



**Ombudsman Commission  
of  
Papua New Guinea**



**ANNUAL REPORT 2010**



**OMBUDSMAN COMMISSION  
OF  
PAPUA NEW GUINEA**

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**DATE: 19/11/2013**

**His Excellency Sir Michael Ogio, CMG, CBE**  
The Governor-General  
Government House  
**KONEDOBU**  
National Capital District

Your Excellency,

Section 220 of the *Constitution*\* requires the Ombudsman Commission to furnish to the Head of State, for presentation to Parliament, an Annual Report on its functions and workings as well as other such reports as necessary from time to time.

The Commission hereby submits to you its 2010 Annual Report. It covers the period 1 January 2010 to 31 December 2010 and includes the Commission's 2010 Audited Financial Report.

We advise that at the finalisation of this Report, the Late Chief Ombudsman Chronox Manek LLB LLM OL, had passed away hence the omission of his signature.

Yours sincerely

  
JOHN NERO, BAC, MBA  
**OMBUDSMAN**

  
PHOEBE SANGETARI, LLB, LLM  
**OMBUDSMAN**

Section 220 of the *Constitution* is quoted here in full.

\* Section 220 of the *Constitution* states:

- (1) The Ombudsman Commission shall, at least once in each period of 12 months, at such time as is fixed by or under an Act of the Parliament or, subject to any such Act, by the Head of State, acting with, and in accordance with, the advice of the National Executive Council, give to the Head of State, for presentation to the Parliament, a report on the functions and workings of the Commission, with such recommendations as to improvement as the Commission thinks proper.
- (2) Nothing in Subsection (1) prevents the Commission from making, on its own initiative or at the request of the Parliament or of the National Executive, other reports on any aspect of the functions and workings of the Commission.

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**ANNUAL REPORT 2010**

**For the period  
1 January 2010 to 31 December 2010**



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## 1. MEMBERS OF THE COMMISSION

The Members of the Commission comprise of the Chief Ombudsman and the two Ombudsmen. The Members of the Commission for this reporting period are Chief Ombudsman Chronox Manek, Ombudsman John Nero and Ombudsman Phoebe Sangetari.

### Chief Ombudsman Mr Chronox Manek, LLB LLM (UniMelb) OL



Chief Ombudsman Chronox Manek is from Wambangan Village, Boana District, in Morobe Province. Chief Ombudsman Manek holds a Bachelor of Laws Degree from the University of Papua New Guinea and Masters of Laws Degree from the University of Melbourne, Australia.

Mr Manek was appointed Public Solicitor of Papua New Guinea in February 1999 and later appointed Public Prosecutor in 2001. In 2008 Mr Manek commenced his six-year term as the fifth Chief Ombudsman after having been appointed by the Ombudsman Appointment Committee on 1 July 2008.

During the course of his career, Mr Manek has been appointed to a number of organisations both in the country and abroad notably Co-Chairman of the International Association of Prosecutors World Conference in Copenhagen, Denmark, Director Asia Crime Prevention and Foundation, Director of the International Ombudsman Institute, Vice Chairman of the Pacific Ombudsman Alliance and Executive Committee Member of the International Association of Anti-Corruption Authorities (IAACA). Mr Manek is a member of the Papua New Guinea Law Society.

### Ombudsman Mr John Nero, BAC MBA



Ombudsman John Nero comes from Kasena Village in Goroka District, Eastern Highlands Province. Ombudsman Nero holds a Bachelor Degree in Commerce (BAC) from the University of Papua New Guinea and Masters in Business Administration (MBA) from the Queensland University in Australia.

Mr Nero joined the Finance & Planning Department as a Finance Inspector for four and a half years before joining the Ombudsman Commission of Papua New Guinea as a Senior Investigator. He was later promoted to Deputy Director (Leadership) in April 2002 until his Acting Appointment as Ombudsman in February 2005.

Mr Nero is a member of the Certified Practising Accountants of Papua New Guinea (CPA PNG)

### Ombudsman Ms Phoebe Sangetari LLB LLM



Ombudsman Phoebe Sangetari comes from Samba Village in Sohe District, Oro Province. She holds a Bachelor of Laws Degree from the University of Papua New Guinea and a Masters of Law Degree from the Australia National University (ANU) in Australia.

Prior to her appointment as an Ombudsman, Ms Sangetari served as Senior Legal Officer with the Ombudsman Commission of Papua New Guinea, Legal Officer with the Department of Environment & Conservation, Deputy Registrar with the Department of Mining, Assistant Secretary – Legal & Contracts with Department of Personnel Management, Director Senior Executive Services with Department of Personnel Management, and Deputy State Solicitor (International Law & Human Rights) with Department of Justice & Attorney General.

Ombudsman Sangetari is the second female Ombudsman after Ms Jean Kekedo, in the history of the Ombudsman Commission of Papua New Guinea and was appointed as Ombudsman on 15 November 2007. Ms Sangetari is a member of the PNG Law Society



## 2. YEAR IN REVIEW

### Leadership complaints and referrals

With one hundred and ninety (190) leadership complaints carried over from 2009 and one hundred and forty-seven (147) new complaints received in 2010, the Commission investigated a total of three hundred and thirty-seven (337) alleged breaches of Leadership Code. Of the three hundred and thirty-seven (337), one hundred and seventy-nine (179) investigations were completed and closed and one hundred and fifty-eight (158) cases were carried over to 2011. Two leaders were referred to the Public Prosecutor for prosecution before the Leadership Tribunal. As at the end of 2010, the cases of four leaders referred in previous years remained with the Public Prosecutor.

The most common complaint categories investigated in 2010 were misappropriation of funds and abuse of power. In 2010, Members of Parliament (180 cases) and Department Heads (34 cases) were the most frequently investigated categories of Leaders. The least complained about categories of Leaders were Heads of Overseas Mission (1 case), Statutory Authority Board heads (2 cases) and Provincial Administrators (2 cases).

