lexis Nexis Australasian Law Teachers Association Law Teacher of the Year Award in 2009. He has a proven track record in delivering on consultancies and has a

vast network of researchers, experts, government officials and information specialists that he can tap into for advice, insights and feedback.

# Speaker profiles

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## Professor David Solomon AM

*Integrity Commissioner,  
Queensland, Australia*



Professor David Solomon AM was appointed for a five-year term as Integrity Commissioner from 1 July 2009. He was Chair of the Independent Panel appointed by the Bligh Government to review Queensland's Freedom of Information laws in 2007-8. He retired from full-time journalism at the end of 2005. He spent

most of his career in Canberra, writing about politics and the law, for such newspapers as The Australian, the Financial Review and The Canberra Times. He moved to Brisbane in 1992 to Chair the Electoral and Administrative Review Commission, and, when that Commission was wound up, stayed and worked for the Courier-Mail as a Contributing

Editor. He has degrees from the Australian National University in Arts and Law, and a Doctorate of Letters. He has written almost a dozen books on parliament, politics, constitutional law and the High Court.

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## Alhagie B. Sowe

*Ombudsman, Office of the  
Ombudsman, The Gambia*



## Karen Stevens

*Insurance & Savings  
Ombudsman, New Zealand*



Karen was appointed Insurance & Savings Ombudsman ("ISO") in May 1998. She graduated with BA and LLB degrees from Victoria University and was admitted as a barrister and solicitor of the High Court of New Zealand in 1987. Karen practised as a lawyer in the area of civil litigation and alternative dispute resolution,

before coming to complaints resolution work as the ISO. Since her appointment as ISO, Karen has qualified as an Associate of The Arbitrators' and Mediators' Institute of New Zealand, a Member of The Chartered Institute of Arbitrators (UK) and a Fellow of the New Zealand Institute of Management. In 2009, she also completed a Master of

Laws degree from La Trobe University in Melbourne, majoring in conflict resolution.



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## Professor Anita Stuhmcke

*Faculty of Law, University of Technology, Sydney, Australia*



Professor Anita Stuhmcke is a member of the Faculty of Law at the University of Technology, Sydney. For over a decade her research has explored the institution of the ombudsman. Anita's research into this institution includes published research with respect to: public law ombudsmen, private industry ombudsmen, organisational

ombudsmen and human rights ombudsmen. The main aim of Anita's research is to examine the adaptability of the institution with the objective of facilitating the effective application of ombudsmen throughout the wider legal system.

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## Dr Shoaib Suddle HSt HI QPM PPM

*Federal Tax Ombudsman, Pakistan*



Dr. Shoaib Suddle became the Federal Tax Ombudsman of Pakistan on 3 June 2009. He has brought a paradigm shift in the way the Office of Federal Tax Ombudsman operates. In April 2001, he was unanimously elected as the Chair of the Forum of Pakistan Ombudsman. He has played an active role in reforming the Ombudsman's practice in Pakistan. He has recently entered into technical assistance projects with the World Bank and the UNDP. The projects aim at building the much-needed capacity of the Ombudsman staff in Pakistan. Prior to this, Dr. Suddle worked for over 35 years in law enforcement. He began his police career in 1973 and has held several key positions both at operational

and strategic levels. He is regarded as a leading justice sector reform specialist in South Asia. He regularly speaks at national and international conferences, and has extensively written on rule of law, public policy and police and justice sector reform. He is a visiting criminal justice expert at the United Nations Asia and Far East Institute on Crime Prevention and Treatment of Offenders, Tokyo; Advisor Turkish National Police; and a resource person with several national and international organizations, including United Nations Office on Drugs and Crime, Vienna. He is also International Director of Asia Crime Prevention Foundation, Tokyo. He headed the Intelligence

Bureau (Pakistan's premiere civilian intelligence agency) in 2008-09, following his eventful stints as Inspector General Police, Sindh; Director General, National Police Bureau; and Inspector General Police, Balochistan. In recognition of his exceptional contribution in the field of law enforcement and public service, the government of Pakistan decorated him with the top gallantry award of Hilal-e- Shujaat in 1996 and top civil award of Hilal-e-Imtiaz in 2008. Dr. Suddle holds a PhD in white-collar crime and a Masters in Economics, both from the University of Wales, UK, in addition to an LLB from the University of Punjab.

# Speaker profiles

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## Professor Dr. Máté Szabó

*Commissioner for Fundamental Rights, Hungary*



Professor Dr. Máté Szabó was elected Parliamentary Commissioner for Civil Rights by the Hungarian Parliament for six years, which position he has been holding since September 2007. He now continues his role as the Ombudsman of Hungary. Since 1st January 2012, Professor Szabó has been the *Commissioner for Fundamental Rights*.

He is specialized in civil society, social movements and political protest and the theory of law and politics as well. He has published more than 300 scientific contributions in Hungarian, English, German and on several other languages. He is a regular participant at conferences on political science, law, and political sociology in Europe and

around the world. He teaches political science and European studies.

Since he was elected Ombudsman, he has been an active member of the International Ombudsman Institution and the European Network of Ombudsmen and was elected to board member of the European Ombudsman Institute in 2010.

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## John R Taylor

*Deputy Ombudsman, Victoria Ombudsman, Australia*



John Taylor is the Deputy Ombudsman for Victoria, Australia. He was appointed to the position in 2004. Prior to that he was a Senior Assistant Ombudsman with the Office of the Commonwealth Ombudsman. John has had extensive experience in managing and conducting investigations and reviews across a wide range of State

and Federal agencies. One such investigation was his investigation into an allegation about Victoria Police crime statistics – a report to Parliament tabled in June 2011.

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## Mark C.A. Thomson

*Secretary General, Association for the Prevention of Torture, Geneva*



Mark Thomson is the Secretary General of the Association for the Prevention of Torture, Geneva (since April 2001). His achievements include:

- A manager of a successful international human rights NGO.
- Human rights interest emerged from social and rural development work in Latin America.

- Involved in adoption and implementation of international human rights norms.
- Experienced in visiting places of detention and engaging with government authorities.
- Public speaker on prevention of torture and other ill treatment.
- Works with specialist team and wide variety of partners in all regions of the world.

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## Brian Thompson

*Senior Lecturer, School of Law,  
University of Liverpool, UK*



Brian Thompson teaches and researches at the School of Law, University of Liverpool. He is an Adviser on Public Law to the Northern Ireland Ombudsman and a Member of the UK's Administrative Justice and Tribunals Council. A major theme in his work on the Ombudsman institution, is its place in, and relationships

with other institutions in the legal and political systems. This was reflected in his work with T. Buck and R. Kirkham in their comparative study of the UK, Ireland, Australia and New Zealand, 'The Ombudsman Enterprise and Administrative Justice' (2011). His current projects include, classical ombudsmen and human

rights, and the types of task it is appropriate to give to classical ombudsmen.

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## Peter Tyndall

*Public Services Ombudsman,  
Wales, United Kingdom*



Peter Tyndall became Public Services Ombudsman for Wales on 21 April 2008. The post came into being in 2006 by the amalgamation of three separate posts covering public administration, the health service and local government. Peter is serving a two year term as Chair of the British and Irish Ombudsman Association. As Ombudsman, Peter investigates complaints made by members of the public who believe that they have suffered hardship or injustice as a consequence of maladministration or service failure by the Welsh Government, local

government, the NHS, registered social landlords including housing associations and a range of other public bodies controlled or funded by the Welsh Government. The Ombudsman also undertakes investigations into allegations that a member of a local authority has failed to comply with the authority's code of conduct. The Ombudsman works to ensure that everyone in Wales has access to an independent, objective and professional service which safeguards the rights of ordinary people. He also seeks to play a part in developing

better, fairer and more responsive public services for all of the people of Wales. Peter was Chief Executive at the Arts Council of Wales from 2001 to 2008 and previous to that Head of Education and Cultural Affairs with the Welsh Local Government Association. His earlier career included leadership and management roles in both local government and the independent sector in housing and in services for disabled people.

# Speaker profiles

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## Dame Beverley Wakem DNZM, CBE

*President of the International Ombudsman Institute, Chief Ombudsman of New Zealand*



Prior to becoming an Ombudsman, Dame Beverley enjoyed a distinguished career for over 25 years in broadcast news, current affairs and general programming culminating in her appointment as Chief Executive of Radio New Zealand Limited in 1984 – a post she held until 1991. During this period Dame Beverley was also President of the Asia Pacific Broadcasting Union.

In 1991 Dame Beverley was appointed Commercial Director for Wrightson Limited, a fully owned subsidiary of Fletcher Challenge which was then New Zealand largest industrial conglomerate. In 1992 she became General Manager, Human Resources and Corporate Affairs for the company.

In September 1997 was appointed by the Government to the Higher Salaries Commission (now the Remuneration Authority).

She was reappointed to that body in 2001 and again in 2004. Concurrently she also held a number of other Government appointments, private sector directorships and consulted widely on management issues to the state sector.

In March 2005 Dame Beverley was appointed as an Ombudsman and was appointed Chief Ombudsman in April, 2008.

In March 2008 she was elected as a Director of the International Ombudsman Institute and in June 2009 as Regional Vice President (Australasia and the Pacific) for the Institute. She was elected President of the International Ombudsman Institute in 2010.

She is also a Director of the Pacific Ombudsman Alliance, established to strengthen integrity institutions in the Pacific and specifically to develop and support the establishment of Ombudsman offices in the region.

Dame Beverley is actively involved in the community – she is a former President of the Rotary Club of Wellington, a Fellow of the NZ Institute of Management, and an Associate Member of the Institute of Directors.

She has a BA in English and History and a Master's Degree in Communications. Following completion of the latter degree, Beverley was awarded a post graduate research award from the National Association of Broadcasters in the United States. She also has an FTCL in Speech & Drama.

She was awarded a CBE in 1990 for services to broadcasting and the community and was also awarded the 1990 Commemoration Medal. Dame Beverley was made a Paul Harris Fellow by Rotary in 2002, and a Hunter Fellow of Victoria University in 2004.

In the Queen's Birthday and Jubilee Honours List in June 2012, Beverley was made a Dame Companion of the New Zealand Order of Merit for services to the State.

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## Adv. John Walters

*Ombudsman for Namibia*



Obtained the degrees BA (1977) and LLB (1980) from the University of the Western Cape. Admitted as advocate of the Supreme Court of South Africa (South West Africa Division; as it was then called) in 1981. Has been a career prosecutor since 1981 and magistrate since 1985. Spent some time in private practice

until appointed as Acting Prosecutor-General in 2002. Appointed as Ombudsman of the Republic of Namibia in July 2004.

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## Osamu Watarai

*Deputy Director-General,  
Administrative Evaluation  
Bureau, Ministry of Internal  
Affairs and Communications,  
Japan*



Osamu Watarai is Deputy Director-General, the Administrative Evaluation Bureau (AEB) of the Ministry of Internal Affairs and Communications of Japan. The AEB provides the Ombudsman function through its Administrative Counseling System and receives about 180,000 complaints a year from people with its regional offices and 5000 administrative counselors who are

commissioned volunteer citizen. AEB's Administrative Counseling system is reinforced its independence and neutrality by the Administrative Grievance Resolution Promotion Councils which are advisory committees of specialist from various fields. WATARAI engaged in administrative counseling and administrative Evaluation from January 2001 to July 2006 as Director, July 2008 to July 2009 as Deputy

Director-General. After duties of promoting access to information and protecting personal information, and then promoting decentralization at the Cabinet Office, he took up the role of Deputy Ombudsman of Japan in September 2012.

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## Bart Weekers

*Vlaams Ombudsman, Belgium*



Bart Weekers is the Flemish Ombudsman. Weekers (°1968) is a law graduate (K.U.Leuven), and has specialised in public law. Before taking office he has worked as auditor to the Council of State, the judicial body which oversees the government and the laws it makes.

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## Chris Wheeler

*Deputy NSW Ombudsman,  
Australia*



Chris Wheeler is the Deputy New South Wales Ombudsman. He has over 25 years experience in complaint handling and investigations, as well as extensive experience in management and public administration. He is a town planner and lawyer who previously worked in a variety of positions in State and local government in NSW and

Victoria. He also worked for some years as a solicitor in the private sector. Chris has direct responsibility for the Public Administration and Strategic Projects Branch of the NSW Ombudsman, including oversight of the responsibility conferred on the NSW Ombudsman under the Public Interest Disclosures Act. Chris is currently the Project Sponsor of the

Dealing with Unreasonable Complainant Conduct project being undertaken by the nine Australasian Parliamentary Ombudsman. Qualifications Bachelor of Town & Regional Planning (Melbourne University) Master of Town & Country Planning (Sydney University) Bachelor of Laws (University of Technology, Sydney).



# Speaker profiles

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## Dr Peter Wilkins

PhD, MIPAA Deputy  
Ombudsman Western Australia



Peter has diverse work experience in Australia, England, Malaysia and Canada including roles as an engineer, Research Fellow, consultant and thirty years as a public sector manager in a wide range of roles. He is currently Deputy Ombudsman of Western Australia with direct responsibility for complaint resolution and own motion inquiries.

He had been for several years Western Australian Assistant Auditor General Performance Review with responsibility for the conduct and reporting of examinations of the efficiency and effectiveness of public sector agencies. He is an Adjunct Professor at Curtin University Western Australia. He has extensive practical and research experience regarding public sector

performance reporting and accountability and is a co-editor and contributor to a book '*Performance auditing: Contributing to accountability in democratic government*' published by Edward Elgar Cheltenham in May 2011.

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## Nicola Williams

Complaints Commissioner for  
the Cayman Islands & Vice-  
President of the Caribbean  
Ombudsman Association



As Cayman's independent authority for tackling complaints against the public sector, the Office of the Complaints Commissioner is led by the Complaints Commissioner, Ms. Nicola Williams. She brings several years of pertinent experience to her new role.

- 4.11.10  
Elected Vice-President of the Caribbean Ombudsman Association (CAROA), 2010-2012
- 23.10.09  
Appointed to the judiciary of England and Wales as a Crown Court Recorder
- 17.8.09  
Appointed as Complaints Commissioner for the Cayman Islands
- 1.4.2004 – 31.3.2009:  
Commissioner, Independent Police Complaints Commission, London

- 1.9.01 – 31.3.04:  
Board Member, Police Complaints Authority, London
- Called to the Bar 1985.  
16 years in private practice. During this time Ms Williams practiced in a number of fields in the High Court, Crown Court and Court of Appeal, specializing in Criminal Law, including three successful Commonwealth death penalty appeals before the House of Lords sitting as the Privy Council.
- Fellow, Royal Society of Arts
- Author of the legal thriller, "Without Prejudice", published in 1997 in both the U.K. and U.S.
- Legal expert on BBC World for the OJ Simpson trial verdict in 1995

- Former Chair, London Regional Advisory Council, BBC.
- Founder Member, Independent Advisory Group to the Metropolitan Police Service (following recommendations arising from the Macpherson Report [1999])
- Part of a delegation sponsored by the British Council, lecturing Turkish police inspectors on Human Rights. Three times listed as one of the 100 most influential Black people in the U.K (1998; 2007-8; 2008-9).
- Winner, Cosmopolitan magazine Woman of Achievement Award (Professions).

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## John T.D. Wood

*Baljurda Comprehensive Consulting, Australia*



John T.D. Wood runs his own international consultancy business, Baljurda Comprehensive Consulting, specialising in complaint handling, accountability, consumer affairs, and anti-corruption measures. He was Deputy Commonwealth Ombudsman in Australia from 1994-99. Prior to that he was for 10 years, Director of the Federal Bureau of Consumer Affairs. He advised on the establishment of Ombudsman

Institutions in Indonesia and Thailand, and designed and directed the Accountability Programme for the Regional Assistance Mission to Solomon Islands, and was a consultant for anti-corruption institutions in Timor-Leste and Tonga. He is a Director of the Foundation for Effective Markets and Governance, Australian National University; Chair of the Australian Direct Marketing Code Authority; a Member of the Consumer Standing Forum, Standards

Australia; Member of the International Ombudsman Institute; a Program Visitor, Regulatory Institutions Network, Research School of Pacific and Asian Studies, Australian National University; a Member, Transparency International Australia; and a Life Member of CHOICE – the Australian Consumers' Association. He was a founding member and a past President of SOCAP (the Society of Consumer Affairs Professionals).

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## Kim Workman QSO

*Director of Rethinking Crime and Punishment, New Zealand*



Kim Workman (of Ngati Kahungunu and Rangitaane descent) is a retired New Zealand public servant, whose career spans roles in the Police, the Office of the Ombudsman, State Services Commission, Department of Maori Affairs, and Ministry of Health. He was Head of the Prison Service from 1989 – 1993, and oversaw a major reform in the Prison Service. He is a graduate of Massey University, and has completed post-graduate study at the University of Southern California, and Stanford University.

He is currently a Senior Associate of the Institute of Policy Studies, Victoria University. Kim was appointed to the position of National Director, Prison Fellowship in 2000, which established the first faith-based prison unit in the British Commonwealth, a mentoring programme for released prisoners, and in-prison restorative justice services. In 2005, Kim was the joint recipient (with Jackie Katounas) of the International Prize for Restorative Justice. In 2006 Kim joined with the Salvation Army, to launch the "Rethinking Crime

and Punishment" Project, which is under the Robson Hanan Trust, of which Kim is Executive Director. The Trust promotes public education, discussion and debate on crime and punishment and was established with a broader mandate to conduct or commission original research, implement innovative crime prevention projects, and engage in public education in issues of crime and punishment. Kim recently completed a three year term as a Families Commissioner.

Day 1

Wednesday 14th November 2012

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# Conference Programme

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Time	Session
8:00am	<b>Registration desk opens</b> – Lobby of Michael Fowler Centre
9:00am	<b>Conference opening and welcome remarks: Speaking Truth to Power – the role of the Ombudsman in the 21st century</b> – Venue: Main Auditorium Michael Fowler Centre <i>Dame Beverley Wakem, President, International Ombudsman Institute and Chief Ombudsman, New Zealand</i>
9:15am	<b>Setting the stage: The realities of the 21st century and the changing landscape the Ombudsman is operating in</b> – Venue: Main Auditorium Michael Fowler Centre  Challenges and opportunities for strengthening integrity of institutions and the relationship with the work of the Ombudsman <i>Rt Hon Helen Clark, Administrator of United Nations Development Programme. Prime Minister of New Zealand 1999-2008</i>  Transparency in troubled times. <i>Professor Alasdair Roberts, Jerome L. Rappaport Professor of Law and Public Policy at Suffolk University Law School, and Faculty Director of the Rappaport Center for Law and Public Service</i>  The position of women's rights –how can the Ombudsman contribute towards changes needed in making women's rights a lived reality in public policy and administration <i>Michelle Bachelet, Under-Secretary General and Executive Director of UN Women, by video</i>  Chaired by: <i>Dame Beverley Wakem, President, International Ombudsman Institute and Chief Ombudsman, New Zealand</i>
10:30am	<b>Morning Tea</b> – Michael Fowler Centre Promenades
11:00am	<b>Parallel Universes: Ombudsman and courts</b> – Venue: Main Auditorium Michael Fowler Centre  The Ombudsman enterprise and administrative justice <i>Dr Richard Kirkham, Faculty of Law, Sheffield University, United Kingdom</i>  Discretion, direction and the Ombudsman: To steer the ship or to choose the ship? <i>Professor Anita Stuhmcke, Faculty of Law, University of Technology, Sydney, Australia</i>  Parallel universes: Ombudsman and courts <i>Professor Philip Joseph, School of Law, University of Canterbury</i>  Chaired by: <i>Dr David McGee QC, Ombudsman, New Zealand</i>
12:30pm	<b>Lunch</b> – Michael Fowler Centre Promenades

# Day 1

## Wednesday 14th November 2012

Time	Session A	Session B	Session C
1.30pm – 3.30pm	<p><b>Delivering more with less</b></p> <p>Venue: MFC Main Auditorium</p> <p>Can we deliver more with less? <b>John T. D. Wood</b>, <i>Baljurda Comprehensive Consulting, Australia</i></p> <p>Delivering more with less: presentation by the complaints Commissioner of the Cayman Islands <b>Nicola Williams</b>, <i>Complaints Commissioner for the Cayman Islands &amp; Vice-President of the Caribbean Ombudsman Association</i></p> <p>Effective Ombudsman service delivery <b>Dwight L. Bishop</b>, <i>Nova Scotia Ombudsman</i></p> <p>Should austerity measures fetter the discretion of the Ombudsman to investigate complaints <b>Dr Jane Martin</b>, <i>Local Government Ombudsman and Chair, Commission for Local Administration in England</i></p> <p>Chaired by: <b>Arlene Brock</b>, <i>National Ombudsman for Bermuda</i></p>	<p><b>Serving vulnerable populations effectively</b></p> <p>Venue: Renouf 1</p> <p>Protection of vulnerable groups in Hungary and central Europe <b>Professor Dr Máté Szabó</b>, <i>Parliamentary Commissioner for Fundamental Rights, Hungary</i></p> <p>Protection of rights of elderly persons <b>Professor Irena Lipowicz</b>, <i>Human Rights Defender, Poland</i></p> <p>Becoming literate in disability rights – an Ombudsman response to the paradigm shift <b>Dulcie McCallum</b>, <i>Freedom of Information &amp; Protection of Privacy Review Officer, Former Ombudsman and member of Canadian delegation to the UNCRPD Ad-Hoc Committee</i></p> <p>Enhancing the role of Ombudsman institutions in the protection and promotion of the rights of persons with disabilities <b>Professor Linda Reif</b>, <i>Faculty of Law, University of Alberta, Canada</i></p> <p>Chaired by: <b>David Rutherford</b>, <i>Chief Human Rights Commissioner, New Zealand</i></p>	<p><b>Holding leaders to account</b></p> <p>Venue: Renouf 2</p> <p>Ensuring robust and resilient oversight under challenging conditions <b>Professor Andrew Goldsmith</b>, <i>Strategic Professor in Criminology and Criminal Justice, Flinders Law School, Adelaide and Adjunct Professor, Regulatory Institutions Network, College of Asia and the Pacific, Australian National University, Canberra, Australia</i></p> <p>Leadership code of Papua New Guinea and the Ombudsman Commission's role in enforcement to minimise corrupt practices and ensure accountability by leaders in PNG <b>Phoebe Sangetari</b>, <i>Ombudsman Commission of Papua New Guinea</i></p> <p>The Ombudsman's role in promoting ethical governance and integrity in the public sector: Lessons from the Public Protector of South Africa <b>Adv Thuli Madonsela</b>, <i>Public Protector of South Africa</i></p> <p>Contributing Chair: Holding leaders to account: An Auditor-General's report on fraud <b>Lyn Provost</b>, <i>Controller &amp; Auditor-General, New Zealand</i></p>
3:30pm	<b>Afternoon Tea</b> – Michael Fowler Centre Promenades		



Time	Session D	Session E
4.00pm – 5.30pm	<p><b>The Ombudsman's role as protector and promoter of human rights</b></p> <p>Venue: MFC Main Auditorium</p> <p>The role of the Ombudsman in promoting and protecting human rights – should it become a national human rights institution?  <b>Adv. John Walters</b>, Ombudsman for Namibia</p> <p>The role of the Ombudsman in the promotion and protection of human rights  <b>Mariana Sotto Maior</b>, Head of Cabinet, Provedor de Justiça, Portugal</p> <p>A protocol for Ombudsman dealing with complaints by female victims of violence  <b>Roberta Clarke</b>, Regional Program Director for the Caribbean Regional Office of UN Women</p> <p>Chaired by:  <b>Judy McGregor</b>, EEO Commissioner, New Zealand</p>	<p><b>Developments in FOI and Ombudsmanship – Norway &amp; USA</b></p> <p>Venue: Renouf 1</p> <p>The evolving FOI culture in the U.S  <b>Karen Finnegan</b>, Deputy-Director of Government Information Services, US National Archives &amp; Records Administration. Via video</p> <p>Freedom of information and the Norwegian electronic public records (OEP)  <b>Arne Fliflet</b>, Ombudsman, Norway</p> <p>Chaired by:  <b>Colin MacDonald</b>, Chief Executive, Department of Internal Affairs &amp; Government Chief Information Officer, New Zealand</p>
5:30pm	<b>End of day one</b>	
6.45pm – 8.15pm	<p><b>Evening Activities</b></p> <ol style="list-style-type: none"> <li>1. Visit to the Carter Observatory – Departs from Michael Fowler Centre</li> <li>2. Night Tour of Zealandia – Departs from Michael Fowler Centre</li> </ol> <p>Please note that these functions are optional and you should have purchased tickets in advance.</p> <p>Buses will depart outside the Michael Fowler Centre at 6.30pm</p>	

Day 2  
Thursday 15th November 2012

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# Conference Programme

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Time	Session
9:00am	<p><b>Repositioning the Ombudsman: Maintaining relevance and credibility for all our stakeholders in a rapidly changing environment</b></p> <p>Venue: Michael Fowler Centre – Main Auditorium</p> <p>Maximising the Ombudsman’s influence, impact and effectiveness in a difficult and constantly changing environment  <b>Ann Abraham</b>, UK Parliamentary Ombudsman and Health Service Ombudsman for England 2002-2011</p> <p>Ensuring ethics in public administration: the role of the Ombudsman  <b>Nikiforos Diamandouros</b>, European Ombudsman</p> <p>Traditions in setting standards of good administration: the role of legality in Ombudsman decisions  <b>Alex F. M. Brenninkmeijer</b>, National Ombudsman of the Netherlands</p> <p>Chaired by:  <b>Dr David Miller</b>, Ombudsman of the Global Fund to Fight AIDS, Tuberculosis and Malaria, and Editor of the Journal of the International Ombudsman Association (USA)</p>
10.30am – 11.00am	<p><b>Morning Tea</b> – Promenades, Michael Fowler Centre</p>

	Session F	Session G	Session H
11:00am – 12.30pm	<p><b>Securing Resources: Proving to others the Ombudsman is a worthwhile investment</b></p> <p>Venue: MFC Main Auditorium</p> <p>Evaluating the effectiveness of an Ombudsman: A riddle, wrapped in a mystery inside an enigma  <b>Professor Anita Stuhmcke</b>, Faculty of Law, University of Technology, Sydney, Australia</p> <p>‘Doing Better With Less?’  <b>Dr Tom Frawley</b>, Ombudsman, Northern Ireland</p> <p>Federal Tax Ombudsman Pakistan: Making a Difference  <b>Dr Shoaib Suddle</b>, Federal Tax Ombudsman, Pakistan</p> <p>Chaired by:  <b>Dr Peter Wilkins</b>, Deputy Ombudsman, Western Australia</p>	<p><b>Suddenly displaced communities – unique challenges requiring unique strategies for the Ombudsman</b></p> <p>Venue: Renouf 1</p> <p>Challenges the Japanese Ombudsman has faced after the Great East Japan earthquake  <b>Osamu Watarai</b>, Deputy Director-General, Administrative Evaluation Bureau, Ministry of Internal Affairs and Communications, Japan</p> <p>Every little bit helps: Assisting state and local government agencies to manage disaster recovery  <b>Phil Clarke</b>, Queensland Ombudsman, Australia</p> <p>The IASC Operational Guidelines and other tools and learnings that can assist Ombudsman to respond constructively to a natural disaster  <b>David Rutherford</b>, Chief Human Rights Commissioner, New Zealand</p> <p>The challenges Ombudsmen face when dealing with suddenly displaced communities as a result of natural disaster: The Canterbury earthquakes  <b>Karen Stevens</b>, Insurance and Savings Ombudsman, New Zealand</p> <p>Contributing Chair:  The Ombudsman’s role in the 2008 Cranbourne methane gas disorder &amp; the 2009 Black Saturday bush fires  <b>John R Taylor</b>, Deputy Ombudsman, Victoria Ombudsman, Australia</p>	<p><b>Complementary or conflicting? Benefits and disadvantages to being both an Ombudsman and an FOI Commissioner</b></p> <p>Venue: Renouf 2</p> <p>Complimentary or Conflicting The Norwegian Ombudsman’s experience  <b>Arne Fliflet</b>, Ombudsman, Norway</p> <p>Finding the right fit: An Ombudsman and freedom of information  <b>Bruce Barbour</b>, Ombudsman, New South Wales, Australia</p> <p>Contributing Chair:  <b>Dr David McGee</b>, Ombudsman, New Zealand</p>

# Day 2

## Thursday 15th November 2012

Time	Session
12:30pm	<b>Lunch</b> – Michael Fowler Centre – Promenades
1:30pm	<p><b>OPCAT: Expectations versus reality. Creating an effective model that will work for an Ombudsman</b></p> <p>Venue: Michael Fowler Centre, Main Auditorium</p> <p>The role of the Ombudsman in preventing torture and ill-treatment: the OPCAT and beyond  <b>Mark C.A. Thomson</b>, Secretary General, Association for the Prevention of Torture, Geneva</p> <p>Experiences of an Ombudsman that adapted the OPCAT model to meet the needs of their own state  <b>Dame Beverley Wakem</b>, Chief Ombudsman of New Zealand</p> <p>Contributing Chair:  Working as a NPM under the OPCAT. <b>Professor Irena Lipowicz</b>, Human Rights Defender of the Republic of Poland</p>
2:45pm	<b>Afternoon Tea</b> – Michael Fowler Centre Promenade
	<div>Session I</div> <div>Session J</div> <div>Session K</div>
3:15pm – 4:45pm	<div> <p><b>Innovative practices in upskilling agencies and improving administrative practices</b></p> <p>Venue: MFC Main Auditorium</p> <p>Integrity in decision making:  A collaborative approach  <b>Chris Field</b>, Ombudsman Western Australia</p> <p>E-People Initiative – Facilitating dialogue and conflict resolution between the governing and the governed  <b>Young-ran Kim</b>, Chairperson Anti-corruption and Civil Rights Commission, Republic of Korea</p> <p>Contributing Chair:  Proposal for the establishment of The Code of Administrative Behaviour in the Portuguese Public Administration  <b>Mariana Sotto Maior</b>, Head of Cabinet, Provedor de Justiça, Portugal</p> </div> <div> <p><b>Challenges for the Ombudsman protecting prisoners' human rights</b></p> <p>Venue: Renouf 1</p> <p>Safeguarding the rights of detained persons: A paradigm of the challenges facing Ombudsmen in the modern world  <b>Professor Andrew Coyle</b>, Emeritus Professor of Prison Studies in the University of London and Visiting Professor in the University of Essex, UK</p> <p>The office of the correctional investigator and human rights: Aging, disabled and aboriginal offenders in Canadian federal corrections  <b>Howard Sapers</b>, Correctional Investigator of Canada</p> <p>The success of the Maori focus units and faith based units operating in New Zealand prisons  <b>Kim Workman</b>, QSO New Zealand</p> <p>Chaired by:  <b>Judge Sir David J Carruthers</b>, Chairman NZ Parole Board 2005-2012, New Zealand</p> </div> <div> <p><b>Introducing &amp; embedding FOI</b></p> <p>Venue: Renouf 2</p> <p>The struggle without end: Experience from the UK of introducing and sustaining FOI legislation  <b>Andrew Ecclestone</b>, Head of FOI Policy Branch, Department of Constitutional Affairs, UK 2001-2003</p> <p>Introducing FOI in small states with geographical challenges  <b>Jeannine Daniel</b>, Assistant Ombudsman, Cook Islands</p> <p>Implementing the right to Information Act in India: Experiences and challenges  <b>Venkatesh Nayak</b>, Coordinator, Access to Information Programme, Commonwealth Human Rights Initiative, India</p> <p>Contributing Chair:  Introducing FOI into hesitant jurisdictions  <b>Associate Professor Rick Snell</b>, Faculty of Law, University of Tasmania, Australia</p> </div>
4:45pm	<b>End of Day Two</b>

Time	Session
5.15 pm	<b>New Board Meeting to consider candidate presentations for ExCom posts and elect new post holders</b> – Venue: Civic 2, Town Hall
7.00pm – 10.30pm	<b>Conference Dinner, Wellington Town Hall</b>



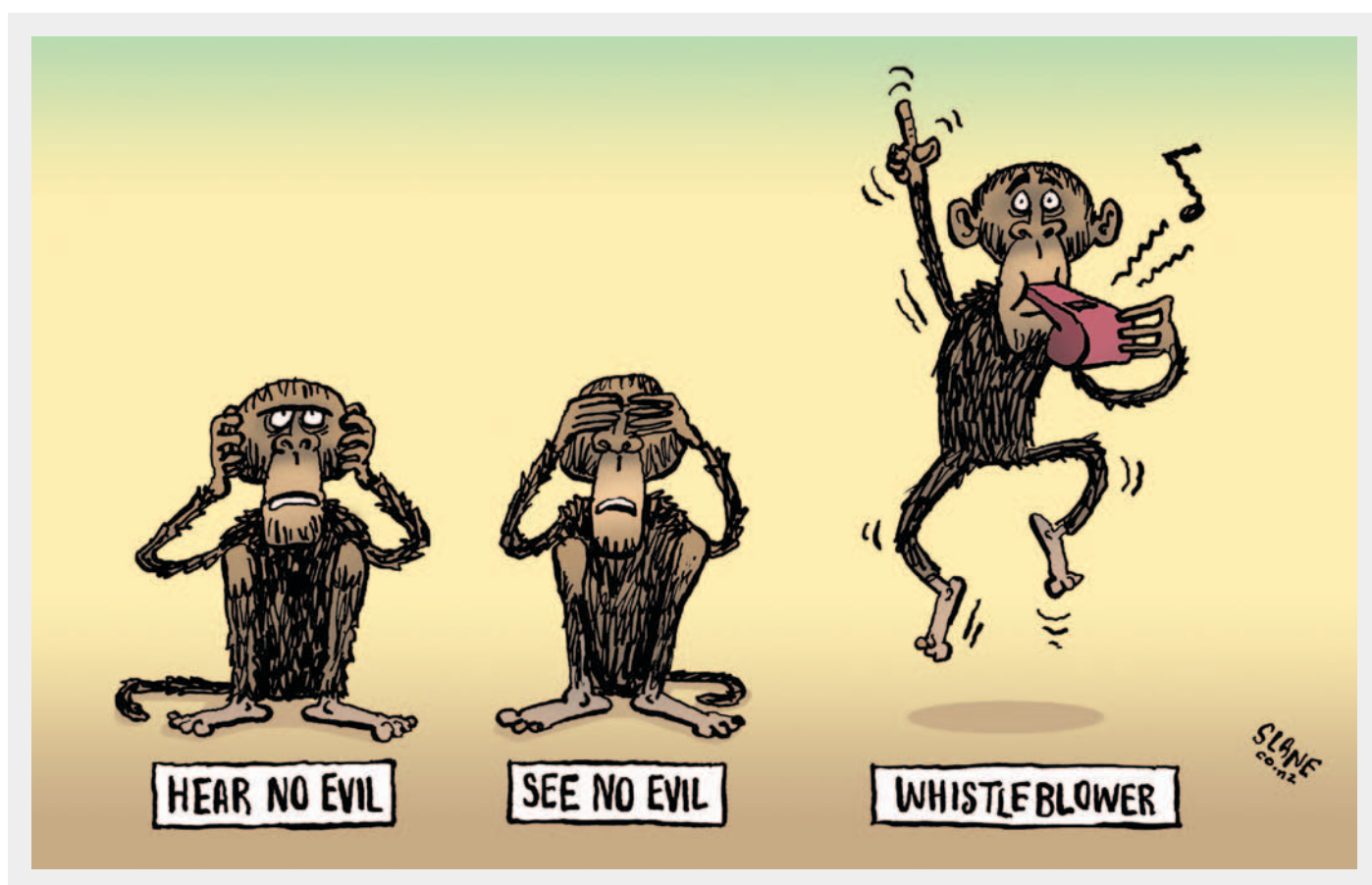


Day 3  
Friday 16th November 2012

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# Conference Programme

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Time	Session		
9:00am	<b>The importance of records, accountability and ‘putting things right’ in an era of austerity</b> Venue: Main Auditorium, Michael Fowler Centre Effective information management – the keystone of good Government <b>Professor John McMillan</b> , Australian Information Commissioner. (Commonwealth Ombudsman 2003-2010) Insights & experiences from investigating complaints about the actions of public authorities and accessing official information <b>Leo Donnelly</b> , Deputy Ombudsman, New Zealand Good records management and open government: Equal partners <b>Karen Finnegan</b> , Deputy Director, Office of Government Information Services, US National Archives and Records Administration. Via video Chaired by: <b>William P. Angrick II</b> , Citizens’ Aide/Ombudsman for the State of Iowa, USA, 1978 – 2010 . Former President of the IOI, President of the International Ombudsman Institute 2004 – 2010		
10:15am	<b>Morning Tea</b> – Promenades, Michael Fowler Centre		
	Session L	Session M	Session N
10.45am – 12.15pm	<b>Distancing the “public” from the public sector – the growing trend towards the privatisation of public services</b> Venue: Main Auditorium, MFC Must Ombudsmen retain remit over privatised services? <b>Brian Thompson</b> , Senior Lecturer, Liverpool Law School, University of Liverpool, United Kingdom Ombudsmen and the changing face of public services <b>Peter Tyndall</b> , Public Services Ombudsman, Wales Public sector accountability: keeping pace with a changing public service landscape <b>Marco Bini</b> , Director, Policy and Coordination, Victorian Auditor-General’s Office, Australia Chaired by: <b>Rafael Ribó</b> , Síndic de Greuges de Catalunya, Spain	<b>Taking advantage of clever technology developments and other techniques to improve the Ombudsman’s work &amp; accessibility</b> Venue: Renouf 1 Old watchdog, new tricks: How social media and technology can transform the modern ombudsman <b>André Marin</b> , Ombudsman of Ontario, Canada Planning and maintaining outreach and accessibility while undergoing challenging reforms <b>Baart Weekers</b> , Vlaams Ombudsman, Belgium Decentralisation and sensitisation in the face of financial constraints <b>Alhagie B. Sowe</b> , Ombudsman, The Gambia Chaired by: <b>Peter Kostelka</b> , IOI Secretary-General and Ombudsman, Austria	<b>Ombudsmen, access to Information and anti-corruption agencies: Links between integrity agencies in delivering good governance and safeguarding taxpayers’ resources</b> Venue: Renouf 2 Methods for ensuring sound public administration, raising standards of integrity and preventing corruption <b>Dr Fong Man Chong</b> , Ombudsman, Macau Special Administrative Region and Chair, Commission against Corruption, Macau The role of the ombudsman in the “open government” century: exploring ways to integrate ombudsmen into the emerging anti-corruption framework <b>Nathaniel Heller</b> , Executive Director, Global Integrity, USA Contributing Chair: <b>Queensland’s Integrity Network</b> <b>Dr David Solomon</b> , Integrity Commissioner, Queensland, Australia

# Day 3

## Friday 16th November 2012

Time	Session
12:15pm	<b>Lunch</b> – Promenades, Michael Fowler Centre
1:00pm	<p><b>Celebrating 50 years of Ombudsmanship in New Zealand</b></p> <p>Venue: Main Auditorium, Michael Fowler Centre</p> <p><b>Rt Hon Sir Anand Satyanand</b>, Governor-General of New Zealand 2006-2011, and New Zealand Ombudsman 1995 – 2005, New Zealand</p> <p><b>Rt Hon Sir Geoffrey Palmer</b>, Prime Minister of New Zealand 1989 – 1990 and President New Zealand Law Commission 2005 – 2010, New Zealand</p> <p><b>Mai Chen</b>, Founding Partner, Chen Palmer New Zealand Public Law Specialists, Author of “Public Law Tool Box” and Adjunct Professor of Commercial and Public Law at the University of Auckland Business School, New Zealand</p> <p><b>Respondent: Sir Brian Elwood</b>, Chief Ombudsman of New Zealand 1994 – 2003 and President of the International Ombudsman Institute 1999 – 2002, New Zealand</p> <p>Chaired by:  <b>Professor Jonathon Boston</b>, Professor of Public Policy, School of Government, Victoria University, Wellington, New Zealand</p>
2:30pm	<p>Venue: Main Auditorium, Michael Fowler Centre</p> <p><b>Looking ahead – challenges for the IOI in responding to its members needs in changing times</b>  <b>Bruce Barbour</b>, Ombudsman, New South Wales, Australia</p> <p>Closing remarks  <b>Dame Beverley Wakem</b>, President, International Ombudsman Institute and Chief Ombudsman, New Zealand</p>
3:00pm	<b>Poroporaki (Conference Closing)</b> – Main Auditorium, Michael Fowler Centre
3:15pm	<b>End of Conference</b>
3:30pm – 5:00pm	<p><b>Meeting of NEW Board</b> – Venue: Civic 2, Town Hall</p> <p>Anticipated Agenda:</p> <ul style="list-style-type: none"> <li>• <i>business plan 2012/2013</i></li> </ul>

# Sponsor profiles

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development, law reform and political process. This team takes a keen interest in the quality and integrity of the public sector and is a principal supporter of the Institute of Public Administration of New Zealand.

# Conference Abstracts

**Rt Hon Helen Clark**

*Administrator of the United Nations Development Programme, Prime Minister of New Zealand 1999 – 2008, New Zealand*

<b>Presentation Title</b>	Challenges and opportunities for strengthening integrity of institutions and the relationship with the work of the Ombudsman
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Ombudsmen, and related integrity institutions, make a vital contribution to upholding citizens' rights and improving the quality of governance. In today's fast changing landscape for accountability – which now includes much more direct citizen empowerment, the proliferation of 'sister' institutions, and the expansion of social media and other ICT platforms – there are new challenges and opportunities for strengthening the integrity of institutions.

Helen Clark's intervention examines in detail why improving the responsiveness, accountability, and integrity of governments, and enhancing the rights of citizens to participate, matters for human development, drawing on examples from the work of UNDP. It also explores how, and why, it is critical to build synergies between formal and informal mechanisms of accountability and redress.

The autonomy and adequate funding of Ombudsmen and related integrity institutions must be guaranteed, while also encouraging innovative and flexible systems which reinforce citizens' efforts. Free and independent media, vibrant civil society, and effective parliaments also open up democratic space and help ensure that states do become more responsive and accountable.

The global commitment to accelerate progress on the Millennium Development Goals by 2015 is an opportunity to bring the integrity of institutions and principles of justice and equity firmly into the spotlight, and to call for a whole-of-society approach to strengthening integrity and accountability. UNDP, the Office of the High Commissioner for Human Rights, and other UN system partners salute and affirm the work done by the world's Ombudsmen to promote more responsive governance and accountability and to providing means of redress to citizens, and look forward to continuing to partner with Ombudsmen and related institutions to those ends.

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# Conference Abstracts

## Professor Alasdair Roberts

*Jerome L. Rappaport Professor of Law and Public Policy at Suffolk University Law School, and Faculty Director of the Rappaport Center for Law and Public Service, United Kingdom*

<b>Presentation Title</b>	Transparency in troubled times
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Difficult economic times are often threatening to the idea of transparency. Financially troubled governments argue that openness is a luxury, not a necessity. And the political uncertainty that is generated by economic troubles sometimes makes governments hesitant about releasing sensitive information. But the reluctance to maintain transparency can have serious consequences. Secretiveness can undermine the legitimacy of governmental action and contribute to political

instability. Indeed, the crisis itself can be regarded as the result of multiple failures of transparency in the private and public sectors. The temptation to view openness as a luxury must be resisted. It is precisely at the moment of economic crisis that the idea of transparency is most important.

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# Conference Abstracts

## Michelle Bachelet

*Under-Secretary General and Executive Director of UN Women, President of Chile 2006 – 2010*

<b>Presentation Title</b>	The Position of Women’s Rights—How the Ombudsman Can Contribute Towards Changes Needed in Making Women’s Rights a Lived Reality in Public Policy and Administration
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

On the 50th anniversary of the creation of the Office of the Ombudsman in New Zealand, it is clear that the mandate of the ombudsman has evolved and expanded as the number of ombudsmen has multiplied. New Zealand was the fourth country in the world to establish the position; membership of national institutions in the International Ombudsman Institute now numbers 150. In the 21st century, the office of the ombudsman is a mechanism of justice to promote the rule of law, ensure accountability and protect the human rights of all citizens.

With the development in recent decades of a strong international foundation for women's legal rights around the world in conventions, treaties, and agreements, ombudsmen are well-positioned as an independent voice of accountability to hold their states accountable for upholding these commitments.

In addition to promoting women's rights as a matter of good governance and transparency, ombudsmen can also advocate for women's access to the formal justice system, particularly in cases of discrimination and violence against women. Since ombudsmen are strongly associated with the defense and functionality of democratic governance, they are indispensable in both stable democracies and in the post-conflict environment, where they can help to shape justice systems and establish a culture of human rights and equality.

All ombudsmen should take advantage of their role in society and promote priority areas for women such as ending violence against women, advocating for women's economic opportunities and closing salary gaps, and promoting women's political leadership through special temporary measures such as quotas. In doing so, they can promote equality between men and women to become a lived reality.

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# Conference Abstracts

## Dr Richard Kirkham

Faculty of Law, Sheffield University, United Kingdom

Presentation Title	The Ombudsman enterprise and administrative justice
Venue	Main Auditorium, Michael Fowler Centre

Much has been written on the role of the ombudsman, but the first decade of the 21st century saw a shift in the operational practice of a number of ombudsman schemes which deserves recognition. My research (with Buck and Thompson) has been based mainly on ombudsman schemes from the common law world, particularly those in the UK. However, because the ombudsman model is so flexible and transferable, developments within one model of ombudsman can have a much wider import.

### Roles

The core roles of the ombudsman have long been understood to be ‘fire fighting’ (grievance handling) and ‘fire watching’ (promotion of good administration), but there is evidence of a fresh willingness to engage creatively with the implementation of those roles. This evolution in the work of the ombudsman has been driven in part by increased demands placed upon the entire administrative justice system. To address this challenge, ombudsmen must operate alongside other institutions in a coherent and integrated fashion.

In grievance handling, an enhanced emphasis on providing complainants with a quality customer service, includes assisting failed complainants in navigating their way around the administrative justice system. It is also now standard for local complaints processes to be relied upon to help streamline the workload of the ombudsman. Once complaints are taken on by the ombudsman, the informal resolution of disputes has become the preferred remedy. At the same time, the boundaries of the remit of the ombudsman have been tested with ever more schemes explicitly considering human rights issues. Other schemes have been given new dispute resolution roles, such as investigating failures in service,

which move the ombudsman beyond the consideration of conventional issues of maladministration. A bolder approach has also been taken towards promoting good administration. General guidance documents have become more common, as have headline grabbing systemic reports which sometimes recommend not just administrative improvements, but legal and institutional reform or recommendations targeted at financial efficiency. Occasionally, the role of the office has even been expanded to include elements akin to audit or regulation.

### Impact and accountability

Arguably, the ombudsman enterprise has moved on. Whether such a trend survives the more depressed economic climate of the second decade of the 21st century remains to be seen. But bolder institutions attract more questions. The ombudsman has always been justified through big claims as to its capacity to promote democracy and the rule of law. Can these claims be verified? The improved trust and justice that the ombudsman purports to promote have never been properly evidenced. The need to ask this question would be less if we could be confident of the accountability processes that accompany the ombudsman. But whilst in some instances these are strong on paper are they always fully applied? In amongst the challenges facing the ombudsman, finding ways to verify the impact of the office and ensuring that accountability is effective are of upmost importance to its long term credibility.