Of the total of three hundred (300) Annual Statements issued in 2010, only one hundred and fifty-seven (157) were returned to the Ombudsman Commission within the required three month timeframe, fifty-four (54) were returned after the required three-month period, with eighty nine (89) still outstanding at the end of 2010. The late and non-submission rate for 2010 was therefore 48% of Leaders, an increase from 15% in 2009.

### Administrative complaints

A total of two thousand, four hundred and ninety-one (2,491) Administrative complaints against government bodies were received in 2010. The vast majority of these were assessed as either being out of the jurisdiction of the Commission, or were referred back to the government body. One hundred and eighty (180) cases were investigated with thirty-two (32) cases escalated to full investigation stage.

The most frequently investigated government bodies in 2010 were the Royal Papua New Guinea Constabulary (RPNGC) with thirty-six (36) cases investigated, the Papua New Guinea Correctional Services with thirty-two (32) cases, and the Department of Education with seventeen (17) cases. The top five complaint issues investigated in 2010 were staff entitlements (15.38% of investigations), human rights (6.25%), contracts (13%), assault (5.29%), and terms and conditions of employment (5.29%).

### Investigation Report

In 2010, the Commission's Final Investigation Report on Improper Rezoning of State Land for Commercial Purpose in Kimbe West New Britain Province, was presented to the Speaker of Parliament. This reported on the investigation into the Department of Lands and Physical Planning (DLPP) and its rezoning, leasing, registering of the land title for Section 31 Allotment 03 Kimbe, and granting of land title to a private company for a commercial purpose.

The investigation found that the DLPP did not follow its own administrative systems, processes and procedures set out in the Land Act 1996, Physical Planning Act 1989 and the Land Registration Act (Chapter 191), when allocating the Allotment to the private company. Further, it was found that the senior officers in the Department acted without any authority to enable the land title to be granted to the company. The Ombudsman Commission in its Final Report made recommendations for the Department to implement to improve its administration and use its powers according to Law.

### Issue of Constitutional significance

In June 2010 the outcome of the Commission's 2009 Supreme Court challenge to Parliament's 2006 amendments to the *Organic Law on Provincial Governments and Local-level Government (OLPGLLG)*, was successful.

The Parliament had in 2006 amended Section 187C(2)(a) of the *Constitution*, to provide for "a mainly elective (elected directly), legislature". At the same time, Parliament amended the *OLPGLLG* by repealing Section 10(3)(b) and (c) which effectively removed elected Heads of Local-level Governments and elected representatives of Urban Councils and Authorities from the Provincial Assembly. The effect of the amendment had been that only members of the National Parliament were eligible to hold the position of Deputy Governor. The amendment excluded Heads of Local-level Governments and elected representatives of Urban Councils and Authorities from holding the position of Deputy Governor.



Exercising its power under Section 19 of the *Constitution*, the Commission had in 2009 challenged the constitutionality of the amendment, arguing that in denying Local Level Government Presidents the chance to contest the Governor and Deputy Governor posts, was inconsistent with Section 187C(2)(a) of the *Constitution* to have a mainly elective government. In June 2010, a Supreme Court bench, comprised of Chief Justice Sir Salamo Injia, Deputy Chief Justice Salika, and Justices Sakora, Kirriwom and Gavara-Nanu, unanimously answered the questions in the affirmative and declared the amendment invalid and of no force and effect.

### **Police Oversight Project**

During 2010, the Police Oversight Project moved into a new phase under its longstanding Memorandum of Agreement, with the development of a Discussion Paper, consultative workshops with RPNGC rank and file, and a Draft Policy Paper. The Draft Policy Paper, developed through extensive consultation with RPNGC, was completed in November for finalisation and submission in early 2011 through the Internal Security Minister to the National Executive Council (NEC). The Policy paper outlines the proposed model and future direction for legislative reform for which has been agreed between the Commission and the RPNGC.

### **Government Bodies Liaison Program (GBLP)**

Ombudsman Commission Liaison Officers (LOs) continue to play an important role for the Commission as points of contact and liaison in investigating administrative complaints and in delivering the Commission's public awareness program (PEP). During 2010 the number of LOs in government bodies increased from "thirty-four (34) to forty-four (44)". As a result of new LOs coming on to the program, we experienced an increase in active participation of government bodies, from twenty-eight (28) in 2009 to thirty-seven (37) government bodies actively participating by the end of 2010. This expansion of the program was largely due to two successful workshops in 2010, one in NCD and the other in Kokopo.

The Commission's support to government bodies in establishing their own Internal Complaints Handling Mechanisms (ICHMs) also achieved results in 2010. A revised Redress of Grievance Process in Papua New Guinea Defence Force (PNGDF) was agreed. Complaints Desks and Complaints Officer positions were established in the Internal Audit branch of the National Health Department and in Simbu Provincial Administration. National Capital District Commission (NCDC) has also commenced the process of establishing a Complaints Desk and Officer.

### **Public Education Program (PEP)**

In 2010, the Commission continued delivering its Public Education Program (PEP), building awareness on its roles and functions through visits to rural communities and schools in Districts and provincial towns; public forums, workshops, and round table meetings; participation in radio programs; and distribution of printed brochures and cartoon posters. A total of 38 public education and awareness sessions were conducted, with more than 15, 000 people directly participating.

The Commission also conducted three (3) education workshops on the roles and responsibilities of Local Level Government Leaders (as prescribed in the Leadership Code), for Council Presidents and Ward/Council Members. These workshops were conducted in Madang Provincial town, Manus Provincial town and Losuia District, and Kiriwina Islands, Milne Bay Province.



### 3. THE OMBUDSMAN COMMISSION

#### VISION

The Ombudsman Commission vision is to lead and promote good Governance and Leadership.