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# Conference Abstracts

## Professor Anita Stuhmcke

Faculty of Law, University of Technology, Sydney, Australia

Presentation Title	Discretion, direction and the Ombudsman: to steer the ship or to choose the ship?
Venue	Main Auditorium, Michael Fowler Centre

In the context of the ombudsman institution discretion has a number of functions. Firstly, its use is investigated by ombudsman with respect to how government administrators have exercised discretion in the making of administrative decisions. Secondly, discretion is usually conferred upon the ombudsman by the governing statute, to determine whether a complaint will be investigated and how this will be done. Thirdly, ombudsman generally hold discretion to investigate systemic issues with freedom to determine how such investigations will be conducted. Finally, Ombudsman are given wide discretion with respect to the strategic focus of their own office.

This paper examines discretion with particular focus on discussing the role that discretion plays in shaping the direction of an ombudsman office. The basic premise underlying this examination is that an ombudsman institution must change. Indeed just as the adoption of a particular model or type of ombudsman depends upon institutional, cultural and personal factors, the longevity of an ombudsman institution will both result in, and be brought about by, adaptation and calibration of functions. It should be noted that change may also have very little to do with the use of discretion and/or choice of the ombudsman. For example, external statutory change may be forced upon the office and/or operational choices may be prescribed by changes

to existing or creation of new access to justice institutions –which may fundamentally alter the system within which an ombudsman operates. While important, forced external change is not the focus of this paper.

This paper examines how the discretion of an ombudsman is used to determine strategic direction and considers whether limits on its use are desirable and/or necessary. The question examined is whether discretion should be used in a limited way to allow an office to adapt to changed operational environments and/or should discretion be used to change how the ombudsman office functions? To illustrate the significance of discretion the example of the balance between systemic improvement and individual complaint handling is examined.

Ultimately, in assessing the appropriateness of usage of discretion by an ombudsman, the paper returns to the identification, creation, adaptation and sharing of fundamental norms of the ombudsman institution. This is made necessary as while there are basic precepts of ombudsmanry such as independence, impartiality and maintenance of the rule of law which outline the limits of singular exercises of discretion, there is an absence of consideration as to how and to what extent such norms of ombudsmanship interact with a holistic conceptualisation of ombudsman discretion.

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# Conference Abstracts

## Professor Philip A Joseph

*School of Law, University of Canterbury, New Zealand*

<b>Presentation Title</b>	Parallel Universes: Ombudsman and courts
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Has the law of judicial review caught up with the Ombudsman regime for reviewing administrative conduct? My paper explores this question and concludes "yes". On the 50th Anniversary of the Ombudsman in this country, it is appropriate to look at the state of administrative law in 1962, and analyse why the office was such a welcome reform. Principles of judicial review were undeveloped, formalist and rigid. They were premised on false dichotomies in the law: judicial v administrative, void v voidable, mandatory v directory, jurisdictional v non-jurisdictional etc. Litigants seeking justice through the courts confronted impenetrable barriers, creating a lacuna in the State's accountability mechanisms. The office of Ombudsman was an innovative and pioneering reform to fill the void. The Ombudsman's procedures were flexible and informal, and accessible to ordinary folk. Now, 50 years on, have the courts caught up in the standards to be applied for adjudging administrative conduct? Yes: principles of judicial review have evolved into

flexible, discretionary standards similar to those applied by the Ombudsmen. The judicial methodology is simplified, based on fairness and overall evaluation as for Ombudsman inquiries. This posits a further question: Why are the Ombudsmen no less relevant today, despite the courts and Ombudsmen working coincidentally? Why has the number of Ombudsmen complaints grown from around 300 in 1962 to over 8,000 today? The Ombudsmen are accessible, the courts are not. Litigation is costly, involves delays, and produces less-than-optimal outcomes through formal judicial remedies. The Ombudsmen's work will never be done, no matter how coincidental and complementary the principles of judicial review. My paper will trace the relaxation of judicial review principles in New Zealand and will conclude that courts and Ombudsman occupy parallel universes.





# Conference Abstracts

John T D Wood

*Baljurda Comprehensive Consulting, Australia*

<b>Presentation Title</b>	Can we deliver more with less?
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

In the context of imposed financial constraints, many ombudsman offices are having to confront the challenge of how they can maintain quality services in the face of growing numbers of complaints from the public about the services and administration that they oversee.

From his work in reviewing parliamentary and industry ombudsman schemes, government and private sector complaint handling schemes, and in undertaking research on accountability, John Wood puts forward various suggestions about what can help an organization be more effective whilst dealing with resource constraints.

Suggestions cover short term and longer term approaches, and range from better management practices, to complaint tracking, analysis and reporting, and seeking out whole-of-sector investigations.

He also invites participants to bring their own experiences to bear on the subject.



# Conference Abstracts

## Nicola Williams

*Complaints Commissioner for the Cayman Islands & Vice-President of the Caribbean Ombudsman Association, Cayman Islands*

<b>Presentation Title</b>	Delivering more with less: presentation by the Complaints Commissioner of the Cayman Islands
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

**Question:** In these globally financially straitened times, how can we as Ombudsmen maximise our effectiveness and maintain the high quality and standard of our work when all our resources (financial and personnel) are being cut?

**Introduction:** Background to Cayman. Distinguishing features – its small size, both a blessing and a curse; close familial ties among the host population; large percentage of expatriate workers.

### Effect of cuts on OCC.

2 main sets of stakeholders:

- Complainants / members of the public
- Government

What OCC does to maximise effectiveness with each group of stakeholders:

## Government

- Internal Complaints Process and Awards scheme
- Newsletter distributed on government intranet
- Maintaining strong international links with other Ombudsmen organisations to maximise our leverage

**Complainants / members of the public**

- Internal Complaints Process and Awards scheme
- Carefully targeting Own Motion investigations
- Targetted advertising (Heritage Week/Pirates Week – wider reach and culturally relevant) / regular quarterly radio slot on Radio Cayman / word of mouth
- Print copies of newsletter distributed to shops, hospitals, etc
- OCC website and Facebook
- Use the fact that it is a small jurisdiction to network assiduously and retain goodwill.

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# Conference Abstracts

## Dwight Bishop

*Nova Scotia Ombudsman, Canada*

<b>Presentation Title</b>	Effective Ombudsman service delivery
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Doing more with less is, at its core, about leveraging your resources, people, and influence to achieve better outcomes, and more effective change in government services, while still maintaining an oversight role. It can be a fluid concept, outwardly oriented, and recognizes the importance of people as agents of change. There is no easy way to accomplish systemic efficiencies, however hitting the 'reset button' does provide an opportunity to re-evaluate the manner in which we work and how services are provided to citizens.

Core components of effective ombudsman service delivery are the development of front line staff; employing a major case management philosophy; and the utilization of proactive initiatives such as outreach, alternate dispute resolution, and building relationships. A proactive approach involving specific outreach initiatives often prevents the escalation of concerns. It can also identify changes required for improvements in service delivery. When integrated effectively, these components reduce the reliance on formal investigations and the associated draw on resources.

Strategic use of collaborative teams provides mentoring opportunities for staff to grow, and to broaden their skill base. Regular rotation of team membership, tasks, and subject areas undertaken can result in a more adaptable workforce—one that is prepared for the diversity and complexity of complaints that an Ombudsman's Office must address.

Utilizing a Major Case Management (MCM) model provides a highly effective system for accessing, examining, and managing information. It is a disciplined and systematic approach to managing demanding files and enhancing accountability. MCM also promotes the strategic use of resources required by an investigation through the systemized application of an investigation plan, assignment of appropriate and competent investigators, and management of information gathered.

### Question for conference participants

What role does the Ombudsman play in the relationship between the public and government?

[illegible]





# Conference Abstracts

## Dr Jane Martin

*Local Government Ombudsman and Chair, Commission for Local Administration in England, United Kingdom*

<b>Presentation Title</b>	Austerity, public policy and politics – implications for fettering the discretion of the Ombudsman to investigate complaints
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

UK coalition government austerity measures have included asking all public sector organisations to reduce budgets by up to one-third during the comprehensive spending review period to 2015. The Local Government Ombudsman (LGO) in England has negotiated a 27% reduction in funding with its sponsor department, Communities & Local Government based on a transformation plan which implements a new business model. Building on a strategic review of the organisation, the LGO have looked hard at how more flexible use of resources can give better value for money, based on proportionate dispute resolution, without threatening the discretion of the Ombudsmen.

One key consideration for LGO is how to manage demand for the service. We are operating in a challenging external environment. The Government recognises the value of the Ombudsman institution and acknowledges the importance of independent redress for citizens.

At a time of reducing the costs of central regulation, the Government has signalled its commitment to 'armchair auditors' holding local authorities and service providers to account for service quality. This means that we have to adapt to a changing landscape of local service provision by the private, independent, voluntary and charitable sectors commissioned increasingly by local groups, closer to the community, on behalf of the principal local authority. This will present an increasing need to ensure fairness for citizens and communities in terms of good public administration and service provision.

This session will provide an opportunity to learn more about how the LGO is transforming the organisation to deliver more for less in a public policy context which challenges the traditional boundaries of the Ombudsman institution.



# Conference Abstracts

## Professor Dr. Máté Szabó

*Commissioner for Fundamental Rights, Hungary*

<b>Presentation Title</b>	Protection of vulnerable groups in Hungary and central Europe
<b>Venue</b>	Renouf 1

Protecting the fundamental rights of the citizens and every human being in one country is more in the focus of attention in a time of need and uncertainty, in the time of the financial crisis when intolerance toward diversity and tensions between ethnic groups may increase. The minorities and vulnerable groups are more affected by the consequences and influences of the insecure economic environment. Therefore, the human rights organisations, bodies and agencies have an increased role and duty to protect the fundamental rights of the persons affected and in need. The Ombudsmen hold a special responsibility, who act as a civil mediator and can raise public awareness for certain troubling situations as well.

In Hungary, important and essential changes have been made by the adoption of the new Fundamental Law of Hungary in April 2010. The new institutional framework provides a more effective and proficient way of work and protection of fundamental rights of vulnerable groups in Hungary. The mandate of the Commissioner has been enlarged by new competencies protecting children's rights; national minorities, people hit by disasters and environmental damages, pollution, and socially marginalised as homeless persons. Furthermore, the Hungarian Government's intention is to give the new Office the task of being the control mechanism of the UN Treaties and Conventions in Hungary on the fields of OPCAT; people living with disabilities and on children's rights issues.

Since the start of my mandate as Commissioner since 2007, I have launched a new working method related to vulnerable groups and social problems. We determine every year what topics are especially important for the society and the enforcement of rule of law and have a particular significance from the point of rights and freedoms. Therefore, the projects for 2012 are "the child-friendly justice", which is the topic of the thematic year of the EU; the "losers of the crisis- in the trap of the incomplete paragraphs"; and one project is on the "dignity of labour vs. new law on working relations". We focus on these subjects generally in Hungary; moreover we also concentrate on the marginalised border-region close to Slovenia and Austria, where we investigate environmental damages and cross-border garbage-issues; the rights of the local Slovene minority, and issues related to welfare, especially cases of handicapped people, whom are sent to an old-type huge institution in a small town far from Budapest, where mentally-ill people are located as well. Our previous projects have also included the homeless, the handicapped and patient's rights, the migrants and prisoners', as well as the children's rights; and the problems related to the rights and recuperation of the biggest industrial disasters of Hungary in 2010.



# Conference Abstracts

## Professor Irena Lipowicz

*Human Rights Defender, Republic of Poland*

<b>Presentation Title</b>	Protection of rights of elderly persons
<b>Venue</b>	Renouf 1

One of the key factors determining the situation of global human population is ageing and prolonged lifespan of an average individual. Due to these demographical changes, the percentage of the world population in 2050 will be composed of the equal number of the elderly and the young people. According to global estimates, between 2000 and 2050 the percentage of people above 60 shall rise twofold (from 10% to 22%) and shall amount to 2 billion people, whereas the percentage of children shall dwindle by a third (from 30% to 21%). Yet it has to be granted that with regard to specific regions and states there exist demographical differences. Due to this major demographical change, studies on including the elderly in full participation in social and public life are being conducted and the importance of preventing age discrimination is stressed. In order to make this message stronger, the year 2012 in the European Union was proclaimed the European Year For Active Ageing and Solidarity Between Generations. Yet we should turn our attention to what happens with this social group not only because of an increasing number of the elderly. The Polish Ombudsman guards rights and freedoms of people and citizens regardless of the scale of the violations of law. The Madrid International Plan of Action on Ageing, which was adopted by the United Nations in 2002, anticipates these changes by indicating that governments should fully use the tremendous potential created by the ageing of societies in the 21st century. The Madrid Plan is also to guarantee to people all around the world a chance of decent and safe ageing which will allow them to continuously participate in social life as citizens enjoying all of their rights. However, one should take into account differences which occur among the elderly themselves. Each of the age subgroups is characterized by some other features, needs and conditions related to them.

Specific examples of a positive implementation of strategic goals related to various aspects of social life.

One of these examples is related to the participation of the elderly in the labour market. Pursuant to the latest Polish case-law the elderly are vested with a right to continue their provision of work irrespective of their reaching the statutory retirement age. As far as health protection is concerned, the research (Pol-Senior 2011) conducted among the elderly yielded data which are used to draft recommendations on health prevention and social policy in this area.

Another type of activities dealing with this issue is provided by the hospice movement, whose operation rules are stipulated in the Polish law. The system of Polish public administration also includes the Office for War Veterans and Victims of Oppression, whose aim is to provide protection and care to war veterans. Another issue is the introduction of a suitable housing policy, enabling the elderly to exist on their own. Proper infrastructure and the existence of a network of medical establishments and grocery shops also increase the chance of independent existence in their neighbourhood. One should monitor the situation to prevent closing down of the above-mentioned establishments in neighbourhoods populated by the elderly. Inclusion of the elderly in the financial services sector enabling a full participation in social life.

The Human Rights Defender may effectively ensure the execution of the rights of the elderly not only by representing them in individual cases, but also by promoting good practices and recommendations for changes in the social policy system, which are aimed at improving the situation of the elderly and are grounded in research. This can be done by extending patronage to bottom-up citizens' initiatives and events carried out by engaged NGOs. An important partner of this events are Universities of the Third Age which bring together active elderly persons who promote active and independent lifestyle and who build a community which make their voice heard in public debates on the matters concerning seniors.





# Conference Abstracts

## Dulcie McCallum

*Freedom of Information & Protection of Privacy Review Officer, Ombudsman for the Province of British Columbia 1992 – 1999, Canada*

Presentation Title	Becoming literate in disability rights – an Ombudsman response to the paradigm shift
Venue	Renouf 1

The UNCRPD, the first international human rights document of the 21st Century, reflects a major paradigm shift in the rights of persons with disabilities. Given the historic and pervasive disadvantage suffered by the majority of the 500 Million people with disabilities throughout the World, can the Ombudsman’s independent oversight role provide a sufficiently powerful means to address the breadth of the problem? As the designate to promote, protect and monitor implementation, can an Ombudsman, armed only with the traditional recommendation power, prove effective in face of the most egregious contraventions of the UNCRPD?

As part of its monitoring role, is an Ombudsman sufficiently equipped to investigate allegations of breaches of the UNCRPD? The World has largely been designed by people who do not have a disability. Disability is a social and legal construct firmly entrenched within democratic systems. These engrained historic practices and laws can often contribute or exacerbate the disadvantage resulting from ongoing breaches. In the pursuit of truth, will an Ombudsman be able to delve into what defines issues for persons with disabilities on a sufficiently knowledgeable basis to make a difference? Are some of the traditional requirements of the Ombudsman model such as complaints are required to be filed by the person aggrieved, in writing or by telephone themselves incompatible with the UNCRPD?

In order to meet this challenge, an Ombudsman must ascertain what fairness and equality mean in reality for people with disabilities. Article 33 of the UNCRPD recognizes the historical disadvantage and thus requires States Parties to consult with civil society. Is this the principal tool for an Ombudsman to become literate in disabilities issues? How can the Ombudsman balance the need to consult and the requirement to remain impartial? Can an Ombudsman promote, protect and monitor while avoiding the optics of being biased or being viewed as an advocate? While often associated with a citizen’s right to be heard, an Ombudsman is assumed to have the tools to conduct meaningful consultations. What do those look like under Article 33? Does the obligation to consult civil society deviate from the historical complaint based Ombudsman model?

Unearthing and speaking the truth is at the core of the statutory authority granted to an Ombudsman by Parliament or Legislature. The Ombudsman model of accountability is based on the magic of what an independent non-partisan investigation can discover. In essence, that magic is that the facts upon which the findings are based are irrefutable and are the basis upon which the recommendations for change are based. Because an Ombudsman has the power to go public, governments often find it impossible, given the credibility and standing that the public affords the Ombudsman, to reject or discredit the results without public outcry. In the end, is it possible for an Ombudsman to become sufficiently literate in disability rights to gain the trust and credibility in order meet its assigned challenge under the UNCRPD?



# Conference Abstracts

## Professor Linda C. Reif

Faculty of Law, University of Alberta, Canada

Presentation Title	Enhancing the role of Ombudsman institutions in the protection and promotion of the rights of persons with disabilities
Venue	Renouf 1

In recent years, the international system has focused on increasing the human rights protection of persons with disabilities, including those with physical, mental, intellectual and other disabilities, and children with disabilities. Along with the development of international and regional human rights law, the international community has promoted the use of national human rights institutions (NHRIs)—primarily human rights commissions and human rights ombudsman institutions—and other institutions such as the classical ombudsman to implement states’ international human rights law obligations in the domestic sphere.

This presentation will discuss the main international and regional law instruments protecting the rights of the disabled, with a particular focus on the UN Convention on the Rights of Persons with Disabilities (UNCRPD). In particular, art. 33(2) of UNCRPD calls on state parties to establish one or more independent mechanisms...to promote, protect and monitor implementation of...the Convention” taking into account the Paris Principles on NHRIs.

Human rights ombudsman institutions have express human rights protection mandates, while classical ombudsman institutions lack an express human rights mandate, although in practice they may be able to address human rights issues in their work depending on their legal framework and the domestic legal system. Ombudsman institutions are candidates for UNCRPD art. 33(2) designation. Furthermore, all ombudsman institutions need to mainstream protection of the disabled in their activities; work that may be facilitated by their state’s international and domestic legal obligations.

What are the different ways in which the rights of disabled persons can be protected through the work of diverse ombudsman institutions? This presentation will examine a sampling of human rights ombudsman and classical ombudsman institutions, including but not limited to some formally designated as domestic monitoring mechanisms, to explore the various ways in which they can work to protect and promote the rights of disabled persons. Based on these case studies and other sources, this presentation will make an initial list of good practices to assist ombudsman institutions in mainstreaming the protection of the rights of the disabled in their work.



# Conference Abstracts

## Professor Andrew Goldsmith

Strategic Professor in Criminology and Criminal Justice, Flinders Law School, Adelaide and Adjunct Professor, Regulatory Institutions Network, College of Asia and the Pacific, Australian National University, Canberra, Australia

Presentation Title	Ensuring robust and resilient oversight under challenging conditions
Venue	Renouf 2

The paper will examine the conditions confronting oversight agencies in deeply compromised environments, and consider some strategies and tools for ensuring that oversight integrity is both preserved and able to be effective under these conditions.

In the first part of the paper, the different forces that render impartial and effective oversight difficult or impossible in developing, transitional, and post-conflict societies are identified. A number of examples from countries such as Colombia and Kenya are drawn upon to illustrate how oversight agencies have previously been undermined and their key officials forced to resign or cease to pursue investigations through threats and intimidation. In addition to the impact of key individuals in these stories of oversight fragility and failure, there are broader social, economic and political factors that play their part in weakening oversight institutions. The role of the private sector, as well as the character of government agencies, needs to be considered in this regard. Too often anti-corruption reforms and oversight measures exist in splendid isolation from other potentially supportive institutions within the state and civil society.

The second part explores what can be done to render oversight institutions more robust and effective in their tasks. They must face what I shall call the ‘**paradox of effectiveness**.’ This is, the more effective oversight agencies are or look like becoming, the greater the opposition and resistance they will engender, in all likelihood undermining their effectiveness. While it is possible to devise a checklist of necessary powers and resources as minimum formal conditions for functioning, the prospects for more resilient oversight depend upon a broader range of measures. Finding new bases of support for their functions is critical yet it is also the case that these must be ones that do not compromise those essential functions (eg through conflict of interest). A broadening of focus, from case investigation to include pattern analysis and prevention, is suggested as one way to enlarge the appeal and relevance of the agency. A focus on illicit enrichment is another. The paper will argue that oversight integrity is not simply a matter of capacity but also one of intent and focus. Ensuring that public officials working in these agencies remain on course requires a range of measures – these include protections from intimidation as well as proper training and financial incentives.

**Question:** How might the ‘paradox of effectiveness’ be resolved?





# Conference Abstracts

# Phoebe Sangetari

*Ombudsman Commission of Papua New Guinea*

<b>Presentation Title</b>	Leadership code of Papua New Guinea and the Ombudsman commission's role in enforcement to minimise corrupt practices and ensure accountability by leaders in PNG
<b>Venue</b>	Renouf 2

Papua New Guinea (PNG) is an Independent State situated to the North of Australia and East of Indonesia. It has entrenched in its National Constitution, a Leadership Code to regulate the conduct of persons holding public office (referred to as Leaders) to minimize their involvement in corrupt practices and make them accountable. The National Constitution of Papua New Guinea, also established the Ombudsman Commission comprising of 3 members. Besides performing the traditional role of an Ombudsman to investigate citizens complaints about wrong conduct and defective administration by Government Agencies (ie oversight function over Government Administration), the Ombudsman Commission has a unique role to enforce the Leadership Code in PNG (ie oversight function over Leaders or persons holding public office).

The Paper looks at the underlying reasoning for a Leadership Code ; what is contained in the Leadership Code of Papua New Guinea; who is subject to the Leadership Code and how corrupt practices are minimized and Leaders or persons holding public office, in PNG are made accountable under the Leadership Code. The Paper also looks at the establishment of the Ombudsman Commission and its role with implementing / enforcing the Leadership Code (ie oversight function over Leaders) and the impact.

Questions or issues arising from this Paper or presentation on the Leadership Code are;

- (1) The use of Codes of Conduct as a tool or strategy to minimise corrupt practices and ensure accountability by persons holding public office including Politicians and Heads of Public Sector Agencies ; and
- (2) The role of an Ombudsman in enforcement of such Codes of Conduct to minimise corrupt practices and to ensure accountability by such public office holders.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

# Conference Abstracts

## Adv Thulisile Madonsela

Public Protector of South Africa

<b>Presentation Title</b>	The Ombudsman's Role in Promoting Ethical Governance and Integrity in the Public Sector: Lessons from the Public Protector South Africa
<b>Venue</b>	Renouf 2

The modern Ombudsman institution is an important pillar of constitutional democracy with enormous potential for promoting ethical governance and optimising public accountability through enhancing people's voices and the state's conscience. As global leaders battle to come to terms with increasing and often violent demands for a listening, responsive and accountable state, a credible Ombudsman office is one of the pillars of democracy that can add value.

The Ombudsman office can also make a significant contribution towards ensuring that the use of state power and resources is always informed by public interest and fairness thus contributing to the protection and promotion of human rights and ultimately, peace and stability. When the Ombudsman was conceived and eventually established in

South Africa under the name Public Protector, the vision was primarily to provide a mechanism for swift justice for ordinary people to exact accountability for administrative wrongs in state affairs. There was also a conscious understanding that the office would play a role in combating corruption. Sixteen years on, the Public Protector has made an impact on administrative justice, ethical governance and corruption concerns. The paper looks at foundational provisions of the Public Protector South Africa; achievements in the pursuit of good governance; success factors with emphasis on constitutional provisions regarding the constitutional vision of society, the character of the state and public accountability; challenges; and future possibilities. Where possible, case studies are referred.