#### MISSION

The Commission's Mission is set out in Section 218 of the *Constitution*;

- ✚ To help in the elimination of unfair or otherwise defective legislation and practice affecting or administered by government bodies; and
- ✚ To supervise the enforcement of the Leadership Code; and
- ✚ To help in the improvement of the work of government bodies and the elimination of unfairness and discrimination by them; and
- ✚ To ensure that all government bodies are responsive to the needs and aspirations of the people.

#### VALUES

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

The values we will uphold are as follows:

- ✚ We recognize the importance of maintaining the personal integrity of each of the Members of the Commission and Officers in the service of the Ombudsman Commission.
- ✚ We will respect individuals and their rights.
- ✚ We will be responsive to the needs and aspirations of the people of Papua New Guinea.
- ✚ We will remain objective.
- ✚ We will ensure that our procedures are fair.
- ✚ We will maintain the legality of our operations, in particular our investigations.
- ✚ We will set a high standard of professionalism in all our work.
- ✚ We will carry out our duties with impartiality.
- ✚ We will maintain political neutrality.
- ✚ We will resolve cases and disputes having regard to the principle of equality and equity called for by the Constitution.
- ✚ We will be loyal to the Constitution.
- ✚ We will be accountable to the people of Papua New Guinea for the way in which we carry out our constitutional functions.
- ✚ We will preserve the independence of the Ombudsman Commission and ensure that it is not subject to improper influences in carrying out its functions.
- ✚ We will appreciate that prevention is better than prosecution.



## MANDATE

The Ombudsman Commission is a Constitutional Institution empowered with the Mandate of conducting its business under Sections 217, 218 and 219 of the *Constitution*.

The Commission consists of a Chief Ombudsman and two Ombudsmen who are appointed by the Ombudsman Appointment Committee comprising of the Prime Minister as Chairman, independent Constitutional Office-holders in the Chief Justice, the Chairman of the Public Services Commission, the Leader of the Opposition and the Chairperson of the Permanent Parliamentary Committee.

The purpose of the establishment of the Ombudsman Commission is–

1. to ensure that all governmental bodies are responsive to the needs and aspirations of the People;
2. to help in the improvement in the work of governmental bodies and the elimination of unfairness and discrimination by them;
3. to help in the elimination of unfair or otherwise defective legislations and practices affecting or administered by governmental bodies; and
4. to supervise the enforcement of Division III.2 – the Leadership Code.

The functions of the Ombudsman Commission are-

1. to investigate, on its own initiative or on complaints by a person affected, any conduct on the part of leaders, governmental bodies or other body set up by statute;
2. to investigate any defects in any law or administrative practice appearing from such investigations;
3. to investigate, either on its own initiative, or on complaints by a person affected, any case of an alleged or suspected discriminatory practices within the meaning of a law prohibiting such practices;
4. any functions conferred on it under Division III.2 – the Leadership Code; and
5. any other functions conferred on it by or under an Organic Law.

## ORGANISATIONAL OVERVIEW

The Ombudsman Commission's total establishment is 146 which comprises of the Members of the Commission and the five (5) Divisions. (Refer organisational structure on page 42)

### Members of the Commission

The Members of the Commission consist of the Chief Ombudsman and two Ombudsmen, an Administrative Ombudsman and an Accounting Ombudsman.

### Office of Secretary

The Office of Secretary is headed by the Secretary to the Commission who is also the Administrative Head of the organization. Office of Secretary provides effective and efficient administrative and executive support to the Members of the Commission and operational divisions of the Commission.

The Office of Secretary has two Branches, the Support Services Branch and the Executive Services Branch and has a total of 36 officers.



Each Branch is headed by a Senior Manager. The Executive Services Branch comprises of three (3) Units which are headed by a Unit Manager except for the Executive Services Unit. The total establishment is thirteen (13) which comprises of seven (7) officers in the Executive Services, three (3) in Policy & Planning Unit and three (3) in Media Unit.

The Support Services Branch has a total establishment of 23 officers and comprises of four (4) Units each headed by a Manager which all report to a Senior Manager. These are the Human Resources Unit with an establishment of five (5) officers, Information Technology with four (4), Finance with four (4) and Logistics Unit with nine (9) officers.

### Office of Counsel

The Office of Counsel is the legal division of the Commission that deals with all legal matters that come before the Commission. The division has an establishment of nine (9) officers and the Counsel to the Commission is the Head of the Division. The other positions in the establishment are Director Legal Services, two (2) Senior Legal Officers, two (2) Legal Officers and a support staff of four (4) officers.

### Complaints and Administrative Investigations Division (CAID)

The Complaints and Administrative Investigations Division (CAID) investigates alleged wrong conduct and defective administrative deficiencies by governmental bodies and also investigates alleged discriminatory practices by any person or body under Section 219 of the Organic Law on the Ombudsman Commission. It has an establishment of 29 officers and is headed by a Director.

CAID has four Investigation Units and an Anti Discrimination and Human Rights Unit (ADHRU) each headed by a Team Leader. The Investigation Teams comprises of a Team Leader, three (3) Senior Investigators, an Investigator and an Assistant Investigator.

The ADHRU comprises of the Team Leader, a Senior Investigator and an Investigator.

### Leadership Division

The Leadership Division investigates alleged or suspected misconduct in office by leaders under the Leadership Code. It has an establishment of 28 officers and is headed by a Director and has three Investigations Teams and an assessment unit specifically set up to assess leaders' Annual Statements (ASAU). Each Team is headed by a Team Leader.

Each Team comprises of the Team Leader, three (3) Senior Investigators, two (2) Investigators and one Assistant Investigator. The ASAU comprises of the Team Leader, two Senior Assessors, one (1) Assessor and two (2) Administrative Clerks.

### Regions and External Relations Division

The Regions and External Relations (R & ER) is the largest division with an establishment of 41 officers. The Division is headed by a Director who manages an operational structure of three (3) Regional Offices, the Intake and Screening Unit (ISU) and the Government Bodies Liaison Program (GBLP). ISU receives and assesses complaints whether the complaint made is in the jurisdiction of the Ombudsman Commission to investigate and GBLP ensures that all government bodies are responsive to the needs and aspiration of the people. GBLP also carry out awareness to promote the roles and functions of the Ombudsman Commission.

The three (3) Regional Offices are Momase Regional Office located in Lae, Morobe Province which serves the Momase Region, Highlands Regional Office in Mt Hagen for the Highlands Region and New Guinea Islands Regional Office located in Kokopo, East New Britain Province, which serves the New Guinea Islands Region.

The three (3) Regional Offices each have an establishment of five (5) officers including a Regional Manager, two (2) Senior Investigators, one (1) Investigator and one (1) Assistant Investigator.

The other two (2) units, ISU and GBLP, are located at the Head Office in Port Moresby and have an establishment of nine (9) officers. The ISU comprises of the Team Leader, two (2) Senior Assessors, an Assessor and two (2) Administration Clerks. The GBLP unit consists of the Team Leader, the GBLP Co-ordinator and an Office Assistant.



## 4. CORPORATE GOVERNANCE

### MANAGEMENT & ACCOUNTABILITY

#### Strategic Plan

This year is the final year of implementation of the current 2006 – 2010 Strategic Plan. This Plan focuses on four (4) Key Result Areas relating to the functional areas of the Commission as listed below:

- a. Members of the Commission;
- b. Office of Counsel;
- c. Operations Divisions (Leadership Investigations and Complaints & Administration Investigations Branches); and
- d. Office of Secretary (Executive Services Advice and Support Services & Sound Management of Resources).

Each Key Result Area or Division has one Objective, several Strategies and several Key Performance Indicators. The Divisions developed their Annual Business Plans in line with their respective objectives and strategies.

*Figure 1: Strategic Plan 2006 – 2010 KRAs and their respective objectives*

Key Result Area	Objective
Members of the Commission (MOC)	To carry out legislative mandate to improve services
Office of Counsel (OoC)	To provide high standard of Legal Advice & Service
Leadership Investigation	To be proactive in ensuring compliance by leaders under the Leadership Code
Complaints & Administrative Investigation	To satisfactorily investigate and resolve complaints
Executive Service Advice	To provide advice and service through the Media, Policy & Planning and Internal Audit.
Support Services & Sound Management of Resources	To provide a reliable management of Commission's resources and support services.

#### Annual Ombudsplan

The 2010 Ombudsplan which is the Annual Business Plan for the Commission was developed in line with the 2006 – 2010 Strategic Plan. It was developed in an extensive consultative process to capture the Commission's priorities in fulfilling its mandated purposes and functions under Sections 218 and 219 of the *Constitution*.

During the reporting year, the Commission reviewed workplace policies, guidelines, work practice manuals and workflow procedures which improved and propelled performance. Notably, the complaints intake and assessment process was reviewed, a complaints investigation procedures manual was produced, and the annual planning, performance monitoring & reporting process (PMR) was significantly improved.

The Commission implemented three (3) Development Budget projects that complemented and added value to our mandated purposes and functions. These projects are the OC Twinning Arrangement with Commonwealth Ombudsman of Australia, the Police Oversight Project with the Royal Papua New Guinea Constabulary and working with government bodies to establish their Internal Complaints Handling Mechanisms.

The Commission took a new approach in implementing its HIV/AIDS Workplace Policy in 2010 and sponsored one of the MOC and the HIV/AIDS Coordinator to attend the World HIV/AIDS Conference in Vienna, Austria. We also undertook various activities internally including video shows and discussions, reflections and others. For the first time the Commission initiated a Red Box Appeal to support World Aids Day. All items contributed to the Red Box were donated to Ward 4, the HIV/AIDS ward of the Port Moresby General Hospital.



The Commission continued its working relationship with sister organizations through the Law & Justice Sector Program. The Commission was represented in the National Coordinating Mechanism, L&JS Working Group and the various Activity Management Teams.

The Commission also participated in the wider anti-corruption activities such as the Walk Against Corruption and Law & Justice Sector Expo.

### **Performance Management Review (PMR)**

In 2010 a new PMR template was developed to report quarterly against the 2010 Ombudsplan. For the first time we completed our four (4) quarterly PMR meetings in the same year instead of carrying the 4<sup>th</sup> quarter to the following year.

The reports from the respective Divisions were completed in narrative form for compilation and Power Point presentation.

### **Sector Annual Performance Report**

In 2010, the Commission contributed its respective chapters to the Sector Office to compile the 2009 Annual Performance Report for the Law & Justice Sector. The Commission's contributions to the various chapters were from Policy & Planning, Human Resource, Finance, Intake & Screening and Anti Discrimination and Human Rights Units and Office of Counsel.

### **Alignment with Government of PNG requirements**

In 2010, the Ombudsman Commission held Strategic Planning workshops to develop our Strategic Plan for 2011 – 2015 in alignment to the PNG Vision 2050 and PNG Development Strategic Plan 2010 – 2030.

The Vision 2050 Team from the Department of Prime Minister and NEC and the Department of National Planning participated in the workshop and highlighted areas which the Commission could align itself with both the Vision 2050 and the DSP 2010 - 2030.

This exercise proved a valuable experience for the Ombudsman Commission in that it made important contacts and also learnt valuable lessons from stakeholders.