# Conference Abstracts

## Lyn Provost

Controller &amp; Auditor-General, New Zealand

<b>Presentation Title</b>	Holding leaders to account: An Auditor-General's report on fraud
<b>Venue</b>	Renouf 2

New Zealand generally has a “clean” image when it comes to transparency and integrity. We consistently rank highly in international and domestic surveys that measure public trust in government and the effectiveness of systems and processes that deal with fraud and corruption. This is in spite of New Zealand’s statutory context being less sophisticated than comparable countries such as Australia and UK.

Our general absence of systemic large-scale corruption is attributed to the integrity of our system, underpinned by strong and shared common values. Because New Zealand is relatively small, there is inherent trust in individuals.

A recent survey on public sector fraud carried out by PWC for the NZ Office of the Auditor-General confirmed a strong commitment within the public sector to protecting public resources and to high transparency and integrity standards.

Key to recognising and maintaining an ethical culture is ensuring appropriate action is taken against fraudsters in a transparent manner so people feel confident that concerns are acted on. In our survey, organisations that ‘closed the loop’ and communicated about previous incidents of fraud to staff, generally had fewer incidents of fraud.

Yet we know that it is easier to preach transparency than to live by it when addressing incidents of wrong doing. This paper will explore the challenges of transparent day to day decision-making. It asks how the challenges of natural justice, privacy and organisational reputation are protected while we seek the transparency that supports integrity?





# Conference Abstracts

## Adv John Walters

*Ombudsman for Namibia*

<b>Presentation Title</b>	The role of the Ombudsman in promoting and protecting human rights – should it become a national human rights institution?
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

### Introduction

Before we can discuss the appropriate role of the Ombudsman in respect of human rights, we must have a clear picture of what human rights and human rights principles are. The sketch which I am going to draw may be familiar to many of you. However, I believe its reiteration is a good point of departure. I will examine the human rights dimension of the Ombudsman. I shall discuss the “*hierarchy of rights*” with emphasis on the “*third generation rights*” and then return to the question of the appropriate role of the Ombudsman in respect of human rights, and examine the pros and cons of Ombudsman pursuing to becoming a National Human Rights Institution (NHRI) in conformity with the Paris Principles.

### Human Rights and Human Rights Principles

Human Rights are the rights a person has simply because he or she is a human being and are held by all persons equally, universally and forever. All human rights are universal and inalienable, indivisible, interdependent and interrelated.

### Human Rights Dimension of the Ombudsman

Over the years varying views and ideas of the role of the Ombudsman in respect of human rights have emerged:

- the Ombudsman’s primary task is helping to ensure that the government respects its citizens’ human rights;
- the Ombudsman has been said to be a concept entrenched within a democratic society as a safeguard against governmental abuse of individual liberties;
- the Ombudsman helps individuals by giving them a chance to exercise their right to make a complaint where they would otherwise fear to do.

### A Hierarchy of Rights?

The so called first generation rights are civil and political rights; i.e. the right to life, fair trial, education, etc. The so called second generation rights are economic, social and cultural rights, i.e. the right to health, work, housing, etc. Thirdly, there is the area of administrative justice, i.e. the right to good administration and proper governance, the right to complain and ready access to the Ombudsman. However, human rights are indivisible; therefore, all human rights have equal status, and cannot be positioned in a hierarchical order.

The right to eat is as fundamental as the right not to be arbitrarily arrested or the citizens’ right to complain to the Ombudsman and have that complaint dealt with.

It is quite uncommon for the right to good administration, the right to complain and ready access to the Ombudsman to have the status of fundamental rights in legal systems. It is through their work that Ombudsmen are developing good administration and raising it to the level of a fundamental right.

If good administration is a fundamental right to which each citizen is entitled, aggrieved persons have the right to complain and are entitled to speedy, free and informal procedures to address the wrongs. The state has a duty to provide aggrieved persons with ready access to an institution such as the Ombudsman to correct the wrongs. The service of the Ombudsman as a basic right is guaranteed in the Namibian Constitution.

### Ombudsman Role in Promoting and Protecting Human Rights

Through its work the Ombudsman becomes the institution for the general promotion and protection of human rights. It is indeed a safeguard of the individual’s right to good administration which is reinforced by the fact that the Ombudsman services and procedures are informal and free of charge. By visiting prisons and places of detention, receiving complaints and examining the treatment of inmates, the Ombudsman becomes the national preventive mechanism in terms of the Optional Protocol to the Convention against Torture (OPCAT), without being formally designated.

### Questions

1. Who should be designated as the national preventive mechanism in terms of OPCAT – the Ombudsman, NHRI, another independent body or a combination of them?
2. Should the Ombudsman be designated as one of the focal points for matters relating to the implementation of the Convention on the Rights of Persons with Disabilities?
3. Who should be designated as the mechanism to combat racism, racial discrimination and xenophobia in terms of the Durban Declaration and Programme of Action – the Ombudsman, NHRI or a special body?



# Conference Abstracts

## Mariana Sotto Maior

Head of Cabinet, Provedor de Justiça, Portugal

Presentation Title	The role of the ombudsman in the promotion and protection of human rights
Venue	Main Auditorium, Michael Fowler Centre

**What is or what can be the role of the Ombudsman regarding human rights?**

This presentation will reflect on this question, building on the idea that even in the work of more classical institutions, with a mandate related mainly to administrative justice, human rights can play a role, to the extent that the backdrop against which legality is assessed also includes the international legal framework on human rights.

While the concrete ways in which Ombudsmen engage in human rights promotion and protection depends on their mandates, the limitations of each specific statute and the history and traditions of their countries, the international community has already acknowledged and encouraged their role in this area, in instruments such as UN Resolution 65/207.

Drawing from the experience of the Portuguese Ombudsman, examples will be given on how the human rights dimension is expressed in the Ombudsman’s work.

It will be noted that, as an institution created after a revolution, with the aim to affirm the primacy of a democratic state and the respect for human rights, the Portuguese Ombudsman was given a broad mandate – to protect and promote all fundamental rights of all citizens, ensuring that public powers act fairly and in compliance with the law – and that special care was also taken in inserting the right to complain to the Ombudsman in the Portuguese Constitution’s chapter on fundamental rights.

Furthermore, it will be stressed that the powers attributed by law to the Ombudsman – namely to act on his own initiative, to carry out inspection visits to any place of activity of the central, regional or local administration, to issue administrative and legislative recommendations, to request the constitutional court a review of the unconstitutionality or illegality of any legal provisions and to report to Parliament – allow him a more generic and systematic intervention, for the protection and promotion of human rights in general and of the most vulnerable groups of persons in particular.

Against this background, this paper will focus on some areas of intervention in which the human rights dimension is more evident, while also mentioning new initiatives concerning education on human rights, namely a protocol signed with the Ministry of Education, aiming to promote the divulgation of the content and meaning of each of the fundamental rights and the role of the Ombudsman in their defense.

Recent efforts to increase, promote and raise awareness to the Ombudsman’s activity as National Human Rights Institution, such as a recommendation issue to Parliament to include this role on the Ombudsman Statue, which is currently under consideration, will also be highlighted.

Finally, reference will be made to the interaction with the international system of human rights and the efforts made to promote the creation or designation of Ombudsman or National Human Rights Institutions in Portuguese speaking countries.

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# Conference Abstracts

## Roberta Clarke

*Regional Program Director for the Caribbean Regional Office of UN Women*

<b>Presentation Title</b>	The Role of The Ombudsman in Ending Impunity for Gender-based Violence
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

In its work, on gender-based violence, UN Women seeks in partnership with governmental and non-governmental actors to strengthen state accountability and community actions to end impunity, to better protect victims and ultimately to build a culture of zero tolerance.

Given what we know about under-reporting, attrition and impunity, UN Women is focussed on accountability which is a central theme in human rights discourse. Accountability implies a reckoning as well as a remedy for wrong suffered at the instance of state actors. It can be defined as the ability to ensure that public officials are answerable for their actions, omissions and decisions.

While the Ombudsman is neither a tool of legal accountability nor of political accountability, it is a mechanism for accountability which allows both the redressing of individual experiences of injustice as well as addressing systemic systems and structures to ensure a more effective and equitable access to state actions and resources.

The manner in which the Ombudsman functions presents opportunities for the advancement of both awareness and implementation of women's rights to lives free of violence. Ombudsman offices do not only respond to individual complaints but have the power to undertake investigations on their own motion. The Ombudsman can pursue matters where it appears that there are underlying patterns and common causes for maladministration. In this way, such a broad and systemic approach can serve as a resource for the administration of justice and other governmental institutions in identifying and preventing recurring unfairness that undermine women's access to justice.

The presentation makes recommendations for a more proactive role in monitoring the administration of justice's responses to gender-based violence. The presentation will also share the development of a Protocol of Partnership developed between the Caribbean Ombudsman Association, Caribbean police forces and women's organisation that provide services and advocacy in the context of ending gender-based violence.





# Conference Abstracts

## Karen Finnegan

*Deputy-Director of Government Information Services, US National Archives & Records Administration, United States of America*

<b>Presentation Title</b>	The evolving FOI culture in the US.
<b>Venue</b>	Renouf 1

On his first full day in office, President Barack Obama did something remarkable—he issued a memorandum stressing the importance of the Freedom of Information Act (FOIA). The President’s memorandum ushered in a new FOI mindset that included a clear presumption—when in doubt, openness prevails. In September 2009, another pivotal part of the FOI culture change pioneered by the President occurred when the Office of Government Information Services (OGIS) opened for business. The US Congress created OGIS in the OPEN Government Act of 2007, which amended the FOIA. Congress tasked OGIS with reviewing agencies’ FOIA policies, procedures and compliance; providing mediation services to resolve disputes between members of the public and Federal agencies; and making recommendations to Congress and the President to improve the way that the FOIA works.

The US FOIA provides the public with the right to access government records and information maintained by 99 federal departments and agencies. Typically, each year the US government receives between 500,000 and 600,000 FOIA requests and over 9,000 administrative appeals from denials of access. Agencies spend more than one-third of a billion

dollars annually on FOIA administration and litigation. Given the volume of requests and appeals, it is not surprising that disputes regularly arise between members of the public and federal agencies who sometimes have very different notions of what FOIA requires. In many cases, these disputes are resolved in a court of law, which involves an expensive and lengthy process. In the interests of encouraging an alternative to litigation, Congress created OGIS to offer mediation services as a non-binding alternative to litigation.

What part does OGIS play in nurturing a new FOI mind set? How can OGIS impact the administration of FOIA? Can a FOI culture change occur in a restrained budgetary environment? Change is hard and any culture change requires commitment and time. As a new part of the US FOI landscape, OGIS is encouraging a new FOI mindset by offering a different way of doing business. OGIS is contributing to the evolution of the FOI culture by redefining the meaning of success from being a win-lose situation to one where the parties to a dispute can buy into an outcome, and by emphasizing the cost-saving benefits of stakeholder collaboration.



# Conference Abstracts

## Arne Fliflet

*Ombudsman, Norway*

<b>Presentation Title</b>	Freedom of information and the Norwegian electronic public records (OEP)
<b>Venue</b>	Renouf 1

I will start my presentation with an account of the freedom of information aspect of my work, particularly in relation to the public administrations' record keeping obligations. I will then give an account of the Electronic Public Records (OEP), a public record-keeping database which any person with internet access can use.

The Ombudsman in Norway handles cases under the Freedom of Information Act of 19 May 2006, and in 2011, 143 cases involving transparency and freedom of information were handled. The total number of cases that year was 3,027.

The premise of transparency and freedom of information is that the public is aware of what information is actually available. The obligation to keep records is therefore fundamental to democratic participation, public control and legal protection.

The «new» document types, including text messages, email and social media such as Facebook and Twitter, partly fall outside the traditional definition of documents, and therefore raise specific issues related to statutory record keeping. I will in my presentation give some examples related to these issues,

including the text message which, during the management of the so-called financial crisis in Norway, was sent from the CEO of one of Norway's largest banks to the Prime Minister.

I would then like to speak about the Electronic Public Records (OEP), which was launched 18 May 2010. OEP is of great importance to freedom of information and transparency in Norway, and thus also to my work. All documents subject to statutory record-keeping from the agencies covered shall be recorded in OEP. The public has free access to this database and the content providers are a number of agencies. This is a big step towards openness, transparency and legal protection in society.

### Questions for discussion

- How should the search criteria in such databases as OEP be designed to ensure transparency without sacrificing privacy considerations?
- How do we safeguard confidentiality in a common database as OEP to which many agencies deliver content independently of each other?



# Conference Abstracts

## Ann Abraham

UK Parliamentary Ombudsman and Health Service Ombudsman for England 2002–2012, United Kingdom

Presentation Title	Maximising the Ombudsman’s influence, impact and effectiveness in a difficult and constantly changing environment
Venue	Main Auditorium, Michael Fowler Centre

**The brief**

In austere times, how can an Ombudsman be effective and bring about a culture of fairness and a sense of equity within the government’s administration, humanise the relationship between the government and governed, convince public administrations before a complaint arises that it is in everybody’s interest to treat all our citizens with respect and dignity? What if no-one has the resources to listen anymore?

**The presentation**

An overarching theme of the conference is to address the challenge all Ombudsmen face in staying relevant and credible in rapidly changing times. This session is about maintaining the core values and essence of the Ombudsman institution whilst adapting to the changing world in which we operate.

My presentation will focus on ways to maximise the Ombudsman’s influence, impact and effectiveness in a difficult and constantly changing environment, including:

- Developing and applying commonly accepted principles of good administration.
- Engaging proactively with a wide range of stakeholders including government, parliament and service users.

- Using evidence from the Ombudsman’s casebook to illustrate vividly the complainant’s experience.
- Demonstrating accountability and practising what you preach.

**Questions for discussion**

- A proactive approach is essential to staying relevant and credible in rapidly changing times. What techniques have delegates developed to make sure that they make time to think strategically and proactively?
- No doubt many delegates will have their own experiences of adapting to changing times. Is there anything more that the IOI could be doing to capture and share those experiences and that learning?
- It has been suggested that the IOI might develop an ‘Ombudsman’s Toolkit’ or ‘Getting Started Handbook’ for newly appointed Ombudsmen. Are delegates supportive of this idea and, if so, can they offer some ideas about what an Ombudsman’s Toolkit or Getting Started Handbook might need to contain?



# Conference Abstracts

## Professor P. Nikiforos Diamandouros

European Ombudsman

<b>Presentation Title</b>	Ensuring ethics in public administration: the role of the Ombudsman
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

In modern societies, the principles of the rule of law and of democracy together constitute the twin pillars of legitimate public authority. Institutional prerequisites of these principles include, for democracy, contested free and fair elections, as well as the absence of veto groups and, for the rule of law, an independent judiciary whose decisions are respected by citizens and the institutions of the state alike.

The quality of democracy and the quality of the rule of law are both strengthened by a well-functioning public administration. In turn, the quality of the public administration is improved by its respect for human and fundamental rights and its adherence to ethical principles guiding its comportment and embodying citizens' expectation of how the state should behave in its relations with society.

All of the above do not exist in a void; they are part and parcel of state-society relations and of social change. Indeed, it is social change that drives improvements to the rule of law, to democracy, to the quality of public administration and, as citizens' expectations rise, to improvements in ethical behaviour on the part of the public administration.

How can the Ombudsman, whose role it is both to act as an alternative to the courts (reactive function: responding to complaints) and to ensure good governance (proactive function: proposing changes in the functioning of the administration) maintain its relevance in a changing world and ensure that the public administration conforms to citizens' expectations?

Furthermore, how can the Ombudsman improve both his/her own effectiveness and that of public administration at a time when many countries are facing both an economic crisis and a crisis of public confidence in institutions? How can the Ombudsman adapt, and how can s/he persuade the institutions s/he supervises to adapt?





# Conference Abstracts

## Alex F.M. Brenninkmeijer

National Ombudsman of the Netherlands

Presentation Title	Traditions in setting standards of good administration; the role of legality in Ombudsman decisions
Venue	Main Auditorium, Michael Fowler Centre

The work of ombudsman is based on a law that introduces a complaint handling procedure. A procedure that typically consists of an investigation and the hearing of both sides. This might suggests that the investigation into the matter and the decision of the ombudsman are solely based on laws and regulations. In other words, that the decision of the ombudsman can always be connected to a law and an article in the law. In practice however this is not always the case.

In my presentation I will reflect on three ombudsman institutions that each have their own way of dealing with legality in their work. The first ombudsman practice I want to highlight is that of the UK Parliamentary and Health Services Ombudsman. This ombudsman makes use of Principles of Good Administration. One of the principles focuses on Putting Things Right. This means, among other things, that an effective complaint handling procedure can also include offering a fair and appropriate remedy. This can even be the case if there is actually no strict legal basis for such remedy, but it is clear that it is only fair to do so.

The second ombudsman institution is that of the European Ombudsman. Since 2001 there is a "European Code of Good Administrative Behaviour". It is meant to help officials do a better job and provides citizens with a clear picture of what they may expect from public administration. Interestingly the European Ombudsman promotes these principles as being effective even beyond the law. This does not mean that they

can be called upon to go against the law, but they can be used to elaborate on the law or, in his words, go beyond legality.

In my practice as Dutch National Ombudsman I use standards of proper conduct. These are based on thousands of cases that come to my office every year. They reflect the law, but also allow for a broader perspective. One might say it allows for the citizens to be treated as human beings instead of legal subjects. In that sense the ombudsman practice goes further than what a judge can do. the use of the standards of good administration echo the need of citizens for procedural justice. You want to be heard and treated as a human being and treated fairly. Ensuring procedural justice is an effective way for the authorities to earn citizen's trust.

In the Netherlands I therefore require from the public administration that they have a personal approach towards citizens. They should be treated with respect and at an equal footing. Moreover, where possible, citizens should be involved in decision making processes and be heard. I do not claim that this approach is a panacea for ombudsman on how to handle complaints. On the contrary. This presentation is meant as an incentive to explore together this field that already has the attention of two ombudsman institutions and myself.



# Conference Abstracts

## Professor Anita Stuhmcke

Faculty of Law, University of Technology, Sydney, Australia

Presentation Title	Evaluating the effectiveness of an Ombudsman: A riddle, wrapped in a mystery inside an enigma
Venue	Main Auditorium, Michael Fowler Centre

For the most part, effective methods to evaluate the overall impact of Ombudsman, as Churchill's quote aptly suggests, remain unknown. Ombudsman must do well, the institution is entrenched internationally as an access to justice mechanism and is growing in both scope and application. However, the issue as to why ombudsmen do well and the adoption of appropriate measures of 'success' have long been a source of puzzlement.

This paper asks the question as to how best to measure and account for the contributions – both tangible and intangible – that the institution of the ombudsman makes to the system within which it operates?

This paper identifies obstacles in assessing effectiveness and identifies the importance of those who care about effectiveness as stakeholders. Assessing the effectiveness of ombudsman (and the subject of cost effectiveness) is both methodologically difficult and subject to often competing interests of the various stakeholders in the office. Stakeholder identification of the diversity of actors in the system with an interest in the office therefore highlights the complexity of the task of comprehensive assessment of ombudsman and the difficulty of the weighting of the value of assessments from diverse groups.

Focus on stakeholders must also embrace the system within which an ombudsman operates. Contributions made by an ombudsman to the system within which it operates are both formal/objective and informal/subjective. It follows that indicators of effectiveness which may capture both value added by ombudsman to that system and how ombudsman contribute to cost control within the system must acknowledge both the objective and subjective aspects of the role of an ombudsman.

This paper provides an overview of research which has been done to date on ombudsman effectiveness in terms of accountability to stakeholders. In doing so the paper distills practical aspects of such research including: how offices evaluate their own performance; research by external observers as to ombudsman effectiveness and research by 'stakeholders' such as government. The paper sources assessment measures from annual reports of ombudsman – bringing a comparative international analysis to the ombudsman toolbox with respect to how ombudsman gather and report information about their service to their stakeholders.

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# Conference Abstracts

## Dr Tom Frawley CBE

*Ombudsman, Northern Ireland*

<b>Presentation Title</b>	'Doing Better With Less?'
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

The global financial crisis of 2008 has changed the world, profoundly. Across the world, paradigms have shifted, world views have had to be recalibrated. This issue has not just impacted the private sector, where it originated; the most recent phase of the crisis, the spectre of sovereign debt default, has raised the cataclysmic possibility that governments may not be able to fund themselves and, by extension, the public services they provide to citizens. The operating environment of the ombudsman faces risk and uncertainty previously inexperienced or, for that matter, unimagined.

As a consequence, the context in which ombudsmen work has changed utterly. Ombudsmen themselves now not only have to operate with restricted resource constraints in terms of their own funding, they sit at the nexus of competing challenges. On the one hand, the cuts and consolidation in public service provision means that citizen expectations are being curtailed at the very time when demand for public services are increasing, as a result of deteriorating economic conditions. All of these circumstances are coming to pass at a time when ombudsmen have less resource to fulfil corporate objectives of independently investigating complaints with integrity.

This perfect storm of competing circumstance presents considerable leadership challenges for the ombudsman, wherever they are operating, whatever sector they investigate. This period of profound change, the intensity of which has not been seen before, means that we must, as a community

promoting progressive and relevant professional practice, confront this uncomfortable reality; we must move beyond the oft quoted cliché of 'doing more with less' to 'doing better with less'.

To this end, this paper will develop the context for the rapidly changing operating environment for ombudsmen globally by critically evaluating and synthesising potential courses of action for meaningfully confronting these challenges constructively. In particular, this paper considers:

- the changing landscape of public administration and public service, as impacted by the events following the global financial crisis of 2008;
- the consequences for the practice of ombudsmanship in its critical role of oversight and evaluation of the quality of public services at a time of retrenchment and consolidation;
- how ombudsmen can creatively and constructively respond to their changed circumstances by providing demonstrable leadership. This process will be underpinned by: the application of intellectual rigour in advocating the continuing relevance of the role of the ombudsman; courage in executing the functions of the office with the highest standards of integrity and probity; whilst all the time demonstrating ongoing relevance; and
- communicating how the ombudsman world should engage with a newly recalibrated world of public service delivery.





# Conference Abstracts

Dr Shoaib Suddle HSt HI QPM PPM

Federal Tax Ombudsman, Pakistan

<b>Presentation Title</b>	Federal Tax Ombudsman Pakistan: Making a Difference
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

This paper briefly explores what works in the realm of redressing administrative grievances of taxpayers at the hands of a tax bureaucracy not ready to break with colonial tradition. Impacting the subculture of maladministration that has existed for too long is a major challenge. Pakistan is one of a few countries in the world that has a full-time independent ombudsman mandated to diagnose, investigate, redress and rectify any injustice done to a person through maladministration by functionaries administering tax laws. How the Federal Tax Ombudsman Pakistan has been able to make a difference in the lives of thousands of hapless taxpayers offers a promising trend for other ombudsmen.

What do taxpayers think of the Office of Federal Tax Ombudsman Pakistan? To what extent has it succeeded in improving service delivery? Do taxpayers perceive it as an effective grievance redresser? Has it been able to achieve a fairer, more just and humane dispensation at the hands of tax functionaries? How has it been turned into one of the most efficient and cleanest public sector organizations in Pakistan? Are there any independent third party assessments that bear testimony to these achievements? These are some of the critical questions that underpin the developments surrounding the emerging role of the Federal Tax Ombudsman in Pakistan.



# Conference Abstracts

## Osamu Watarai

*Deputy Director-General, Administrative Evaluation Bureau, Ministry of Internal Affairs and Communications, Japan*

<b>Presentation Title</b>	Challenges the Japanese Ombudsman has faced after the Great East Japan earthquake
<b>Venue</b>	Renouf 1

On March 11 2011 the Great East Japan Earthquake along with high tsunami hit north-east Japan and more than 18,000 people have died or are missing. From just after the Quake great efforts were made to help and support people affected by such terrible disaster.