Stakeholders that participated in the Ombudsman Commission Strategic Plan workshop included:

1. Department of PM & NEC – Vision 2050 Development Centre
2. Department of National Planning
3. Department of Education
4. Department for Community Development
5. Department of Provincial and Local Level Government Affairs
6. UNICEF (PNG)
7. National Aids Council Secretariat
8. Transparency International (PNG)
9. Office of Rural Development
10. Office of Public Prosecutor
11. Law and Justice Sector Office
12. Magisterial Services of PNG
13. Village Court Services



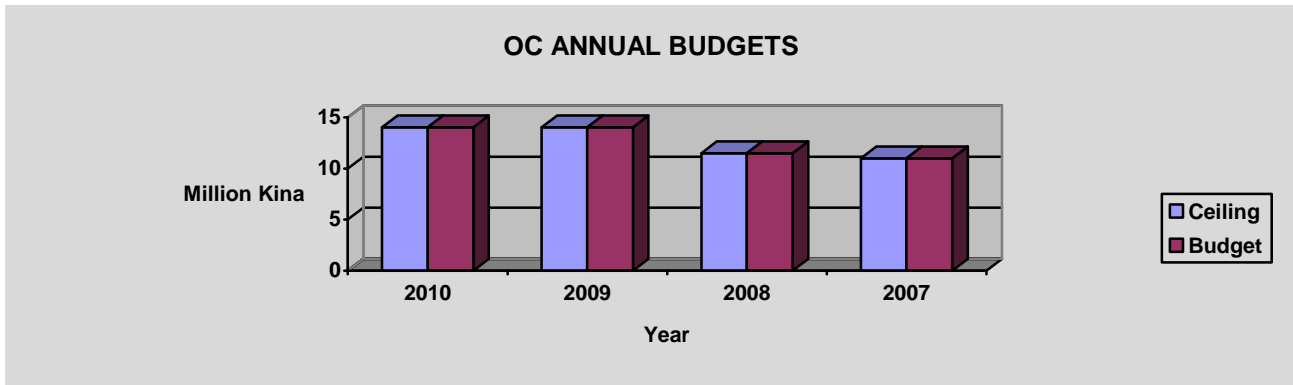
**BUDGET COMPLIANCE**

The Ombudsman Commission like other government agency is required to submit its Annual Budget estimates consistent with the budget ceiling provided by Department of Treasury.

There was no increase in the 2010 Budget allocation from 2009 compared to increases in 2009 (18%) and 2008 (21.7%).

The Commission's spending of its appropriation is consistent with GoPNG requirements in meeting its obligation, and the Annual Business Plan for the year 2010.

Figure 2. OC Annual Budgets



**Quarterly Reports**

As a mandatory requirement by GoPNG, Ombudsman Commission is required to provide quarterly finance and performance reports to the GoPNG through Department of Treasury.

The Commission has complied with these requirements and provided its quarterly reports in timely manner during the year.

The Commission is committed to pursue excellence in its performance through responsible and transparent decision making process and can be held accountable for its own actions and decisions.

Figure 3. Submission of the Commission's 2010 Quarterly Reports

Quarter	Period	Date Submitted
1 <sup>st</sup>	01 January 2010 – 31 March 2010	15 April 2010
2 <sup>nd</sup>	01 April 2010 – 30 June 2010	12 July 2010
3 <sup>rd</sup>	01 July 2010 – 30 September 2010	13 October 2010
4 <sup>th</sup>		

**EXPANSION & IMPROVEMENT OF SERVICES**

Ombudsman Commission with the assistance from the Law and Justice Sector Program/Secretariat commenced work on establishing an office in the Autonomous Region of Bougainville. The office is located in Buka and is undergoing maintenance and refurbishment to house an office space, the Regional Manager and a Senior Investigator. The Commission is planning for the office to be up and running in 2011.

The Commission continues to experience problems with its existing Regional Offices located in Mt Hagen, Lae and Kokopo and has planned to upgrade and relocate its offices. With the support of the Government Office Allocation Committee (GOAC) of the Department of Personnel Management (DPM), Commission will relocate its Highlands Regional Office to a new building while plans are on foot for its Momase and New Guinea Islands offices to re-locate as well.



## HUMAN RESOURCES

The Commission's total establishment is 146 and by the end of the year there was a total staff-strength of 102 officers. There was another 44 vacancies to fill including the nine (9) positions in the new Regional Offices of Autonomous Region of Bougainville and Southern Regional Office pending office logistics and infrastructures to be in place.

Recruitment continued to be a big challenge for the Commission to fill in the balance of the vacancies and vigorous recruitment campaigns were undertaken during the reporting year.

There were a total of 22 appointments made which consisted of 19 external and 3 internal appointments of which 2 of the external appointments declined the offers and 1 position was re-advertised.

The appointment of internal officers also created vacancies within, which added on to the vacancy list.

*Figure 4:* Staff establishment

Division	Establishment	Staff on strength	Vacancy
MOC	03	03	0
Office of Secretary and Executive Services	13	10	03
Office of Counsel	09	06	03
Complaints and Administration Investigations	29	19	10
Leadership	28	21	7
Regions and External Relations	41	23	18
Support Services	23	20	3
<b>Total</b>	<b>146</b>	<b>102</b>	<b>44</b>

### Staff turnover

A total of 8 officers left the service of the Commission during the reporting year. The staff turnover rate was 5 %. The turnover of staff has contributed to the vacancy list.

### Challenges and achievements

The Commission has continued to pursue vigorous recruitment drives and have encountered challenges caused by external factors and impediments beyond its control that have contributed to not meeting the target that was set and anticipated to be achieved for the year.

One of the real practical challenges was competing with the market that offered superior packages that the Commission was unable to offer and compete to secure appointments. This is particularly a challenge in terms of attracting and retaining qualified lawyers.

The Commission was able to secure 15 external candidates which was an achievement.

### Training and Development

The Commission's recurrent training and development activity targeted towards human resources capacity building is supplemented by the Development Activity of the Twinning program between the Commission and the Commonwealth Ombudsman Office (CO) in Canberra, Australia.



The 2010 year in training and development was a milestone achievement for the Commission with a structured Annual Training Plan that contained in-country and overseas programs which was well supported with the budget to ensure its full implementation.

It was very satisfying to see the first batch of overseas training undertaken by nine (9) officers in a year as a result of having an established training plan that addressed the skills gap of staff and identifying relevant corporate and specialized training to address those areas and building the capacity to competently deliver the outcome.

### **Twinning Placement Program**

The Commission human resources capacity building continued to be supported by the Twinning Program between the Commission and the Commonwealth Ombudsman Office (CO) in Canberra, Australia.

Since its inception in 2005, this partnership has continued to grow stronger and blossom every year focusing in developing and equipping officers with the necessary and relevant skills and knowledge to enhance their performance.

The Twinning program was initially restricted to the Investigators in the Complaints and Administrative Investigations Division (CAID).

A new chapter was opened in 2010 to extend the Twining placement to take on short term placements for Lawyers in the Office of Counsel and staff in the Support and Executive Services and also long term placements for staff in the Leadership Division.

The Twinning program is another milestone successfully achieving most of its planned Twinning activities for the year with the exceptions of a few that were not possible due to factors beyond both institutions' control.

The activities that took place in 2010 were the following:

- A management orientation by the Chief Ombudsman with his counter part and senior management of the Commonwealth Ombudsman in February for a week.
- There were three (3) long term placements of two months - Two (2) officers from CAID and R&ER Divisions were placed in the CO. One was attached at the Canberra Office and the other was attached at the Queensland Office. The long term placement from CO was attached in various locations including Head Office and in the three (3) Regional Offices of New Guinea Islands (Kokopo), Momase (Lae) and Highlands (Mt Hagen).
- Five (5) officers from the Commission had two (2) weeks short term placements with the CO. The placements were from Finance, Logistics, Information Technology and Media Units who were represented by their respective Managers to the CO. The Office of Counsel had only one week.
- There was Forensic Accounting training for 1 week conducted by an officer from the CO under the auspices of Pacific Ombudsman Alliance initiative which was a first of its kind. It was a pilot project to be further pursued in the future to involve other Pacific Ombudsman Offices. A total of 14 Officers from the three (3) operational investigation divisions attended this training which was a success.
- A short term IT placement from the CO was attached to the Commission's IT Unit for a period of two (2) weeks to observe the IT infrastructure of the Commission and offer assistance to improve IT service delivery.

Some of the recommendations were adopted and implemented by the Commission.

- The year ended off with another successful Annual Twinning review and monitoring meeting between the Commission and CO in the Commission's Head Office in Port Moresby from the 06 – 09 December 2010 to reflect and review the activities of the year, identify successes and challenges and improve on for the following year and mapping out the Twinning Activity Calendar for 2011.

The 2010 Twinning program was another success for the Commission and its partner the Commonwealth Ombudsman Office.



## WASDOK CASE MANAGEMENT SYSTEM

In 2010, the Ombudsman Commission saw completion of the installation of the new Case Management System (CMS) in all the Regional Offices.

The CMS provides the focal point for data collection which is used for a number of administrative and operational purposes, including planning, budgeting and monitoring and evaluating staff performance. Additionally this information is used in the Commission's Quarterly Performance Review Process and also in legal requirements to prepare Annual Reports for Parliament. With the proposed Parliamentary Committee for the Ombudsman Commission, timely, relevant and accurate data can be provided. The OC is also increasingly required to provide data to the Law and Justice Sector and also the Justice Advisory Group, so the CMS is an important tool for managing complaints as well as accurate statistical reporting.

CMS is defined as 'automated information system' capable of tracking the complete life cycle of a complaint or investigation case throughout its various stages involving different units and without unnecessary duplication of data collection, data storage or data entry. The development of a robust CMS provides the OC's Executive managers and supervisors with an essential tool to monitor progress, identify delays in investigations, identify the source government agencies where complaints come from etc.

There are many benefits derived from implementation of this project including the following:

- Establishes performance standards and quality assurance of complaint, investigation, annual statement and Office of Counsel records and work practices;
- A modern secure system;
- Flexible data entry and workflow;
- Seamless integration with other applications;
- Scalable and robust architecture;
- Comprehensive reporting features; and also
- Flexible configuration and control.

## IT DEVELOPMENTS

In 2010, internal IT service delivery was improved. Training programs on new applications were conducted so the Commission can reap its return on investment and complete projects initiated or carried forward from 2009. We improved our response time and performance service level through the introduction of a new helpdesk system. This approach elevated our service delivery so that IT is more responsive and provides timely support for Commission requirements.

The Commission's investment on Wasdok CMS software, Intranet and Help Desk system continue to prove to be useful investments. The prime focus in 2010 was on delivery of in-house training to staff to better utilize these tools to access information and improve general work performance.

At the end of 2010, IT embarked on a communication improvement project to improve integration of all offices, reduce cost, improve internet service delivery and provide accessibility to mobile users.

Completed projects during 2010 include:

- the deployment of Wasdok CMS to three Regional Offices so they are on par with Head Office to maintain standardized work practices and generation of CMS reports
- introduction and utilization of new Helpdesk system to manage and deliver timely IT service
- the preparation and initiation of improved communication link between Head Office and Regional Offices for better office integration
- the preparation of incremental hardware upgrade of Regional Offices
- the finalization of Wasdok CMS project by depositing source code with third party under Escrow Agreement offshore

IT continues to improve internet service and have it accessible to Regional Offices. Training programs are on-going to ensure Commission receives return on investment from its assets and leverages off the productivity of its workforce.