The Administrative Counseling System, which consists of the Administrative Evaluation Bureau of Ministry of Internal Affairs and Communications, about 5,000 administrative

counselors and expert advisory committees called Administrative Grievance Resolution Promotion Councils, altogether sought to respond to the needs of the victims in a helpful and timely manner.

This paper tries to describe how this world unique system perform their existing roles and strengths to reach people in this extraordinary situation, and provide function equivalent to those exercised by ombudsmen in other countries.

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# Conference Abstracts

# Phil Clarke

*Ombudsman, Queensland, Australia*

<b>Presentation Title</b>	Every little bit helps: Assisting State and local government agencies to manage disaster recovery
<b>Venue</b>	Renouf 1

This presentation explores Queensland public sector agencies', including the Ombudsman's Office, roles in the rebuilding of Queensland after significant natural disasters, including previously unseen levels of flooding and a major cyclone in the last two years. These natural disasters strained the resources of a state more used to coping with drought than flood.

Such was the scale of the disaster that on 17 January 2011 a Commission of Enquiry into the Queensland floods of 2010/2011 was established by the then Government.

The Queensland Reconstruction Authority was established one month later to manage and coordinate the Government's program of infrastructure renewal and recovery within all the disaster-affected communities.

This presentation will explore the challenges faced by agencies in coordinating their various responses and the role the Queensland Ombudsman had in assisting agencies with their processes and maintaining public confidence during the rebuilding of Queensland.



# Conference Abstracts

## David Rutherford

*Chief Human Rights Commissioner, New Zealand*

<b>Presentation Title</b>	The IASC Operational Guidelines and other tools and learnings that can assist Ombudsman to respond constructively to a natural disaster
<b>Venue</b>	Renouf 1

When a significant natural disaster hits you can be forgiven for thinking that this sort of event is “unprecedented”. A particular disaster may be very significant in one country as the Christchurch earthquake is for New Zealand. The truth for the world is very different. Disasters are almost daily occurrences somewhere in the world. As the UN Special Rapporteur on adequate housing has observed natural disasters are a growing problem around the world and the world is “facing natural disasters on an unprecedented scale.

During the period 2000-2008 an average of 392 disasters per year occurred worldwide. During 2009 a total of 335 disasters were reported, killing 10,655 and affecting more than 199 million persons and causing more than US\$41.3 billion in damages."WHO said in its 2011 Annual Statistical Review of Disasters that: "After the relatively moderate year of 2009, the extent of the impact of natural disasters took a turn for the worse in 2010. A total of 385 natural disasters killed more than 297 000 people worldwide, affected over 217 million others and caused US\$ 123.9 billion of economic damages."

As a result of ubiquity of disasters a number of tools, such as the IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters 2011, have been developed over quite recent years that can assist Ombudsman and other agencies to respond constructively to an event when it affects their country. These tools all emphasise the importance of having accessible, sensitive and effective Ombudsman and similar bodies operating in the response to and recovery from disasters. New Zealand's Chief Human Rights Commissioner will share some of New Zealand's learning including the need to speak the truth to those in power in a way that encourages quick and effective responses that address the needs of affected persons while not shirking the responsibilities to monitor the agencies concerned.





# Conference Abstracts

## Karen Stevens

*Insurance and Savings Ombudsman, New Zealand*

<b>Presentation Title</b>	The challenges Ombudsmen face when dealing with suddenly displaced communities as a result of natural disaster: The Canterbury earthquakes
<b>Venue</b>	Renouf 1

The first earthquake to have a significant effect on Canterbury occurred on 4 September 2010. While there were no fatalities, there was significant property damage caused by the magnitude 7.1 earthquake. The Earthquake Commission ("EQC"), effectively the government insurer of land, was inundated with claims related to insured properties: the first \$100,000 (plus GST) for land and \$20,000 (plus GST) for lost or damaged contents. Insurers were also faced with thousands of claims worth millions of dollars.

Six months later, the focus of the Christchurch City Council, community groups and the Government was on rebuilding – particularly Christchurch's infrastructure due to liquefaction. It was estimated that it could take 18 months to rebuild and repair public services.

On 22 February 2011, a magnitude 6.3 earthquake occurred which was to have a catastrophic impact on Canterbury and, in particular, Lyttleton, Christchurch's central business district and its eastern suburbs. 185 people died and whole communities were displaced; many areas were affected by liquefaction, mud and silt flowed through homes; and many communities had no water or toileting facilities. Businesses were closed, supplies were short and no go red zones were declared in the most dangerous areas. Many more claims were made to EQC and insurers, in addition to those made following the September earthquake.

While there have been approximately 3,400 aftershocks in the region to date, there were 2 further significant aftershocks of magnitude 6.3 in June and magnitude 6 in December 2011.

Months later, some people are still waiting for EQC and insurance payments to be made; some are still unable to access their possessions, have no homes and cannot run their

businesses, despite the fact that billions of dollars have been paid out by EQC, insurers and the Government to those affected.

In order to stay visible and accessible to those consumers and small businesses who might need assistance, the Insurance & Savings Ombudsman Scheme Inc. ("ISO Scheme") has focussed on developing networking with other agencies, including EQC, the Christchurch City Council, Canterbury Earthquake Recovery Authority ("CERA") and the Office of the Ombudsmen; a dedicated role, Manager – Earthquake Response has been established; and there is an earthquake page on the ISO Scheme's website that brings together all of the most recent earthquake information to assist consumers, community groups and insurers.

Initially, the ISO Scheme dealt with complaints about delays, how to contact EQC and whether consumers had insurance cover; with time, complaints were made about temporary accommodation cover terminating, settlement offers and how they were calculated and lack of access to contents in red zone properties; the current issues are more complex, and, in particular, whether insurers are only obliged to pay for actual damage under policies, or for a "*constructive total loss*" if homeowners in the red zone are forced to abandon their properties because of where they are located.

Given the significant public policy considerations, what approach should an Ombudsman take in this situation? Is it preferable to persuade an insurer to refer such an issue to the courts for a binding decision or should each complaint be considered individually and on its merits by the Ombudsman, without setting a binding precedent?



# Conference Abstracts

## John R Taylor

Deputy Ombudsman, Victoria Ombudsman, Australia

Presentation Title	The Ombudsman’s role in the 2008 Cranbourne methane gas disorder & the 2009 Black Saturday bush fires.
Venue	Renouf 1

I propose to address the Victorian Ombudsman’s role in two disasters in Victoria in recent years:

- The “Black Saturday” bushfires in 2009
- The Cranbourne methane gas disaster in 2008.

The first was a natural disaster (although some fires were started by arsonists) and the second, as a result of poor waste management decisions some twenty years ago. Both had a significant impact on people’s lives.

### Black Saturday

On 7 February 2009 bushfires swept through Victoria, leaving 173 people dead and 500 injured. In addition, more than 2000 homes were destroyed. Thousands of hectares of bush and farm lands were destroyed, with huge property losses.

Both the Commonwealth and Victorian governments’ response was swift, with the Prime Minister immediately announcing emergency funding for the state and offering the services of the Army. A \$10 million emergency relief fund was established by the Commonwealth government. Ultimately the government contributed more than \$465 million towards the recovery and reconstruction efforts.

Within two days following the incident, the Victorian government announced that there would be a Royal Commission into the fires and to review the State’s policies in relation to assistance and individual eligibility to stay and defend homes.

Following the bushfires, the Victorian Ombudsman received a large number of complaints relating to the fires, including issues surrounding hardship, loss of business, building and reconstruction advice and liability for damages. Most complaints were addressed by the mechanisms

established by government to address the disaster. These included the Royal Commission, the Bushfire Appeal Fund Advisory Panel, the Victorian Bushfire Reconstruction and Recovery Authority and other relevant agencies.

In dealing with the complaints, our officers liaised with the relevant authorities with the aim of resolving issues, particularly those relating to compensation, as quickly as possible. Complaints were resolved promptly and informally, without the need to use coercive powers.

### Cranbourne Methane Gas Disaster

In September 2008 the Acting Premier asked the Ombudsman to investigate the leaking of dangerous levels of methane gas from the Cranbourne land fill into houses in the Brooklands Green Estate, a suburb of Melbourne.

The concerns for people’s safety were such that many houses were evacuated and an emergency was declared. Given the seriousness of the matter and its widespread impact, the Victorian Ombudsman initiated an Own Motion investigation into the circumstances surrounding the presence of methane gas in the estate.

Our investigation identified significant failures by the authorities involved, including the local councils and the Environment Protection Authority.

One outcome of the investigation was a \$23.5 million settlement of a class action in the Supreme Court by more than 750 home owners affected by the emergency.



# Conference Abstracts

## Bruce Barbour

*Ombudsman, New South Wales, Australia*

<b>Presentation Title</b>	Finding the right fit: An Ombudsman and freedom of information
<b>Venue</b>	Renouf 2

Openness, transparency and accountability are integral to the work of Ombudsman and also key features of access to information regimes.

New South Wales Ombudsman Bruce Barbour will draw on his extensive experience and involvement with access to information in NSW to explore the relationship between the roles and functions of Ombudsman and those of Information Commissioners charged with providing oversight, leadership and accountability for access to information regimes. This will include discussion of the arguments for and against the creation of new stand-alone oversight bodies.

The NSW Ombudsman was an avenue of external review under the former *Freedom of Information Act 1989* in NSW and, in 2009, carried out a comprehensive review of the legislation

that made significant recommendations for reform including the creation of an Information Commissioner in the Office of the Ombudsman. The NSW Government adopted most of the review's 88 recommendations. One of the recommendations it did not implement was placing the Information Commissioner within the Ombudsman's office, instead creating the Office of the Information Commissioner as a stand-alone body.

Mr Barbour will provide an overview of the history of access to information in NSW, including a summary of the Ombudsman's role and details of the changes brought about by the review his office conducted. He will comment on and evaluate the operation of the new access to information system after its first two years of operation.



# Conference Abstracts

## Mark C.A. Thomson

Secretary General, Association for the Prevention of Torture, Geneva, Switzerland

Presentation Title	The role of the Ombudsman in preventing torture and ill-treatment: the OPCAT and beyond
Venue	Michael Fowler Centre

Just ten years after the adoption of the United Nations Optional Protocol to the Convention Against Torture (OPCAT), the number of States Parties has reached 63, with a further 22 States Signatories. This treaty is of great relevance to Ombudsmen around the world, given that at its core, it is concerned about transparency and government accountability in relation to all places of detention in order to uphold the dignity of those deprived of their liberty. The OPCAT requires that a domestic torture-prevention framework be established, known as a ‘National Preventive Mechanism’ (NPM), that can be tailored to best suit country conditions. In many cases, the Ombudsman has taken up this role. The Ombudsman may add significant value in contributing to the torture prevention framework under the OPCAT, derived from attributes such as independence, experience in dealing with places of detention, an ability to develop constructive working relations with government in pursuit of accountability; and an already-developed public profile that can be utilized to advocate for systemic change.

An Ombudsman contemplating taking up the role of NPM should be aware of significant challenges, which may include a shift from focusing on mal-administration to a rights-based approach, a need for a multi-disciplinary team of monitors, and a shift from a reacting to complaints to a preventive approach involving systemic analysis of conditions and procedures to ascertain risk factors. There are also challenges for Ombudsman in taking on the additional NPM mandate if funding is not commensurately increased.

Yet the key point to make is that regardless of their status as NPMs or otherwise, the Ombudsman have an important part to play in preventing torture and ill-treatment.





# Conference Abstracts

# Dame Beverley Wakem DNZM CBE

*Chief Ombudsman of New Zealand & President of the International Ombudsman Institute*

<b>Presentation Title</b>	Experiences of an Ombudsman that adapted the OPCAT model to meet the needs of their own state
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

New Zealand signed up to the OPCAT in September 2003, and ratified the Protocol on 16 March 2007. The Crimes of Torture Act 2006 formally designated the Ombudsmen as NPMs responsible for the oversight of: Prisons, Health and Disabilities sites, Immigration Detention Centres and Youth Justice Residences, and Care and Protection residences established under the Children and Young Persons and their Families Act.

The Independent Police Conduct Authority (IPCA), the Children's Commissioner, and the Judge Advocate General were also designated as NPMs, and the Human Rights Commission (HRC) was designated the co-ordinating NPM.

This presentation will include:

- a brief comment on the Ombudsmen's involvement in the 'setting up' process
- the value of the Ombudsman role in implementing OPCAT
- comments on resourcing and the inspection process
- delegating the responsibilities to Inspectors, to ensure the separation of the Ombudsman's normal function from its NPM responsibilities
- the composition of Visiting Teams
- what's working for us
- what we have found during the inspections
- innovations developed to enhance the OPCAT work
- issues that have arisen that others contemplating the role need to be aware of

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# Conference Abstracts

## Irena Lipowicz

*Human Rights Defender, Poland*

<b>Presentation Title</b>	Working as an NPM under the OPCAT
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

### Setting Up

In 2005 Poland ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), adopted by the UN. Since 2008 the tasks of the Mechanism are fulfilled by the Ombudsman.

### Reasons

The Human Rights Defender was entrusted with the tasks under the National Preventive Mechanism due the following reasons:

Firstly, it was necessary not to assign the same competences to several Polish institutions, because the Defender enjoys statutory access to all information on the number of persons deprived of their liberty in places of detention as well as on the number and location of places of detention. Secondly, it was necessary not to generate additional costs associated with the creation of a separate institution. And thirdly, the performance of the functions associated with the National Preventive Mechanism by the Human Rights Defender guarantees functional independence of the Mechanism and independence of its personnel.

### Difficulties

The fact that the functions of the National Preventive Mechanism are fulfilled by the Ombudsman also entails many difficulties. The multi faceted character of the Defender's activity makes it difficult for the Defender to give due focus to the functions of the National Preventive Mechanism. And one of the most important issue that affects the functioning of the Mechanism is the lack of financial independence.

### NPM Team

The essential element of the activities under the Mechanism consists of regular preventive visits to places of detention. Since 2011, the activities of the Mechanism have been undertaken by one team visiting all types of places of detention. The team is composed of 13 people (one doctor, one psychologist) and 5 employees in 3 Local Groups.

### International Co-operation

An opportunity to exchange experience of National Preventive Mechanisms in Europe is provided by the seminar organised under the project "Eastern Partnership Countries' Ombudsman Cooperation 2009-2013". The NPM representative took part in seminars organised in Georgia and Moldova (2010) and in Armenia and Azerbaijan (2011). The representative provided parties with the information concerning the organisation and functioning of the Polish Mechanism in practice.

### Co-Operation with Non-Governmental Organisations

The Human Rights Defender and the team responsible for the Mechanism cooperate with non governmental organisations whose scope of interest encompasses the broadly construed prevention of torture, inhuman or degrading treatment or punishment. The most important partner in this regard is the coalition of non-governmental organisations and academic circles "Agreement on the Implementation of the OPCAT". Since its formation, the Coalition has supported the establishment of the National Preventive Mechanism in Poland. The Human Right Defender arranges regular meetings with the Coalition representatives.

### The Social Council

The situation of prisoners and detainees in various establishment in the country is as well under discussion of The Social Council at the Human Rights Defender. The Social Council supports the Defender in performing statutory tasks, maintains contacts with public authorities and with other entities, in particular non-government organisations.

### Questions

- 1) What are the obstacles to ensure NPM effectiveness?
- 2) What strategies and arguments should be used to support calls for increased funding for the prevention of formal OPCAT system?
- 3) What are the paths and possibilities of developing an international co-operation of NPMs?
- 4) How we can increase society commitment to the problem of preventing tortures in places of detention?



# Conference Abstracts

## Chris Field

Ombudsman, Western Australia

<b>Presentation Title</b>	Integrity in decision making: A collaborative approach
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

This paper will examine the benefits that can be achieved from collaborative work between integrity agencies with a particular focus on the work of Western Australian integrity agencies and their *Integrity in Decision Making* product.

The paper will discuss the formation and work of the Western Australian Integrity Coordinating Group (ICG) and its role in promoting and strengthening integrity in Western Australian public authorities. While the ICG members, the Public Sector Commissioner, the Auditor General, the Corruption and Crime Commissioner, the Ombudsman and the Information Commissioner, support integrity through their independent roles under their own legislation, discussion in the paper will focus how the agencies work collaboratively across the public sector.

The paper will set out how the ICG supports building the capacity of public authorities, and their employees, and has collaborated to produce several products to support consistency in communication and education about integrity, including the innovative product *Integrity in Decision Making*.

The paper will examine this product in detail and set out how the product draws upon the experiences of each ICG member to provide a framework for integrity in decision making based around four key messages:

- Power – Use power responsibly and for its intended purpose;
- Principles – Apply ethical, accountability and proportionality principles;
- Proper process – Follow a proper and appropriate process; and
- Proportionate outcomes – Achieve evidence based and proportionate outcomes.

The paper will also describe the framework's use of information sheets that expand on each key message and checklists for public authorities and for decision makers to consider when making decisions.

The paper will highlight how public sector decision making hallmarked by integrity retains the confidence of citizens and contributes significantly to stable and successful societies while, conversely, public administration hallmarked by a lack of integrity in decision making, a lack of an ethical underpinning, corruption, conflicts of interest, secrecy, undue favours and lack of accountability to its citizens, risk losing their confidence and threatening those societies.

The paper will have a particular emphasis on the Ombudsman within the integrity framework as an independent and impartial avenue for the resolution of complaints about decisions made by public administrators and, learning from these complaints, undertaking investigations and other work to improve their decision-making. The paper will also touch upon the increasing propensity for Ombudsmen to be asked to undertake inspectorate, investigatory or review functions of specific aspects of government administration to provide confidence about the integrity of that administration.

### Questions for discussion

1. What are the opportunities and challenges to innovative, collaborative work between integrity agencies?
2. What are the tools at an Ombudsman's disposal to achieve administrative improvement, how and when should these tools be deployed (including choices between a variety of tools), how does this relate to the Ombudsman's role in complaint handling and what are the costs and benefits of this administrative improvement work?



# Conference Abstracts

## Young-ran Kim

*Chairperson Anti-corruption and Civil Rights Commission, Republic of Korea*

<b>Presentation Title</b>	E-People Initiative – Facilitating Dialogue and Conflict Resolution Between the Governing and the Governed
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

### **Introduction and recognition by the international society**

The ACRC Korea (Anti-Corruption and Civil Rights Commission) is operating “e-People system” which deals with civil complaints, proposals, and policy discussions in a comprehensive and systematic way. The system was established thanks to the development of ICT in line with a continuous increase in civil complaints and growing sense of citizens to participate in administration. The e-People now plays a leading role to communicate with people and resolve conflicts. Currently, all central government agencies(43), local governments(244), offices of education(194), overseas diplomatic offices(144), and other major public organizations(19) in Korea are connected and integrated through this e-People system.

The e-People system has been operated since 2006, and received awards or selected as a best practice in various international contests. In particular, it won the UN Public Service Awards in 2011 proving its excellence.

### **History and functions of e-People**

The e-People was originated from “sinmoongo”, which was a system King Taejong initiated in the Joseon Dynasty about 600 years ago. At that time, people were supposed to appeal their complaints to the regional government offices they belonged to. However, not all the complaints were resolved at those offices. In that case, people could appeal their unresolved complaints by beating the “sinmoongo” drum letting the king listen to their petition directly to help them.

The e-People system is comprised of three main functions:

- 1) **Handling civil complaints:** When a complainant files a complaint with the e-People, the system automatically designates a proper government organization, and the organization handles the complaint within a legal deadline and notifies the complainant of the result.

- 2) **Proposal:** Citizens and public officials can submit a proposal to the government through “e-people” when they have a good idea contributing to the improvement of government services. The received proposals are evaluated every year, and outstanding proposals are adopted as a policy and awards are presented to the proposers.
- 3) **Open Policy Discussion:** The government opens government policies, projects and legislations to the public and people can state their opinions freely in the e-People on-line discussions.

Besides, the e-People system provides Q&A service, mobile service, foreign language service for foreign residents, and complaint analysis for government organizations.

### **Future directions of e-People: GPS (Global e-Petition System)**

The ACRC has pursued the “e-People two-way foreign language service” project so that Korean residents overseas can file complaints in Korean against both their residing country and the Korean government, and foreign residents in Korea can file their complaints in their mother tongue against both their home country and the Korean government. So far, the ACRC has opened exclusive foreign language windows for Indonesia, and Thailand. The ACRC is planning to expand the current system to other countries and establish so-called, GPS (Global e-Petition System) to overcome language barriers in solving civil complaints so that the e-People can serve as a hub of complaint-solving systems across the world.





# Conference Abstracts

## Mariana Sotto Major

*Head of Cabinet, Provedor de Justiça, Portugal*

<b>Presentation Title</b>	Proposal for the establishment of The Code of Administrative Behaviour in the Portuguese Public Administration
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

The Portuguese Ombudsman is an independent State body enshrined in the Constitution of the Portuguese Republic, elected by Parliament and whose main role is to defend and promote the rights, freedoms and guarantees and legitimate interests of citizens.

The right to a good administration is a fundamental right according to Portuguese legislation and it is also formally recognized in article 41 of the Charter of Fundamental Rights of the European Union.

This presentation will provide an overview of the recommendation made by the Portuguese Ombudsman to the Parliament regarding the adoption of a Code of Good Administrative Behavior, focusing on the relations between citizens and the public administration and promoting the confidence of citizens in the public institutions.



# Conference Abstracts

Professor Andrew Coyle

*Emeritus Professor of Prison Studies in the University of London and Visiting Professor in the University of Essex, England*

<b>Presentation Title</b>	Safeguarding the rights of detained persons: a paradigm of the challenges facing Ombudsmen in the modern world
<b>Venue</b>	Renouf 1

There are now over ten million men, women and children in the prisons of the world. Taken as a whole they represent some of the most vulnerable members of humanity. While the vast majority are men, a significant minority are women or juveniles who are particularly at risk in the abnormal world of the prison. Minorities of all types are vastly disproportionately represented, including the mentally ill, the drug addicted and the homeless. It has been said that if one wishes to discover which are the marginalised groups in any society one only has to look into the prisons; there one will find the ethnic and racial minorities and increasingly, in our globalised world, foreign nationals. A small number of prisoners are likely to be highly dangerous and to pose a real threat to the safety and

security of society. The manner in which they are treated is a reflection of the humanity or otherwise of the rest of us.

Ombudsmen of the world, either in their mainstream role of dealing with complaints about maladministration, or through their specific responsibility in some countries as the National Preventive Mechanism under the Optional Protocol to the Convention against Torture, have an important role to play in guarding the rights of prisoners, especially in circumstances where they attract little or no public sympathy.



# Conference Abstracts

# Howard Sapers

*Correctional Investigator of Canada*

<b>Presentation Title</b>	The office of the correctional investigator and human rights: aging, disabled and aboriginal offenders in Canadian federal corrections
<b>Venue</b>	Renouf 1

The Correctional Investigator of Canada will present the role of his Office, and the importance of a Human Rights lens in prison oversight. The presentation will focus on the challenges associated with addressing the unique needs of aging, disabled and Aboriginal offenders in a correctional setting. The presentation will use case material to illustrate the work of the Office on issues affecting marginalized offenders. The presentation will highlight established and emerging best practices, as well as current gaps and limitations in the management of these offenders in Canada.

The presentation will conclude by discussing the extent to which correctional authorities should adapt/ accommodate their services and programs to meet the needs of aging, disabled and Aboriginal offenders. It will further discuss the types of physical infrastructure adaptations that may be required to ensure the needs of these offenders are met now and in the future.



# Conference Abstracts

## Kim Workman QSO

*Director of Rethinking Crime and Punishment, New Zealand*

<b>Presentation Title</b>	The success of the Maori focus units and faith based units operating in New Zealand prisons
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

The introduction in 1997 of Maori Focus Prison Units into the New Zealand Corrections System was followed in 1992 by the introduction of the Commonwealth's first faith based prison unit. This paper considers the impact that these initiatives had on a prison system that, in the first decade of this century, became increasingly punitive. It describes the different approaches to prisoner management and rehabilitation, including the introduction of post-sentence restorative justice conferencing and victim engagement.

It discusses the challenges of developing a model of offender transformation that sits outside current orthodoxy, and the relative value of such approaches from a human rights perspective.





# Conference Abstracts

## Andrew Ecclestone

Head of FOI Policy Branch, Department of Constitutional Affairs, 2001 – 2003, United Kingdom

Presentation Title	The struggle without end: Experience from the UK and elsewhere of introducing and sustaining FOI legislation
Venue	Renouf 2

While freedom of information (FOI) laws have existed since 1766, and it is now almost a banality that FOI legislation, providing the public with enforceable rights to information held by government, is ‘A Good Thing’, many countries still do not have such laws. The UK was amongst the newcomers to freedom of information legislation (FOI) when it passed its law in 2000. But the law didn’t fully enter into force until 2005, and before then there were delays between publication of the precursor white paper and introduction of the Bill into Parliament – in spite of strong civil society and media pressure, and the governing party having supported such a law since 1974.

A UK Parliamentary committee has conducted a ‘Post-Legislative Scrutiny’ of the FOI Act, but the government has not [at the time of writing] responded to its report. It appeared from the evidence given to the committee that the government wishes to weaken the law – from a requester’s perspective. There have been previous attempts to restrict the law, which have met with mixed success.

This equivocation and retrenchment might seem strange, given that the UK was able to draw on the experience not just of older Scandinavian laws, but also of English-speaking counterparts that had legislated earlier, such as the USA (1966), Australia and New Zealand (1982) and Canada (1983). Other access to information legislation, policies and codes of practice had also existed in the UK, the most recent of which utilised the Parliamentary Ombudsman as the complaints mechanism.

But the UK’s experience of political and official hesitancy, followed by apparent regret and attempts at retrenchment, is not unique. Indeed it is an almost universal feature of the introduction of FOI laws that efforts are made to amend them – mostly to the detriment of those seeking information – in the decade after they are introduced.

What might lie behind this pattern, and why was ‘an advanced democracy’ like the UK so reluctant to legislate in the first place?

Does Tony Blair’s public self-castigation for introducing FOI when he was Prime Minister mean that other countries without FOI should hold back?

What are the lessons to be learnt about the underlying issues that can jeopardise the intended goals and planned operation of FOI laws? Did the UK government really comprehend what it was trying to achieve with FOI, and what might be the implications of this in the UK, and in countries still considering the introduction of access to information laws, as well as for others that already have them?

This paper will explore these questions, the important role played by civil society, and make some suggestions for successfully sustaining FOI laws for the long term.



# Conference Abstracts

## Jeannine Daniel

Assistant Ombudsman, Cook Islands

<b>Presentation Title</b>	Introducing FOI in small states with geographical challenges
<b>Venue</b>	Renouf 2

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# Conference Abstracts

# Venkatesh Nayak

*Coordinator, Access to Information Programme, Commonwealth Human Rights Initiative, India*

<b>Presentation Title</b>	Implementing the Right to Information Act in India: Experiences and challenges
<b>Venue</b>	Renouf 2

This paper provides an overview of the experience of implementing and citizen's use of the Right to Information Act, in India during the last seven years. Citizens have submitted between 3-6 million information requests till date with a visible jump in the figures over the last 3-4 years. Although only a small fraction (less than 100,000) of these requests end up for adjudication before one of the 28 Information Commissions every year, the time taken for disposal of cases ranges from six months to two years in some States frustrating requestors. The pace of implementation has not been uniform across the 27 States. The State of Bihar took almost a year to even designate officers responsible for dealing with information requests and establish the Information Commission. The performance of the internal review system in many public authorities is far from satisfactory. Nevertheless several citizens have used the RTI Act to unearth corruption (both petty and big ticket), mismanagement of public funds and instances of maladministration. The absence of Ombudsmen or strong Anti-Corruption Commissions have dampened citizens' efforts to combat corruption beyond unearthing big and small scandals.

Despite stipulating an extensive list of categories of information that must be disclosed proactively, many public authorities have not yet imbibed the culture of providing citizens access to information without causing delays or offering resistance. Nevertheless the popularity of the access law has not only spread across the country as indicated by the ever-growing number of requests, it has inspired countries like Bangladesh and Guyana in the Commonwealth to emulate the Indian model while crafting their own access laws. Several provisions of the draft model FOI law of the African Union as well as RTI Bills in Ghana and the Maldives are inspired by the Indian law.

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# Conference Abstracts

## Associate Professor Rick Snell

*Faculty of Law, University of Tasmania, Australia*

<b>Presentation Title</b>	Introducing FOI into hesitant jurisdictions
<b>Venue</b>	Renouf 2

In just 2 decades FOI has evolved from being a desirable but optional luxury benefit for a mature democracy to being an essential element of economic, political and social development in all countries. In response to its rapid expansion, FOI advocates have focused heavily on developing international best practice for the introduction of FOI legislation.

Since its launch in September 2011, 55 countries have signed up to the Open Government Partnership (OGP), a major international movement aimed at 'expanding transparency, accountability and civic participation in government', however as Mendel argues 'governments may be taking advantage of the OGP to improve their image while doing little of the hard work needed to actually enhance transparency, accountability and citizen participation.' Mendel's concerns highlight the

need to revisit the tools, methods and approaches we have been using if we are to elicit a genuine shift towards a culture of openness that accords with the vision that FOI is 'essential to the spirit and practice of open government.'

An overview of the development of an FOI policy in Tonga will be provided, demonstrating the importance of taking an implementation focus rather than endeavouring to achieve legislative change in the absence of necessary systems and infrastructure to sustain it. A comparative analysis of FOI reform in emerging democracies including Cambodia, Vanuatu, India and Mexico, emphasises the need for a systems focus and implementation strategy if FOI is to become embedded in the system of government.





# Conference Abstracts

## Professor John McMillan AO

*Australian Information Commissioner, Commonwealth Ombudsman 2003 – 2010, Australia*

<b>Presentation Title</b>	Effective information management – the keystone of good government
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Effective information management is vital to successful government. This objective, earlier known as ‘good record keeping’, has become more challenging and significant in a digital age of complex government.

Enormous energy is now devoted across government to digital information management. It lies at the heart of government reform programs devoted to better service delivery, emergency response management, research and innovation, data publication, e-health, community engagement and public security.

Independent oversight agencies can play a key role in advocating effective information management. This paper draws on the author’s experience in two roles – as Commonwealth Ombudsman from 2003-10 and Australian Information Commissioner from 2010 onwards.

Ombudsmen frequently witness the damaging effects of poor information management in government agencies. A record keeping error as trifling as misspelling a person’s name, misrecording their date of birth or misfiling their application, can result in a person being denied a benefit, being detained or being drawn into a maddening bureaucratic tangle. Nowhere was this clearer than in a study undertaken by the Ombudsman’s office into unlawful immigration detention. It turned up cases of Australian citizens being detained due to simple and inexcusable record keeping errors.

The Office of the Australian Information Commissioner (OAIC) was established in 2010 with responsibility for three areas – privacy protection, freedom of information and information policy advice to government. The privacy role, which becomes more prominent by the month, is to ensure that personal information is properly handled within government and business.

A major contemporary challenge is that a single data breach in a digital storehouse can compromise the security of personal information relating to millions of people. There is growing sensitivity to this threat within the community.

The successful operation of the *Australian Freedom of Information Act*, which turns thirty this year, depends increasingly on effective digital records management in agencies. A combination of pressures – an increase in requests, more information held by agencies, stricter FOI response timeframes, and a more demanding public – means that agencies cannot meet the democratic and transparency objectives of the FOI Act unless they can quickly identify, retrieve, analyse, redact and transfer the information requested by a person. The Australian FOI Act also requires agencies to take a more proactive stance in publishing information online in a form that is discoverable, accessible and useable.

In advancing information policy the OAIC has stressed four key messages: all government decisions, policies and choices are rooted in information; responsible, comprehensive, integrated information management is a core agency function; government information is a national resource that should be available for community access and use; and open government is entwined with the pursuit of democratic accountability, integrity, innovation, civic engagement and customer service.

Effective information management is a whole-of-government responsibility. Ombudsmen and Information Commissioners can play a strategic role in reminding other agencies of this truth, and working with them to improve government.



# Conference Abstracts

Leo Donnelly

*Deputy Ombudsman, New Zealand*

<b>Presentation Title</b>	Insights and experiences from investigating complaints about creation, maintenance and provision of access to information recording the actions of public authorities
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

The accountability and public participation purposes of Freedom of Information legislation are critically dependent on the quality of the record of actions of public authorities. If adequate records are not kept of actions that are taken and the reasons for them, then the internal and external transparency necessary to promote accountability and public participation and engagement will be undermined.

The New Zealand Ombudsmen's experience over 50 years is that the truth of what happened in a particular matter is rarely found in one record. Individual records are the truth from the perspective of the author, but often no more than that. Invariably, the truth can only be distilled from accessing and examining a number of records reflecting the perspectives of a wider range of players involved particular actions or recommendations. The digital age has exacerbated the need to examine a wider range of records and experiences to answer the fundamental questions of "what happened" and "why".

In this context, good records management needs to keep in focus the sometimes overlapping but often different and conflicting imperatives for public authorities in creating and maintaining records for internal agency use and for disclosure to external parties. This presentation draws on the author's experience in the context of investigations in New Zealand both under the Ombudsmen Act and the Official Information Act where public authorities have had to balance the competing public interest needs of government and individual citizens. This can result in outcomes that challenge stated commitments to transparency, accountability and public participation and engagement.

In the end, everything turns on the quality of the record. All other public interest outcomes can be undermined or thwarted if the integrity of the record is not maintained.



# Conference Abstracts

## Karen Finnegan

*Deputy-Director of Government Information Services, US National Archives & Records Administration, United States of America*

<b>Presentation Title</b>	Good records management and open government: co-equal partners
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

Records matter! This is the slogan of the U.S. National Archives and Records Administration, which is charged with preserving and providing access to the records of the United States Government. Good records management policies are key components for keeping the citizenry informed, holding elected officials accountable, and documenting a nation's history. Effective records management practices facilitate the processing of Freedom of Information requests and are the backbone of open Government. The ability to locate records is also vital to shedding a light on government operations.

U.S. agencies create a variety of documents and materials in conducting business, which must be managed in a way that ensures easy access, proper disposition, and conscientious preservation of records that have historical value. Agencies have approached records management responsibilities with differing levels of success. The task of managing government records is a complex proposition that involves a commitment from all levels within an agency and the means with which to store, maintain and retrieve those records. In the digital century, good records management policies and practices are essential to keeping up with the technologies being used

to create records in the U.S. government. The importance of good records management is highlighted in President Barack Obama's November 2011 memorandum on managing government records, which launched an executive branch-wide effort to modernize records management policies and practices, and called for the development of a Records Management Directive.

What kind of benefits can agencies receive from effective records management policies? Can good records management make government more efficient and reduce costs? Is top-down leadership on records management issues necessary in order to ensure that government actions and decisions are effectively documented?

Open government is built on good records management policies and practices. Easy access to records benefits government agencies by providing the tools needed to assess the impact of programs and to share knowledge across an organization. If the goal is to ensure transparency and accountability, then good records management policies must be “baked into” government processes at all levels.



# Conference Abstracts

# Brian Thompson

*Senior Lecturer, Liverpool Law School, University of Liverpool, United Kingdom*

<b>Presentation Title</b>	Must ombudsmen retain remit over privatised services?
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

As services are privatised there are several possibilities as to how consumer complaints can be handled:

- Public Ombudsmen can retain remit;
- Public Ombudsmen can be contracted to handle them;
- Private/Industry Ombudsmen can be created; and
- Another type of scheme can be created.

If Public Ombudsmen retain remit over privatised services what are the challenges? The essential nature of dealing with quality of service remains but the context is different. It is likely that there may be a regulator to oversee price setting and other service obligations including consumer complaints. The regulator is likely to be responsible for, or oversee the financial model for the costs of operating the complaints service. There will be pressures on the cost and efficiency of the service, and there may be differences from ordinary public service Ombudsman practice. For example, how much signposting and general help can be given to complainants about privatised services? The big issue is enforcement.

In industry Ombudsman schemes there are usually binding decisions made by the Ombudsmen rather than recommendations for remedy made by public Ombudsmen. Should that a binding determination be included in the arrangements for a public Ombudsman who retains remit over privatised services? It is desirable but perhaps not necessary IF the regulator is not only empowered to, but does actually take action in relation to unimplemented recommendations.

If complaints handling of privatised services is not kept by a public ombudsman nor given to a private ombudsman, what should the features be of such a scheme? It is suggested that they include features derived from the practice of Public Ombudsmen:

- Putting It Right (on complaint handling and remedies);
- Getting It Right (on offering guidance and feedback) and
- Setting It Right (the accountability and independence arrangements).





# Conference Abstracts

## Peter Tyndall

Public Services Ombudsman, Wales, United Kingdom

Presentation Title	Ombudsmen and the changing face of public services
Venue	Main Auditorium, Michael Fowler Centre

In the UK many former public services have been privatised including most utilities and public transport. A large proportion of public housing has been sold to its tenants or transferred to third sector landlords. Parts of the health service have been outsourced. The financial crisis has seen the acceleration of privatisation across Europe.

When all services are provided by the state, access to redress is straightforward. However, when services are privatised, access to redress can be lost. This begs a question – *if the railways, for example, are run by a private company, do they stop being a public service?*

The development of ombudsman services in the UK reflects the changing face of public services. As well as the UK Ombudsman there are other public services ombudsmen in England and the devolved nations. Private sector ombudsman schemes were developed for some of the utilities as these industries were privatised.

The boundaries of the state are becoming more porous. In the UK there have been some pragmatic responses. In health, where the state commissions private providers, their services are within the remits of the public sector ombudsmen.

In social care, while many older people in residential homes have their care paid for by local councils, people who can meet the cost of their own care must pay themselves. The Local Government Ombudsman service in England has had its remit extended so that people who pay for their own care can still complain to the ombudsman. This is an example where an entirely privately funded service is within the remit of a public services ombudsman, creating a hybrid, public/private scheme.

The net effect of all of these developments is a far more complex network of ombudsmen spanning both publicly provided services and those which have been privatised. Some sectors have more than one ombudsman, while others have no access at all.

From the citizen's perspective, the rapid expansion in redress schemes presents its own challenges. As more public services are delivered by the private or independent sectors, finding your way to the appropriate ombudsman scheme can be difficult.

So what can we conclude about the impact of diversity in public service providers on the work of ombudsmen? I will argue that it would have been preferable that the public services ombudsmen should have had their remits amended to include all public services, regardless of who provides them. Where schemes are covering privately provided public services, I will argue that this element of their work should be funded by a levy.

In the UK, it is also the case that in general, public services ombudsmen make recommendations and do not have binding powers, while private sector ombudsmen do. In a hybrid model, it is likely that binding powers, at least in respect of private providers, will be necessary.

It is the job of the state to ensure that citizens have access to public services. We believe they should also have access to ombudsmen. Complexity in service provision should be counterbalanced by simplicity in accessing redress.



# Conference Abstracts

## Marco Bini

Director, Policy and Coordination, Victorian Auditor- General's Office, Australia

Presentation Title	Public sector accountability: Keeping pace with a changing public service landscape
Venue	Main Auditorium, Michael Fowler Centre

Accountability is about “reporting back to those who charged you with a responsibility” (Pat Barrett, former Australian Auditor-General) and it is important in both the private and public sector. The public sector reports back to the electors, via the Parliament. The accountability framework is a crucial part of this reporting on the public sector.

Over the last twenty or so years, the public sector and the way it does business has changed dramatically. More and more government services are being delivered through the private sector to improve efficiency and obtain value-for-money. Services are increasingly being delivered through partnerships between different governments, such as the Natural Disaster Relief and Recovery Arrangements. Also, there are increased community expectations of public sector performance and accountability.

The accountability framework has to keep up with these changes and the audits of the Victorian Auditor-General's Office are one of the main tools Victoria has to keep the public sector accountable. But has our existing accountability framework kept pace with these changes?

The Victorian Government is currently reviewing the Audit Act 1994, and considering changes that will help strengthen accountability for public services, provide greater assurance over public sector performance reporting and enable effective collaboration with other audit and integrity bodies.

The review is taking place in view of the significant developments in the national accountability landscape, where there are increasing expectations of ‘joined-up’ audit and accountability crossing state and federal jurisdictions. The Commonwealth Audit Act has recently been amended to provide for a broader mandate, and this has implications for state and territory governments. Marco Bini of the Victorian Auditor-General's Office will be speaking about these important issues for public service delivery and accountability.

**Key questions:**

- What sorts of powers are needed to keep pace with the changes in public sector service delivery?
- Does any one jurisdiction have a ‘model’ legislative provision when it comes to ‘follow the dollar’ powers?
- Where do other integrity bodies, such as anti-corruption commissions, fit into the picture?
- How will auditors from different jurisdictions collaborate on audits?
- What do VAGO’s recent audits tell us about the changing accountability landscape?



# Conference Abstracts

## André Marin

*Ombudsman of Ontario, Canada*

<b>Presentation Title</b>	Old watchdog, new tricks: How social media and technology are transforming the modern Ombudsman
<b>Venue</b>	Renouf 1

Today’s classical parliamentary ombudsman owes much to Lars Mannerheim, the world’s first modern ombudsman, who in 1809 gave us the Swedish title still used around the world today. In many ways, our role in helping ordinary citizens access the corridors of power is unchanged from 200 years ago – as are the problems people face with heavy-handed governments and bureaucracy.

For most of the last two centuries, the nature of an ombudsman’s work did not vary significantly. Ombudsmen dealt with complaints only in writing, working in relative secrecy, reporting to government once a year, if that. Even the advent of telephone and email did little to change traditional processes. The people could only reach the Ombudsman – and vice-versa – in limited ways.

Like our core values of independence, impartiality, confidentiality and transparency, these methods are tried and true and have instilled our offices with credibiity. But to remain credible and relevant in an increasingly digital world – where citizens have become accustomed to commenting publicly about their experiences online and getting immediate responses – the ombudsman must embrace 21st-century tools to engage the public. Today’s technologies offer the public unprecedented access to those in authority and enable efficient, low-cost, direct communication between citizens and their ombudsman.

Ontario Ombudsman André Marin has pioneered the use of new technologies and social media throughout his Office’s operations, using Facebook, Twitter and YouTube not just to publicize his work but to gather evidence in investigations. His office accepts complaints via a new smartphone “app” as well as its website, and conducts interviews via the video-calling service Skype.

Mr. Marin, whose systemic investigations have sparked dramatic reforms to Ontario government programs (and who has trained hundreds of ombudsmen from around the world in his methodlology through his “Sharpening Your Teeth” course), will discuss how these new tools have enhanced that work. They have helped his office demonstrate its value – allowing the Ontario Ombudsman to reach a wider, more engaged public, make scarce resources go further, communicate more effectively with media and stakeholders, and increase the office’s powers of moral suasion.

Is your office taking advantage of these new tools? Why or why not?

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# Conference Abstracts

## Bart Weekers

Vlaams Ombudsman, Belgium

Presentation Title	Planning and maintaining outreach and accessibility while undergoing challenging reforms
Venue	Renouf 1

All over the world, ombudsmen are part of what is known as “formally organised informal power”. At the same time, ever-improving communication skills are enabling “informally organised informal power” to become increasingly efficient. Simultaneously, governments worldwide are facing economic recession and, generally speaking, public spending is coming under increasing scrutiny. Within this double perspective, democracy must be wondering whether or not it still needs the formally organised informal power of the ombudsmen.

With this in mind, ombudsmen should become more aware of the tasks they definitely have to fulfill, such as responding to individual complaints by pointing out the routes to reconciliation and final dispute resolution, and advising the government to improve public services. However, there are other things that ombudsmen certainly should not do, such as acting like judges or becoming activists in the public debate.

Flanders is the Dutch-speaking northern part of Belgium. It has over 6 million inhabitants.

The parliamentary Flemish Ombudsman Service, with its 13 staff members, was founded in 1999 to help Flemish citizens who are experiencing problems with the Flemish government, and to explain to the government how they can do things better. Since I was appointed as the Flemish Ombudsman in September 2010, we have been trying to reinvent the service. At the world conference, I will explain why and how my service is implementing this operation.

Many Flemings consider the Flemish Ombudsman as “the man who can help me and can solve my problem”. In 2011, about 7,000 citizens called or mailed my service. In 90% of the cases my staff had to operate as a call centre and help the citizens to find an appropriate place to express their dissatisfaction, their discontent, and their complaints. In addition, in 2001 the Flemish Parliament voted in a Complaints Decree which states that every Flemish government institution must have a complaints department or handler. These first-line complaints handlers dealt with 55,000 complaints in 2011.

I do not want the Flemish Ombudsman Service to become a call centre. For this reason, we want to entrust the work and the outcomes of a front-line high-profile government dispute-resolution system to a new complaints service.

I will explain at the conference how we are developing this system. At the moment, we see it as a mechanism that operates only at my own Flemish-government level. In the near future, however, we must be able to develop a more global system, including complaints in the broad areas of banking and insurance, taxes, communication, education, environment, justice and police, traffic and transport, water and energy, welfare and health, work and finances. In short, such a system will surpass my legal competences, but will be able to meet citizens’ expectations.

As a consequence, my service would then be able to concentrate on a more limited number of real ombud’s tasks in which I can achieve actual final dispute resolution.

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# Conference Abstracts

## Alhagie B. Sowe

*Ombudsman, The Gambia*

<b>Presentation Title</b>	Decentralisation and sensitisation in the face of financial constraints
<b>Venue</b>	Renouf 1

### Background

The crucial issue of accessibility for an ombudsman institution cannot be considered addressed in the absence of decentralization and sensitisation. Through decentralisation, justice is brought to the door steps of the people especially the ordinary citizens. It should be noted also that when people do not know what and how they can benefit from the services of the Ombudsman, then the purpose of decentralisation has truly not been served; hence decentralisation and sensitisation remain priority areas for my Office in order to stay relevant and accessible.

### Decentralisation

The decentralisation programme of the Office is aimed at setting up offices in all five Administrative Regions of the country. The programme is gathering momentum since the establishment of the Basse Office in 2008. In April 2011, we opened another office in Mansakonko. This year 2012, Kerewan Office will be opened.

### Financial Constraints

Like other Ombudsmen, financial constraints pose a major threat to the effective functioning of the Office. However, it is with great resolve that we continue to forge ahead in the face of this major challenge, albeit at a slower pace; for example the Mansakonko Office which was inaugurated in 2011, should have been established since 2009.

### Overcoming Financial Constraints

As Ombudsmen continue to grapple with financial constraints, what needs to be done is to develop strategies in order to get over the hurdles presented by inadequate funding. For example, we have employed the following strategies in order to get going in our Decentralisation Programme.

### Mergers

Each Regional Office serves two regions: the Basse office serves as the Regional Office for both Upper River Region and Central River Region; and the Mansakonko Office serves as the regional office for both Lower River Region and North Bank Region.

### Combining Responsibilities

Investigations in each regional office; that is, both Mansakonko and Basse, are being handled by a Principal Investigator who is also the head of the office. The secretaries in both offices are trained on how to take down complaints, thus carry

out the responsibilities of Secretary cum complaints officer. The Cleaners also serve as Messengers. The same arrangements are being put in place for the Kerewan office which is set to start operations this year.

### Temporary Offices

Our regional offices are being housed temporarily as a result of arrangements reached with the owners of the premises; while we are in the process of acquiring our own plots of land to build both offices and quarters in the future.