## 5. MAJOR OPERATIONS ACTIVITIES

### COMPLAINTS INTAKE & SCREENING

The Commission received a total of 2,491 complaints in 2010 of which a total of 2,435 complaints were completed and 56 complaints were carried over to 2011. Of the 2,491 complaints 2,280 were administrative complaints and 211 were leadership complaints including those from the regional offices. There was a total of six (6) leadership complaints received from regional offices; three (3) from Momase and another three (3) from Highlands Regional Offices while the rest were administrative complaints.

Figure 5: Complaints intake & screening

No. of Months	12				
	Port Moresby	Mt Hagen	Lae	Kokopo	Total
Complaints received (YTD)	1166	593	330	402	2491
Carry Over from 2009	0	0	0	0	0
Assessments Completed (YTD)	1152	591	302	390	2435
Ombudsplan Target (Annual)	1980	660	660	660	3960
Cases Received as % of Target	59%	90%	50%	61%	63%
Cases Closed as % of Target	58%	90%	46%	59%	61%
Current Complaints Outstanding	14	2	28	12	56

### Complaints Summary for 2010

Figure 6: Top five complaints received

Port Moresby		Mt Hagen		Lae		Kokopo	
Entitlements	93	*Advice to complainant	34	Entitlements	13	Delay in general	40
Destruction of property	84	Entitlements	19	*Advice to complainant	10	Entitlements	29
*Advice to complainant	64	Transfer	13	Terms & Condition	4	Assaults	26
Terms & Conditions	61	Delay in general	12	Delay in general	4	Court Matters	24
Assaults	36	Failure to respond	9	Political interference	3	Human Rights	22

\*Advice to complainant – simply is a referral advice to the complainant to which agency he/she should approach for assistance.



Figure 7: Top Governmental Bodies complained against

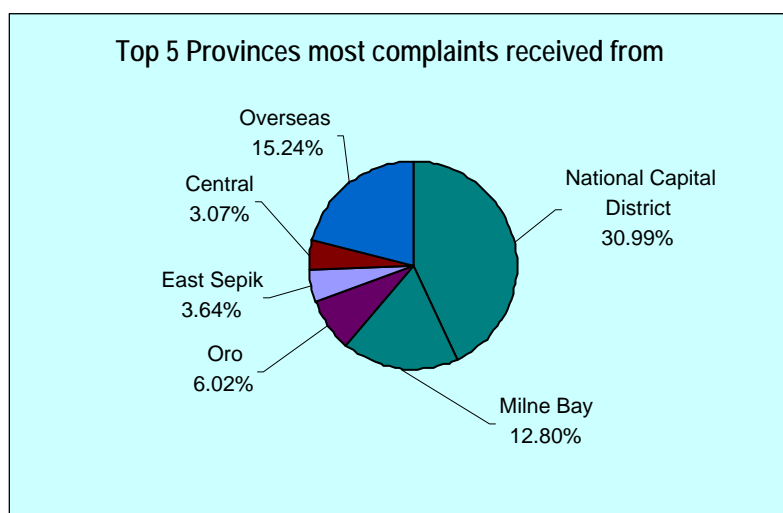
Port Moresby		Mt Hagen		Lae		Kokopo	
Royal PNG Constabulary	194	PNG Correctional Service	120	Royal PNG Constabulary	51	Royal PNG Constabulary	67
Department of Education	59	SHP Provincial Admin.	68	PNG Correctional Service	32	PNG Correctional Service	65
PNG Correctional Service	54	Simbu Provincial Admin.	54	Department of Education	23	ENB Provincial Admin.	41
Department of Health	25	Department of Education	36	Department of Morobe	17	Magisterial Services	21
Department of Works	14	Royal PNG Constabulary	33	Department of Health	11	Department of Education	14
Department of Lands & Physical Planning	14						

Figure 8: Top five Provinces most complaints received from

Province	Total
National Capital District	242
Milne Bay	100
Oro	47
East Sepik	35
Central	24
Overseas	119

Total number of overseas complaints was received from individuals from New Zealand and Canada who are members of the "Amnesty International" regarding alleged Police violation and abuse of human rights related to people living near the Porgera Special Mining Lease area in Enga Province.

Figure 9: Pie graph showing top 5 Provinces from which complaints were received.





## ADMINISTRATIVE INVESTIGATIONS

A total of 180 new administrative investigation cases were opened during the year in 2010. In addition we had 112 cases which were carried over from 2009. In total we had a case load of 292 cases.

A total of 173 investigations were completed which included some of the carry over cases from 2009. The balance of 119 cases was carried over to 2011.

The agencies which had the most cases investigated against in 2010 were the;

1. Royal Papua New Guinea Constabulary (36 cases),
2. Department of Correctional Services (32 cases),
3. Department of Education (17 cases) and,
4. Western Provincial Administration (6 cases).
5. National Housing Corporation (5 cases)

The above figures indicate a notable drop in the number of cases investigated against Police from 73 cases in 2009 to 36 cases in 2010. This may be attributed to the Police Oversight Project through which we are encouraging people to initially lodge complaints with the Police and the oversight of serious complaints against Police by the Ombudsman Commission.

### Investigation Reports

During the year, the Commission completed one report for tabling in Parliament which was regarding the *Improper Rezoning, Leasing and Registering of the Land Title for the land described as Section 31 Allotment 03 Kimbe* by the Department of Lands and Physical Planning. The land title was granted to a private company for commercial purpose.

It was alleged that the Department of Lands and Physical Planning (DLPP) did not follow the administrative systems, processes and procedures set out in legislation, which include the Land Act 1996, Physical Planning Act 1989 and the Land Registration Act (Chapter 191). These legislations govern DLPP operation when licensing, rezoning, leasing and registering State Leases.