### Sensitisation

We have adopted a multiple approach to sensitisation such as: Radio programmes, Television programmes, workshops, institutional and community clinics.

As Television and Radio programmes could be expensive, we have sometimes employed a strategy to avoid cost by channeling our programmes through certain producers whose programmes have a bearing on the work we do.

The Institutional and community clinics also help us to reach out to a lot of people by meeting them at their places of work and in their communities. This way we don't have to pay transport refunds to participants and the number is not curtailed, thus reaching out to a bigger number of people as opposed to the workshops.

### Conclusion

With sustained effort in our twin programmes of decentralisation and sensitisation, the Office of the Ombudsman will continue to register great success.

Setting up new offices in the provinces means that more people now have access to ombudsman services.

### Questions

How can Ombudsman office expand to the provinces without the requisite funds at its disposal?

How can decentralisation and sensitisation make an Ombudsman Office effective and relevant?

Will provincial people make use of Ombudsman services as those in the urban areas?



# Conference Abstracts

Dr Fong Man Chong

Commissioner against Corruption, Macau, SAR

<b>Presentation Title</b>	Methods for ensuring sound public administration, raising standards of integrity and preventing corruption
<b>Venue</b>	Renouf 2

By definition, the concept of public administration incorporates an idea of soundness. Where high standards of integrity are not upheld, there will be no possibility of a sound public administration. The same is to be said of a public administration that ignores the essential task, the core task, of preventing corruption.

The role of the Ombudsman has traditionally been said, in broad terms, to be the one of a trusted intermediary between governments and citizens. But in our times, the Ombudsman must adopt a proactive attitude towards these issues and, in doing so the Ombudsman faces a whole new array of problems.

One of these problems is finding an effective way to combine the traditional role with the evolving need for preventing corruption at its source.

In the Special Administrative Region of Macao, of the People's Republic of China, the Commission against Corruption combines under the same leadership, the functions of Ombudsman and those of an Anti-Corruption Agency.

This has led to a number of interesting questions.

In this paper, some of those questions will be addressed, like:

- Who takes the initiative?
- In cases pertaining to both agencies, who has got priority?
- How can the Ombudsman perform an effective role in preventing corruption?
- How affected by the needs of the anti-corruption agency may the independence of the Ombudsman be?
- Is there room for a third role, besides Ombudsman and anti-corruption agency, in respect of preventing corruption?

The paper will present these questions and proceed to discuss them under the light of the current and past legislation governing the Commission against Corruption of Macao.



# Conference Abstracts

## Nathaniel Heller

*Executive Director, Global Integrity, United States of America*

<b>Presentation Title</b>	The role of the ombudsman in the “open government” century: Exploring ways to integrate ombudsmen into the emerging anti-corruption framework
<b>Venue</b>	Renouf 2

This presentation and paper seek to explore the ways in which ombudsmen-type offices and agencies can integrate themselves into the rapidly changing anti-corruption landscape in countries around the world. This paper posits that a key driver shaping and changing the anti-corruption landscape is the advent of the “open government” movement, and that ombudsmen offices that can position themselves as integral to the “open government” agenda will be best oriented to maximize their effectiveness in the years to come.

The paper and presentation will begin by exploring data gathered by Global Integrity during the past decade around the existence and effectiveness of national ombudsmen offices in more than 120 countries. In particular, the paper and presentation will explore how ombudsmen offices rate against other key pillars of anti-corruption and transparency at the national-level in countries. (In general, ombudsmen offices perform relatively well when compared with access to information regimes, parliamentary oversight mechanisms, and centralized anti-corruption commissions or agencies.) The paper and presentation will also seek to identify “top performing” ombudsmen offices and agencies based on those data (and the underlying fieldwork) with the aim of

teasing our best practices that seem to connect the best performing ombudsmen offices. At the same time, the paper and presentation will seek to understand why ombudsmen agencies and offices continue to remain isolated in some countries relative to other national-level transparency and accountability mechanisms.

A final thread will be explored in the paper and the presentation: the links between the “traditional” access to information movement with the newer “open government” agenda. While not necessarily in tension, the “open government” agenda has skewed (thus far) towards more technical solutions to government accountability and transparency – particularly open data efforts – while largely setting aside the traditional access to information/right to information toolkits. Ombudsmen offices can potentially play a key linking role in bridging that gap, offering government officials, transparency advocates, and the general public with a resource to leverage both cutting-edge technology tools with traditional rights-based approaches to government transparency and accountability.



# Conference Abstracts

## Dr David Solomon AM

*Integrity Commissioner, Queensland, Australia*

Presentation Title	Queensland's integrity network
Venue	Renouf 2

The Queensland Integrity Commissioner has a unique role. The position was created by the Queensland Parliament in 1998 to provide advice to Ministers and others about conflicts of interest. The “others” include all Members of Parliament, the staff of Ministers, all statutory officers, the Chief Executive Officers of the departments of the Public Service, and senior public servants – more than 5,000 people. But those senior public servants require the approval of their CEO before they can seek advice and very few ask. In recent years about 50 formal requests a year have been made.

Since 2010 MPs have also been able to meet with the Integrity Commissioner to discuss their declarations of interest and possible conflicts of interest. Successive Premiers have insisted that Government MPs do so.

In 2010 the range of matters on which advice could be sought was expanded to include any ethics or integrity issue. Advice is sought and provided in writing, and is confidential and not subject to the Right to Information Act. However a person seeking information can make it public if they wish. The Integrity Commissioner has no investigative powers and has to rely for information on the person seeking advice. Advice must be based on relevant Codes of Conduct, and other matters the Commissioner considers relevant.

Queensland, as is the case in most other jurisdictions, has many other people or bodies with an integrity function, including the Ombudsman, the Auditor-General, the Crime and Misconduct Commission and the Information Commissioner. In Queensland, all are statutory, independent bodies, supervised to a greater or lesser extent by various parliamentary committees.

For the past 10 years a non-statutory informal committee comprising the Integrity Commissioner, the Ombudsman, the Auditor-General, the Information Commissioner and the chief executive of the Public Service Commission, has met three or four times a year to discuss matters of common interest and to exchange information.

The functioning of this committee has attracted attention in some other Australian States, where integrity bodies seem to indulge more in conflict than co-operation. Is the Queensland model successful because the responsibilities of the various bodies are more carefully defined? Would it work better if it was given a statutory basis or is its informal nature a reason for its success? Would it be improved if the secrecy provisions that are part of the remit of most of these bodies able to be relaxed to improve inter-agency cooperation? Would the Integrity Commissioner’s role be more valuable if the Commissioner was able to utilise the investigative powers of the other agencies?

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# Conference Abstracts

**Rt Hon Sir Geoffrey Palmer QC**

*Prime Minister of New Zealand 1989 – 1990 and President New Zealand Law Commission 2005 – 2010*

<b>Presentation Title</b>	Celebrating 50 years of Ombudsmanship in New Zealand
<b>Venue</b>	Main Auditorium, Michael Fowler Centre

This paper explores the Ombudsmen after fifty years in New Zealand within the context of New Zealand's rather odd Constitution. It is odd because there is no upper house, no entrenched written constitution, no judicial review of legislative action, and many of the arrangements flow from constitutional conventions not law. New Zealand has a strong tradition of parliamentary supremacy. The New Zealand Constitution is highly fluid and elastic. It is like a living, breathing organism and it mutates. This may be thought to be a somewhat unstable foundation for the Ombudsmen but such has not proved to be the case. The institution of the Ombudsmen has become an established and settled part of the constitutional landscape in New Zealand.

The specific issues that arise from the paper include the following questions:

- Has the performance matched the original vision and how would we know?
- How does the institution fit in with Parliament?
- Was it a good idea to add the Official Information Act functions to the office?
- Was it useful to add the other functions?
- Has the office been given adequate resources?
- Is there a threat that the office is being crowded out with a proliferation of complaint agencies?
- What changes should be made now?
- What discussion of the Ombudsmen institution would be useful in the current constitutional review going on in New Zealand?

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.



# Conference Abstracts

## Mai Chen

Founding Partner, Chen Palmer New Zealand Public Law Specialists, Author of “Public Law Tool Box” and Adjunct Professor of Commercial and Public Law at the University of Auckland Business School, New Zealand

Presentation Title	Celebrating 50 years of Ombudsmanship in New Zealand
Venue	Main Auditorium, Michael Fowler Centre

The Ombudsman’s role has never been as important to New Zealand’s constitutional arrangements as it is now, given the increased public expectation of transparency and accountability and the growing reach of government into every aspect of citizens’ lives. This is particularly so in relation to the Ombudsmen’s functions under the Official Information Act 1982 (“OIA”). The OIA is a fundamental constitutional tool, and the Law Commission’s recent review of the OIA underscores the importance of that legislation being properly implemented, and thus, the importance of the Ombudsman’s complaints and educative function. However, both the Ombudsman and the OIA are not working as well as they could at present. The Ombudsmen are becoming slower to respond due to the increasing number of complaints and limited resourcing, and in practice I am recommending them less to clients as a tool to solve public law problems. Similarly, the OIA is often failing to ensure that official information is made available in accordance with the principles which underpin that legislation, as public decision-makers find innovative ways to manoeuvre around, or simply breach, their statutory obligations. A greater commitment to compliance with the OIAs obligations is needed, as is training of the public service to understand their obligations.

This paper looks at the reforms needed, including legislative and educational as well as proper resourcing given that justice delayed (and information not provided) is justice denied and undermines Government transparency and accountability. There needs to be more comprehensive guidance on how to apply the OIA, and the Ombudsmen should be empowered to make conclusive findings of unreasonable delay by a government department. There should also be a statutory obligation on public agencies to respond to Ombudsmen requests for information within a specified timeframe. These tools will foster compliance with the OIA and will go some way to mitigating current delays in the Ombudsmen’s process. An effective interface between the Ombudsman, the Privacy Commissioner, and the Chief Archivist will also be important, given the interrelationship between the Official Information Act, the Privacy Act 1993 and the Public Records Act 2005.



# Conference participants

## **Doualeh Abdoulkader Doualeh**

Médiature de la République  
de Djibouti DJIBOUTI  
mediateur.djibouti@yahoo.fr

## **Ann Abraham**

Former Ombudsman  
UNITED KINGDOM  
ann.abraham@btinternet.com

## **Azlaini Agus Ombudsman**

Office of Indonesia  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

## **Satiki Ahio**

Ombudsman of Tonga Office  
TONGA  
kerrie.buitendam@  
ombudsman.gov.au

## **Akbar Ali**

Provincial Ombudsman  
Balochistan  
PAKISTAN  
saeedshahwani2003  
@gmail.com;  
haider\_zaman\_56@yahoo.com

## **Nawaf Almouada**

MOI Ombudsman  
BAHRAIN  
nawaf878@gmail.com

## **Mohamed Alromaihi**

National Security Agency  
BAHRAIN  
alrumaihi\_m@yahoo.com

## **Cheiffou Amadou**

Mediateur De La Republique  
NIGER  
cheiffoua@yahoo.fr

## **Foziya Amin**

Ethiopian Institution of the  
Ombudsman  
ETHIOPIA  
mmekdes@gmail.com

## **Kanokkwan Anantagool**

Office of the Ombudsman  
THAILAND  
kanokkwan@ombudsman.go.th

## **William Angrick**

International Ombudsman  
Insitute  
UNITED STATES  
angrick@mchsi.com

## **Lai Kao Ao**

Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

## **Rachnilda (Nilda) Arduin**

Bureau Ombudsman Sint  
Maarten NETHERLANDS  
ANTILLES  
bureauombudsman@gmail.com

## **Festinah Bakwena**

Office of Ombudsman  
BOTSWANA  
fsbakwena@gov.bw

## **Tarno Balla**

Mediateur De La Republique  
NIGER  
cheiffoua@yahoo.fr;  
mediateurniger@yahoo.fr

## **Bruce Barbour**

NSW Ombudsman  
AUSTRALIA  
bbarbour@ombo.nsw.gov.au

## **Ingvild Bartels**

Norwegian  
Parliamentary Ombudsman  
NORWAY  
ilb@sivilombudsmannen.no

## **Deborah Battell**

Banking Ombudsman Scheme  
NEW ZEALAND  
cheryl.thomson@  
bankomb.org.nz

## **Mark Battershill**

LANWorx  
NEW ZEALAND  
Mark.Battershill@lanworx.co.nz

## **Pornpimon Beamukda**

Office of the Ombudsman  
THAILAND  
kanokkwan@ombudsman.go.th

## **Richard Bingham**

Ombudsman SA  
AUSTRALIA  
bingham.richard@  
ombudsman.sa.gov.au

## **Marco Bini**

Victorian Auditor-General's  
Office  
AUSTRALIA  
marco.bini@audit.vic.gov.au

## **Dwight Bishop**

Office of the Ombudsman  
CANADA  
bishopdl@gov.ns.ca

## **Dahiru Bobbo**

Public Complaints  
Commission  
NIGERIA cnwosuchuks@  
yahoo.com

## **Jonathan Boston**

School of Government,  
Victoria University  
NEW ZEALAND  
jonathan.boston@vuw.ac.nz

## **Alex Brenninkmeijer**

National Ombudsman  
of the Netherlands  
NETHERLANDS  
secretariaat@  
nationaleombudsman.nl

## **Arlene Brock**

Ombudsman for Bermuda  
BERMUDA  
abrock@ombudsman.bm;  
gmsymonds@gov.bm

## **Liz Brown**

Former Banking Ombudsman  
NEW ZEALAND  
Liz.brown@paradise.net.nz

## **Lynda Brown**

Office of the Ombudsman  
NEW ZEALAND  
lynda.brown@  
ombudsman.parliament.nz

## **Dirk Brynard**

University of South Africa  
SOUTH AFRICA  
brynadj@unisa.ac.za

## **Andrew Butler**

Russell McVeagh  
NEW ZEALAND  
tim.clarke@russellmcveagh.com

## **David J Carruthers**

Independent Police Conduct  
Authority  
NEW ZEALAND  
yvonne.palmer@ipca.govt.nz

## **Nicholas Catephores**

European Ombudsman  
FRANCE  
nicholas.catephores@  
ombudsman.europa.eu

## **Raksagecha Chaechai**

Office of the Ombudsman  
THAILAND  
kanokkwan@ombudsman.go.th

## **Kathleen Chan**

Office of The Ombudsman,  
Hong Kong  
HONG KONG  
kathleenchan@ombudsman.hk

## **Ron-yaw Chao**

The Control Yuan  
TAIWAN  
whkao@cy.gov.tw

## **Siracha Charoenpanij**

Office of the Ombudsman  
THAILAND  
kanokkwan@ombudsman.go.th

## **Yi-Chieh Chen**

The Control Yuan  
TAIWAN  
whkao@cy.gov.tw

## **Mai Chen**

Chen Palmer  
NEW ZEALAND  
mai.chen@chenpalmer.com

## **Yeung Fong**

Cheung Parliamentary  
Ombudsman for Public  
Administration Norway  
NORWAY  
yfc@sivilombudsmannen.no

## **Tujilane Chizumila**

Office of Ombudsman Malawi  
MALAWI  
chetuji@gmail.com

## **Seak Keong**

Chow Commission Against  
Corruption, MACAU SAR  
CHINA  
chenglok@ccac.org.mo

**Dahee Chung**

Anti-Corruption & Civil Rights  
Commission of Korea  
KOREA, SOUTH  
christinekim@korea.kr

**Phil Clarke**

Office of the Queensland  
Ombudsman  
AUSTRALIA  
pclarke@  
ombudsman.qld.gov.au

**Tim Clarke**

Russell McVeagh  
NEW ZEALAND  
tim.clarke@russellmcveagh.com;  
kdh@russellmcveagh.com

**Marie Cochrane**

Office of the Ombudsman  
NEW ZEALAND  
marie.cochrane@  
ombudsman.parliament.nz

**Nicci Coffey**

Office of the Ombudsman  
NEW ZEALAND  
nicci.coffey@  
ombudsman.parliament.nz

**Simon Cohen**

TIO Ltd  
AUSTRALIA  
mary.patsatzis@tio.com.au

**Andrew Coyle**

University of Essex  
UNITED KINGDOM  
andrew.coyle@icps.essex.  
ac.uk

**George P. Crassas**

The Office of The  
Commissioner for  
Administration and Human  
Rights (Ombudsman)  
CYPRUS  
gcrassas@ombudsman.gov.cy

**Pranowo Dahlan**

Indonesian Ombudsman  
AUSTRIA  
kerrie.buitendam@  
ombudsman.gov.au

**Jeannine Daniel**

Ombudsman Office of  
the Cooks Islands  
COOK ISLANDS  
kerrie.buitendam@  
ombudsman.gov.au

**Tanon Daouda**

Institution le Médiateur de la  
République  
COTE D'IVOIRE  
daoudatanon@yahoo.fr

**Catherine De Bruecker**

le Médiateur fédéral  
BELGIUM  
mediateur@  
mediateurfederal.be

**Gareth Derby**

Office of the Ombudsman  
NEW ZEALAND  
gareth.derby@  
ombudsman.parliament.nz

**Antonia Di Maio**

Office of the Ombudsman  
NEW ZEALAND  
Antonia.dimaio@  
ombudsman.parliament.nz

**Nikiforos Diamandouros**

European Ombudsman  
FRANCE  
nikiforos.diamandouros@  
ombudsman.europa.eu

**Leo Donnelly**

Office of the Ombudsman  
NEW ZEALAND  
leo.donnelly@  
ombudsman.parliament.nz

**Andrew Ecclestone**

Head of FOI Policy Branch,  
Department of Constitutional  
Affairs, UK 2001-2003.  
NEW ZEALAND  
andrew.ecclestone@  
ombudsman.parliament.nz

**Tissa Ekanayake**

Parliamentary Commissioner  
for Administration  
SRI LANKA  
ombudssl@sltnet.lk

**Amanda Ellis**

Ministry of Foreign Affairs  
and Trade  
NEW ZEALAND  
amanda.ellis@mfat.govt.nz

**Brian Elwood**

Retired  
NEW ZEALAND  
brian.elwood@xtra.co.nz

**Neile Alina**

Fanana Lesotho Ombudsman  
LESOTHO  
neilefanana@yahoo.com

**Abdulrahman Fares**

MOI Ombudsman  
BAHRAIN  
nawaf878@gmail.com

**Azhar Farooqi**

Federal Insurance  
Ombudsman Pakistan  
PAKISTAN  
azhar2893@hotmail.com

**Kevin Fenwick**

Ombudsman Saskatchewan,  
Canada  
CANADA  
kfenwick@ombudsman.sk.ca

**Chris Field**

Western Australian  
Ombudsman  
AUSTRALIA  
nicola.jamieson@  
ombudsman.wa.gov.au

**Wolfgang Finger**

Deutscher Bundestag  
GERMANY  
arite.rochlitz@bundestag.de

**Richard Fisher**

Office of the Ombudsman  
NEW ZEALAND  
richard.fisher@  
ombudsman.parliament.nz

**Arne Fliflet**

The Norwegian Parliamentary  
Ombudsman  
NORWAY  
afl@sivilombudsmannen.no

**Man Chong Fong**

Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

**Tom Frawley**

Northern Ireland Ombudsman  
UNITED KINGDOM  
tom.frawley@  
ni-ombudsman.org.uk

**Hayden Friend**

LANWorx  
NEW ZEALAND  
  
The Parliamentary  
Ombudsmen – JO  
SWEDEN elisabet.fura@jo.se

**Elisabet Fura**

The Parliamentary  
Ombudsmen – JO  
SWEDEN elisabet.fura@jo.se

**Yeong-Kuang Ger**

The Control Yuan  
TAIWAN  
whkao@cy.gov.tw

**Susan Gifford**

Office of the Ombudsman  
NEW ZEALAND  
susan.gifford@  
ombudsman.parliament.nz

**Andrew Goldsmith**

Flinders University  
AUSTRALIA  
andrew.goldsmith@  
flinders.edu.au

**Mariana Gonzalez Guyer**

National Institute For Human  
Rights and Ombudsperson  
Office NEW ZEALAND  
tttworld05@xtra.co.nz

**Shreen Grewal-Sen**

Office of the Ombudsman  
NEW ZEALAND  
shreen.grewal-sen@  
ombudsman.parliament.nz

**Ulrike Grieshofer**

Head IOI General Secretariat  
AUSTRIA  
ioi@volksanw.gv.at;  
Ulrike.Grieshofer@  
volksanw.gv.at

**Tryggvi Gunnarsson**

Parliamentary Ombudsman  
of Iceland  
ICELAND  
tryggvi@umb.althingi.is

**Yvette Hall**

Office of the Ombudsman  
TRINIDAD AND TOBAGO  
yhall@ombudsman.gov.tt

**Ian Harden**

European Ombudsman  
FRANCE  
sg@ombudsman.europa.eu

**Julia Harrison**

Office of the Ombudsman  
NEW ZEALAND  
julia.harrison@  
ombudsman.parliament.nz

**Sue Haslam**

Office of the Ontario  
Ombudsman  
CANADA  
shaslam@ombudsman.on.ca

**Nathaniel Heller**

Global Integrity  
UNITED STATES  
nathaniel.heller@  
globalintegrity.org

**Julie Henderson**

Office of the Ombudsman  
NEW ZEALAND  
julie.henderson@  
ombudsman.parliament.nz

**Bridget Hewson**

Office of the Ombudsman  
NEW ZEALAND  
bridget.hewson@  
ombudsman.parliament.nz

**Mario Hook**  
Gibraltar Public Services  
Ombudsman  
GIBRALTAR  
mario.hook@  
ombudsman.gib.gi

**John Hopkins**  
University of Canterbury  
NEW ZEALAND  
john.hopkins@  
canterbury.ac.nz

**Peter Hourihan**  
Alberta Ombudsman  
CANADA  
jolene.morin@  
ombudsman.ab.ca

**Chao-nan Hung**  
The Control Yuan  
TAIWAN  
whkao@cy.gov.tw

**Al Hutchinson**  
Dialogic Evaluation Inc  
CANADA  
dialogic@rogers.com

**Fiona Illingsworth**  
Ministry of Justice  
NEW ZEALAND  
tracey.steel@justice.govt.nz

**Kartini Istikomah**  
Ombudsman of Indonesia  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Petri Jääskeläinen**  
The Parliamentary  
Ombudsman of Finland  
FINLAND  
petri.jaaskelainen@eduskunta.fi

**Juris Jansons**  
Ombudsman of the  
Republic of Latvia  
LATVIA  
tiesibsargs@tiesibsargs.lv

**Busisiwe Jele**  
Public Protector South Africa  
SOUTH AFRICA  
busisiwej@pprotect.org

**Phillip Jele**  
Office of the Inspector  
General of Intelligence  
SOUTH AFRICA  
thembani77@gmail.com

**Jacki Jones**  
Office of the Ombudsman  
NEW ZEALAND  
jacki.jones@  
ombudsman.parliament.nz

**Philip Joseph**  
School of Law, University of  
Canterbury  
NEW ZEALAND  
philip.joseph@canterbury.ac.nz

**Rae Julian**  
Raejulian@paradise.net.nz

**Hent Kalmo**  
The Office of the Chancellor of  
Justice of Estonia  
ESTONIA  
hent.kalmo@oiguskantsler.ee

**Wei-Hao Kao**  
The Control Yuan  
TAIWAN  
whkao@cy.gov.tw

**Poni Kapaga**  
Timor-Leste Ombudsman  
EAST TIMOR  
kerrie.buitendam@  
ombudsman.gov.au;  
sina.hutton@  
ombudsman.gov.au

**Alfred Kwanga**  
Kaweza Commission  
For Investigations  
ZAMBIA  
commission@zamnet.zm;  
bridgetsimate@yahoo.com

**Jim Kennelly**  
Carleton University  
CANADA  
jim\_kennelly@carleton.ca

**Valiollah Khobreh**  
General Inspection  
Organization  
IRAN  
ombudsiran@yahoo.com

**Ki-sun Kim**  
Anti-Corruption & Civil Rights  
Commission of Korea  
KOREA, SOUTH  
christinekim@korea.kr

**Myeonghwa Kim**  
Anti-Corruption & Civil Rights  
Commission of Korea  
KOREA, SOUTH  
christinekim@korea.kr

**David King**  
Ministry of Justice  
NEW ZEALAND  
tracey.steel@justice.govt.nz

**Richard Kirkham**  
University of Sheffield  
UNITED KINGDOM  
r.m.kirkham@sheffield.ac.uk

**Keiko Kosaki**  
Ministry of Internal Affairs  
and Communications  
JAPAN  
acd@soumu.go.jp

**Peter Kostelka**  
IOI / Austrian Ombudsman  
Institute  
AUSTRIA  
ioi@volksanw.gv.at

**Mitesh Kotecha**  
MOI Ombudsman  
BAHRAIN  
nawaf878@gmail.com

**Tasi Lagolago**  
Office of the Ombudsman  
NEW ZEALAND  
tasi.lagolago@  
ombudsman.parliament.nz

**Chris LaHatte**  
ICANN  
NEW ZEALAND  
chris.lahatte@icann.org

**Alan Lai**  
Office of The Ombudsman,  
Hong Kong  
CHINA  
alan\_n\_lai@ombudsman.hk

**Rob Laking**  
NEW ZEALAND  
roblaking@gmail.com

**Juliet Le Couteur**  
Office of the Ombudsman  
NEW ZEALAND  
juliet.lecouteur@  
ombudsman.parliament.nz

**Emma Leach**  
Office of the Ombudsman  
NEW ZEALAND  
emma.leach@  
ombudsman.parliament.nz

**Frank Li**  
Office of The Ombudsman,  
Hong Kong  
HONG KONG  
frankli@ombudsman.hk

**Lars Lindström**  
The Parliamentary  
Ombudsmen – JO  
SWEDEN lars.lindstrom@jo.se

**Irena Lipowicz**  
Human Rights Defender  
POLAND  
i.lipowicz@brpo.gov.pl

**Ellos Lodzeni**  
Office of Ombudsman Malawi  
MALAWI  
lodzene@yahoo.co.uk

**Cheng Cheng Lok**  
Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

**Agneta Lundgren**  
The Parliamentary  
Ombudsmen – JO  
SWEDEN  
agneta.lundgren@jo.se

**Judith Macaya Alsina**  
Catalan Ombudsman  
SPAIN  
IOIEUROPE@SINDIC.CAT

**Thulisile Madonsela**  
Public Protector South Africa  
SOUTH AFRICA  
busisiwej@pprotect.org

**Andre Marin**  
Office of the Ontario  
Ombudsman  
CANADA  
amarin@ombudsman.on.ca

**Margaret Marshall**  
Office of the Ombudsman  
NEW ZEALAND  
margaret.marshall@  
ombudsman.parliament.nz

**Jane Martin**  
Local Government  
Ombudsman  
UNITED KINGDOM  
L.mccaig@lgo.org.uk

**Anthony Martin**  
Office of the Ombudsman  
NEW ZEALAND  
anthony.martin@  
ombudsman.parliament.nz

**George Masri**  
Australian Office of the  
Commonwealth Ombudsman  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Robin K. Matsunaga**  
Office of the Ombudsman,  
State of Hawaii  
UNITED STATES  
robin.matsunaga@  
ombudsman.hawaii.gov

**Anselimo Boniface**  
Mbuzi Commission For  
Investigations  
ZAMBIA  
bonifacembuzi@yahoo.com;  
bridgetsimate@yahoo.com



**Dulcie McCallum**

Access to Information and  
Privacy Review Officer  
CANADA  
mccalld@gov.ns.ca

**Andrew McCaw**

Office of the Ombudsman  
NEW ZEALAND  
andrew.mccaw@  
ombudsman.parliament.nz

**Michael McDonnell**

Office of the Ombudsman  
NEW ZEALAND  
michael.mcdonnell@  
ombudsman.parliament.nz

**Catriona McDougall**

Office of the Ombudsman  
NEW ZEALAND  
catriona.mcdougall@  
ombudsman.parliament.nz

**David McGee**

Office of the Ombudsman  
NEW ZEALAND  
david.mcgee@  
ombudsman.parliament.nz

**Janine McGruddy**

Tertiary Education  
Commission  
NEW ZEALAND  
janine.mcgruddy@tec.govt.nz

**Wayne McIver**

Office of the Ombudsman  
NEW ZEALAND  
wayne.mciver@ombudsman.  
parliament.nz

**John McMillan**

Office of the Australian  
Information Commissioner  
AUSTRALIA  
john.mcmillan@oaic.gov.au

**Julie Mellor**

Parliamentary & Health  
Service Ombudsman  
UNITED KINGDOM  
privateoffice@  
ombudsman.org.uk

**Tracey Meredith**

Office of the Ombudsman  
NEW ZEALAND  
tracey.meredith@  
ombudsman.parliament.nz

**Mekdes Mezgebu**

Ethiopian Institution of  
the Ombudsman  
ETHIOPIA  
mmekdes@gmail.com

**Yu-Lina Millar**

Office of the Ombudsman  
NEW ZEALAND  
Yu-Lina.George@  
ombudsman.parliament.nz

**David Miller**

The Global Fund to Fight Aids,  
Tuberculosis and Malaria  
NEW ZEALAND  
David.Miller@theglobalfund.org

**Rebecca Minty**

APT  
SWITZERLAND  
rminty@apt.ch

**Souleiman Miyir Ali**

Médiature de la République  
de Djibouti  
DJIBOUTI  
mediateur.djibouti@yahoo.fr

**Zahra Mohamed Bogoreh**

Médiature de la République  
de Djibouti  
DJIBOUTI  
mediateur.djibouti@yahoo.fr

**Mostafa Mokhtari**

General Inspection  
Organization  
IRAN  
ombudsiran@yahoo.com

**Alain Wai Molgos**

Vanuatu  
VANUATU  
kerrie.buitendam@  
ombudsman.gov.au

**Themba Mthethwa**

Public Protector South Africa  
SOUTH AFRICA  
thembam@pprotect.org

**Heather Murdoch**

Office of the Ombudsman  
NEW ZEALAND  
heather.murdoch@  
ombudsman.parliament.nz

**Sarah Murphy**

Office of the Ombudsman  
NEW ZEALAND  
sarah.murphy@  
ombudsman.parliament.nz

**Satomi Muto**

Ministry of Internal Affairs and  
Communications  
JAPAN  
acd@soumu.go.jp

**Davies Jose Mwanza**

Commission For  
Investigations  
ZAMBIA  
commission@zamnet.zm;  
bridgetsimate@yahoo.com

**Shantharam Sai Venka  
Nayak**

Commonwealth Human  
Rights Initiative  
INDIA  
nayak.venkatesh@gmail.com

**Colin Neave**

Australian Office of the  
Commonwealth Ombudsman  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Jessica Ngatai**

NZ Human Rights Commission  
NEW ZEALAND  
jessican@hrc.co.nz

**Coulibaly N'golo**

Institution le Médiateur  
de la République  
COTE D'IVOIRE  
mediateur@aviso.ci

**Panit Nitithanprapas**

Office of the Ombudsman  
THAILAND  
kanokkwan@ombudsman.go.th

**Augustinas Normantas**

Seimas Ombudsmen's Office  
LITHUANIA  
agne.kubertaviciute@lrs.lt

**Hendra Nurtjahjo**

Ombudsman of Indonesian  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Wale Ogunbanjo**

Public Complaints  
Commission  
NIGERIA  
cnwosuchuks@yahoo.com;  
aogunbanjo17@yahoo.com

**Sólja í Ólavsstovu**

Løgtingsins Umboðsmaður  
FAROE ISLANDS  
lum@lum.fo

**Audrey Olivier**

Mural Association for  
the Prevention of Torture  
SWITZERLAND  
aolivier@apt.ch

**Jens Olsen**

Danish Parliamentary  
Ombudsman  
DENMARK  
JO@ombudsmanden.dk

**Amollo Otiende**

The Commission On  
Administrative Justice  
KENYA  
otiendeamollo@ombudsman.  
go.ke

**Luis Manuel Pacheco de  
Matos Rolo**

Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

**Geoffrey Palmer**

Barrister  
NEW ZEALAND  
geoffrey.palmer@extra.co.nz

**Jae-young Park**

Anti-corruption and Civil  
Rights Commission,  
Republic of Korea

**Letitia Parry**

Office of the Ombudsman  
NEW ZEALAND  
letitia.parry@  
ombudsman.parliament.nz

**Ron Paterson**

Banking Ombudsman Scheme  
NEW ZEALAND  
cheryl.thomson@  
bankomb.org.nz

**Clare Petre**

Energy & Water Ombudsman  
NSW  
AUSTRALIA  
clarep@ewon.com.au

**John Petris**

Petris Law Office  
NEW ZEALAND  
j.petris@extra.co.nz

**Megan Philpot**

Ombudsman SA  
AUSTRALIA  
philpot.megan@  
ombudsman.sa.gov.au

**John Pohl**

Office of the Ombudsman  
NEW ZEALAND  
john.pohl@  
ombudsman.parliament.nz

**Joe Poraiwai**

Solomon Island Ombudsman  
SOLOMON ISLANDS  
kerrie.buitendam@  
ombudsman.gov.au

**Christine Potts**

Human Rights Commission  
NEW ZEALAND  
jillm@hrc.co.nz

**Greg Price**

Office of the Ombudsman  
NEW ZEALAND  
greg.price@  
ombudsman.parliament.nz



**Lyn Provost**

Office of the Auditor-General  
New Zealand  
NEW ZEALAND  
tamar.mckewen@oag.govt.nz;  
Lynda.banks@oag.govt.nz

**Faith Doreen Radebe**

Office of the Inspector  
General of Intelligence  
NEW ZEALAND  
margaret.maduna5@  
gmail.com

**Aubrey Ramawa**

Office of the Inspector  
General of Intelligence  
SOUTH AFRICA  
aubrey.ramawa@gmail.com

**Kay Reedy**

Office of the Ombudsman  
NEW ZEALAND  
kay.reedy@  
ombudsman.parliament.nz

**Mike Reid**

Local Government  
New Zealand  
NEW ZEALAND  
mike.reid@lgnz.co.nz

**Linda Reif**

Faculty of Law,  
University of Alberta  
CANADA  
lreif@law.ualberta.ca

**Rafael Ribó**

Catalan Ombudsman  
SPAIN  
IOIEUROPE@SINDIC.CAT

**Päivi Romanov**

Office of the Parliamentary  
Ombudsman  
FINLAND  
paivi.romanov@eduskunta.fi

**Shae Ronald**

Human Rights Commission  
NEW ZEALAND  
jillm@hrc.co.nz

**David Rutherford**

Human Rights Commission  
NEW ZEALAND  
davidr@hrc.co.nz

**Raymonde Saint-Germain**

Protecteur du citoyen  
CANADA  
raymonde.saint-germain@  
protecteurducitoyen.qc.ca

**Vai Keong Sam**

Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

**Phoebe Sangetari**

Ombudsman Commission of  
Papua New Guinea  
PAPUA NEW GUINEA  
phoebe.sangetari@  
ombudsman.gov.pg

**Budi Santoso**

Ombudsman of Indonesia  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Howard Sapers**

Office of the Correctional  
Investigator of Canada  
ONTARIO  
howard.sapers@oci-bec.gc.ca

**Anand Satyanand**

Former Ombudsman  
(New Zealand)  
NEW ZEALAND  
anand.satyanand@gmail.com

**Alex Schroder**

Office of the Ombudsman  
NEW ZEALAND  
alex.schroder@  
ombudsman.parliament.nz

**Guido Schuermans**

de federale Ombudsman  
BELGIUM  
ombudsman@  
federalombudsman.be

**Hoi Hung Seak**

Commission Against  
Corruption of Macao SAR  
CHINA  
chenglok@ccac.org.mo

**Pierre Simon Secka**

The Office of The Ombudsman  
(Gambia)  
GAMBIA, THE  
chakamodi@yahoo.com

**Oupa Segalwe**

Public Protector South Africa  
SOUTH AFRICA  
oupas@pprotect.org

**Gina-Marie Seymour**

Office of the Ombudsman  
NEW ZEALAND  
gms@  
ombudsman.parliament.nz

**Hillel S. Shamgar**

State Comptroller and  
Ombudsman of Israel  
ISRAEL  
shamgar\_h@mevaker.gov.il

**Mahito Shindo**

Macquarie Law School  
AUSTRALIA  
mahito.shindo@mq.edu.au

**Stephan Sjouke**

National Ombudsman  
of the Netherlands  
NETHERLANDS  
s.sjouke@  
nationaaleombudsman.nl

**Nicola Sladden**

Banking Ombudsman Scheme  
NEW ZEALAND  
cheryl.thomson@  
bankomb.org.nz

**Rick Snell**

University of Tasmania  
AUSTRALIA  
r.snell@utas.edu.au

**Wojciech Soczewica**

Office of Human Rights  
Defender of the  
Republic of Poland  
POLAND  
m.pratnicka@brpo.gov.pl;  
b.kurach@brpo.gov.pl

**Caroline Sokoni**

Commission For  
Investigations  
ZAMBIA  
cczsokoni@yahoo.co.uk;  
bridgetsimate@yahoo.com

**David Solomon A.M.**

Qld. Integrity Commissioner  
AUSTRALIA  
david.solomon@qld.gov.au

**Jørgen Steen Sørensen**

Danish Parliamentary  
Ombudsman  
DENMARK  
JSS@ombudsmanden.dk

**Mariana Sotto Maior**

Provedor de Justiça  
PORTUGAL  
mariana.sotto.maior@  
provedor-jus.pt

**Alhaji B. Sowe**

Office of Ombudsman  
GAMBIA, THE  
ombudsmanangambia@  
gmail.com

**Kelly Stein**

Office of the Ombudsman  
NEW ZEALAND  
kelly.stein@  
ombudsman.parliament.nz

**Lynette Stephenson**

Office of the Ombudsman  
TRINIDAD AND TOBAGO  
stephensonl@  
ombudsman.gov.tt

**Karen Stevens**

Insurance & Savings  
Ombudsman  
NEW ZEALAND  
karen@iombudsman.org.nz

**Leanne Stewart**

Office of the Ombudsman  
NEW ZEALAND  
leanne.stewart@  
ombudsman.parliament.nz

**Terezija Stoisits**

Austrian Ombudsman Board  
AUSTRIA  
ioi@volksanw.gv.at

**Gero Storjohann**

Deutscher Bundestag  
GERMANY  
gero.storjohann@  
bundestag.de

**Anita Stuhmcke**

Faculty of Law,  
University of Technology  
AUSTRALIA  
anita.stuhmcke@uts.edu.au

**Muhammad Suddle**

Federal Tax Ombudsman  
Secretariat  
PAKISTAN  
info@fto.gov.pk

**Elmira Suleymanova**

Azerbaijan Ombudsman  
Office  
AZERBAIJAN  
ombudsman@  
ombudsman.gov.az

**Máté Szabó**

Office of the Commissioner  
for Fundamental Rights  
HUNGARY  
szabo.mate@ajbh.hu

**Pilimisoló Tamoia**

Ombudsman of Tonga Office  
NEW ZEALAND  
kerrie.buitendam@  
ombudsman.gov.au

**John Taylor**

Victorian Ombudsman  
AUSTRALIA  
john.taylor@  
ombudsman.vic.gov.au

**Roy Pim Therawong**

Office of the Ombudsman  
THAILAND  
kanokkwan@  
ombudsman.go.th

**Brian Thompson**

University of Liverpool  
UNITED KINGDOM  
wbt@liverpool.ac.uk

**Mark Thomson**

The Association for the  
Prevention of Torture  
SWITZERLAND  
mthomson@apt.ch

**Jill Thomson**

Canterbury Earthquake  
Recovery Authority  
NEW ZEALAND  
jill.thomson@cera.govt.nz

**Clare Todd**

Office of the Ombudsman  
NEW ZEALAND  
clare.todd@  
ombudsman.parliament.nz

**Maiava Lulai Toma**

Ombudsman Samoa  
SAMOA  
kerrie.buitendam@  
ombudsman.gov.au

**Frederick Tong**

Office of The Ombudsman,  
Hong Kong  
HONG KONG  
kstong@ombudsman.hk

**Kimiyoshi Toyama**

Nihon University  
JAPAN  
kt8772@law.nihon-u.ac.jp

**Alima Déborah Traore**

Le Mediateur Du Faso  
FRANCE  
contact@mediateurdufaso.bf

**Lucie Trask**

Office of the Ombudsman  
NEW ZEALAND  
lucie.trask@  
ombudsman.parliament.nz

**Ibnu Tricahyo**

Ombudsman of Indonesia  
AUSTRALIA  
kerrie.buitendam@  
ombudsman.gov.au

**Peter Tyndall**

Public Services Ombudsman  
for Wales  
UNITED KINGDOM  
marilyn.morgan@  
ombudsman-wales.org.uk

**Kalu Uduma**

Public Complaints  
Commission  
NIGERIA  
cnwosuchuks@yahoo.com

**Ulco van de Pol**

Ombudsman Amsterdam  
NETHERLANDS  
u.vandepol@  
gemeentelijkeombudsman.nl

**Jane van Duin**

Office of the Ombudsman  
NEW ZEALAND  
jane.vanduin@  
ombudsman.parliament.nz

**Helena Vera-Cruz Pinto**

Provedor de Justiça  
PORTUGAL  
helenaveracruz@gmail.com

**Petra Visscher**

Ombudsman Amsterdam  
NETHERLANDS  
p.visscher@  
gemeentelijkeombudsman.nl

**Marianne von der Esch**

The Parliamentary  
Ombudsmen – JO  
SWEDEN  
marianne.von.der.esch@jo.se

**Karin Wagenbauer**

IOI General Secretariat  
AUSTRIA  
ioi@volksanw.gv.at

**Beverley Wakem**

Office of the Ombudsman  
NEW ZEALAND  
beverley.wakem@  
ombudsman.parliament.nz

**Hamish Wall**

Canterbury Earthquake  
Recovery Authority  
NEW ZEALAND  
hamish.wall@cera.govt.nz

**John Robert Walters**

Ombudsman Namibia  
NAMIBIA  
erakow@ombudsman.org.na

**Osamu WATARAI**

Ministry of Internal Affairs and  
Communications  
JAPAN  
acd@soumu.go.jp

**Bart Weekers**

Vlaamse Ombudsdienst  
BELGIUM  
bart.weekers@  
vlaamseombudsdienst.be

**Diane Welborn**

Ombudsman, Ohio  
UNITED STATES  
welborn@  
dayton-ombudsman.org

**Chris Wheeler**

NSW Ombudsman  
AUSTRALIA  
cwheeler@ombo.nsw.gov.au

**Joseph Whittall**

Commission on Human Rights  
and Administrative Justice  
GHANA  
josephwhittall@gmail.com

**Lilian Wiklund**

The Parliamentary  
Ombudsmen – JO  
SWEDEN  
lilian.wiklund@jo.se

**Peter Wilkins**

Ombudsman Western  
Australia  
AUSTRALIA  
Peter.Wilkins@  
ombudsman.wa.gov.au

**Nicola Williams**

Office of the Complaints  
Commissioner  
CAYMAN ISLANDS  
nicola.williams@occ.gov.ky

**Marilyn Wilson**

Office of the Ombudsman  
NEW ZEALAND  
marilyn.wilson@  
ombudsman.parliament.nz

**Gilbert Wong**

Human Rights Commission  
NEW ZEALAND  
jillm@hrc.co.nz

**John Wood**

Baljurda Comprehensive  
Consulting Pty Ltd  
AUSTRALIA  
baljurda@ozemail.com.au

**Kim Workman**

Robson Hanan Trust  
(Rethinking Crime and  
Punishment)  
NEW ZEALAND  
director@rethinking.org.nz

**Janine Young**

Public Transport Ombudsman  
AUSTRALIA  
jyoung@ptovic.com.au

**Sophie Zagré**

Le Mediateur Du Faso  
BURKINA FASO  
contact@mediateurdufaso.bf

- KEY ATTRACTIONS**
- Beehive and Parliament Buildings
  - Museum of New Zealand
  - Te Papa Tongarewa
  - Wellington Cable Car
  - Wellington Botanic Garden
  - Westpac Stadium
  - Museum of Wellington City & Sea
  - Te Wharewaka o Ponake
  - Carter Observatory
  - Wellington Zoo
  - ZEALANDIA The Kaiti Sanctuary Experience
  - Weta Cave

- TRANSPORT**
- Wellington Airport
  - Railway Station & national bus services
  - Inter-island Ferries
  - Local Bus Terminal
  - Cruise Ship Terminal
  - Queens Wharf Helipad
  - State Highways
  - One way streets
  - Pedestrian streets

- AMENITIES**
- Wellington Hospital
  - Public Toilets
  - Public Showers
  - Accessible Playground
  - Car Parking
  - Mobility Car Parks
  - Wheelchair Beach Access
  - Lifts

- ROUTES**
- Civic Square to Te Papa
  - Accessible Walkway & Writers Walk
  - Railway Station to Westpac Stadium
  - Accessible City Route



**FOR MORE INFORMATION**

on Wellington visit the i-SITE Visitor Centre, in Civic Square. They can assist you with all your enquiries and bookings for Wellington and around New Zealand. Phone +64 4 802 4860 or visit our website, [WellingtonNZ.com](http://WellingtonNZ.com)

**DRIVING DISTANCES**

Wellington to Makara	25 mins	13 km
Wellington to Porirua	20 mins	21 km
Wellington to Petone	15 mins	13 km
Wellington to Lower Hutt	20 mins	16 km
Wellington to Upper Hutt	35 mins	33 km
Wellington to Greytown	1 hr 10 mins	76 km
Wellington to Martinborough	1 hr 25 mins	83 km
Wellington to Masterton	1 hr 35 mins	100 km

**ATTRACTIONS**

- A Colonial Cottage Museum
- B National War Memorial & Carillon
- C New Zealand Cricket Museum
- D Mount Victoria Lookout
- E Embassy Theatre
- F Downstage Theatre
- G BATS Theatre
- H St James Theatre
- I The Film Archive
- J Fryberg Pool
- K Circa Theatre
- L The Opera House
- M Wellington Town Hall
- N Michael Fowler Centre
- O Capital E
- P Department of Conservation
- Q Wellington Cable Car Museum
- R Old Government Buildings
- S TSB Bank Arena
- T Reserve Bank Museum
- U Archives New Zealand
- V National Library
- W Alexander Turnbull Library
- X Wellington Cathedral
- Y Old St Paul's
- Z Katherine Mansfield Birthplace

**ACCOMMODATION**

- 1 Brentwood Hotel (Kilbirnie)
- 2 Mercure Wellington
- 3 Willis Street
- 4 CQ Quality Hotel Wellington
- 5 CQ Comfort Hotel Wellington
- 6 Wellywood Backpackers
- 7 Cambridge Hotel
- 8 Base Backpackers Wellington
- 9 CityLife Wellington
- 10 YHA Wellington City
- 11 Bay Plaza Hotel
- 12 Novotel Wellington
- 13 Quest on Johnston
- 14 Copthorne Hotel Oriental Bay
- 15 Museum Art Hotel
- 16 Anora Hotel Wellington
- 17 West Plaza Hotel
- 18 The Global Backpackers
- 19 James Cook Hotel
- 20 Grand Chancellor
- 21 Travelodge Wellington
- 22 CityLife Wellington
- 23 InterContinental Wellington
- 24 Ibis Wellington
- 25 Novotel Wellington
- 26 Ridges Hotel Wellington
- 27 Motorhome Park
- 28 Downtown Backpackers
- 29 Bolton Hotel
- 30 Kingsgate Hotel Wellington

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