The investigation into the allegation discovered that the Department of Lands and Physical Planning did not follow its administrative systems, processes and procedures and the Acts governing its work of the DLPP when allocating Section 31 Allotment 03 Kimbe to the private company. Furthermore, the senior officers in the Department acted without any power to enable the land title to be granted to the company. The Ombudsman Commission in its final Report made recommendations for the Department to implement to improve its administration and use its powers according to Law.

The Ombudsman Commission Final Investigation Report was presented to the Speaker of Parliament to be tabled within the eight sitting days in November 2010.

### Complaints Summary for 2010

*Figure 10:* Top complaint issues investigated

Type of Issues	Total
Entitlements	32
Human Rights	13
Contract	13
*Advice to complainant	12
Assaults	11
Terms & Condition	11
Fraud	9
Delay in general	9
Unlawful exercise of office authority	9

\* This is a referral advice to the complainant to which agency he/she should approach for assistance.



Figure 11: Pie graph top complaint issues investigated



Figure 12: Top five Government Bodies complained against and investigated

Organisation/Governmental Bodies	Total
Royal PNG Constabulary	36
PNG Correctional Services	32
Department of Education	17
Western Provincial Administration	6
National Housing Corporation	5

Figure 13: Pie graph of top 5 GB's complained against and investigated

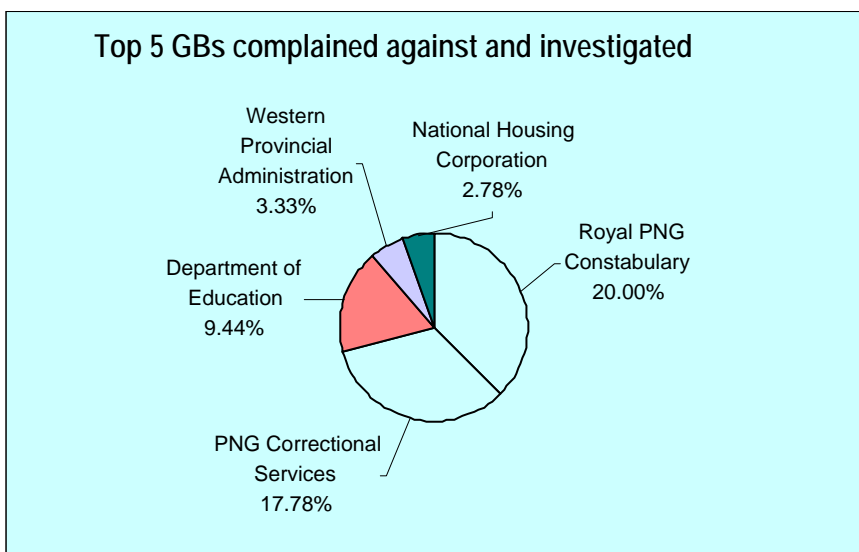




Figure 14: Top five Provinces from which most complaints were received and investigated

Province	Total
National Capital District	93
Milne Bay	21
East Sepik	9
Bougainville	8
Western	7

Figure 15: Pie graph top 5 Provinces from which complaints were received and investigated

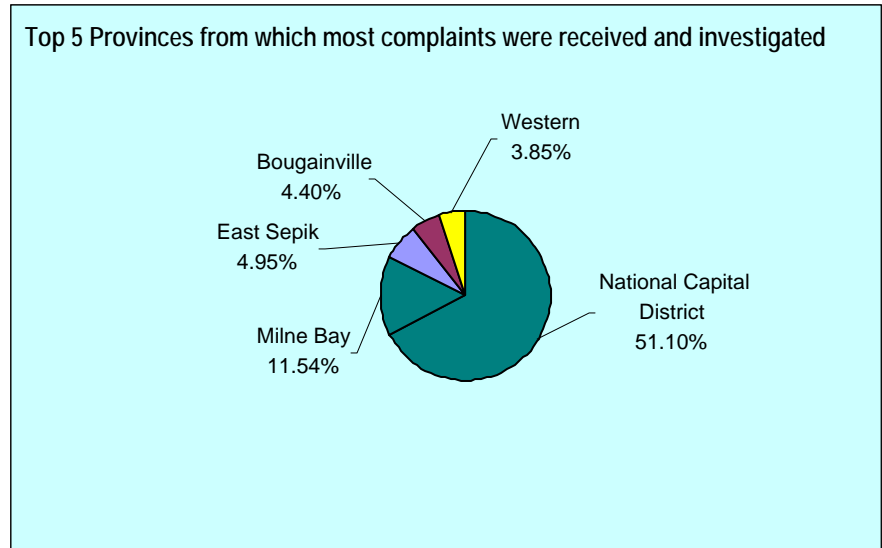


Figure 16: Remedy granted on Complaints investigated

No Remedy	63
Payment Granted	8
Change to Policy/practice/law	10
Act of Grace payment	1
Action expedited	19
Agency undertook to reconsider matter	37
Decision changed	7
Better explanation – by agency	56
<b>Total</b>	<b>201</b>



## CASE SUMMARIES

Below are some of the complaint cases that were lodged with Ombudsman Commission in 2010 and were dealt with under OLOC.

### UNDER PAYMENT OF 2004 RECREATIONAL LEAVE AIR FARES

This complaint was lodged by a Policeman alleging that the Royal Papua New Guinea Constabulary had not paid him the balance of his recreational leave airfares in 2004. According to the travel itinerary he was supposed to have been paid a total of K12, 246.70. However, he was only paid K4, 962.70. The Ombudsman Commission enquiry with the Director Human Resources resulted in the airfare balance of K7, 384.00 being paid to the complainant on 19 April 2010.

### DOUBLE DIPPING

The Commission received a complaint that a very senior Police officer and eight others in Port Moresby allegedly signed a Memorandum of Agreement with a telecommunication company to provide private escorts and have been receiving double salary since 2009. The case was referred to the Commissioner of Police under the Police Oversight Arrangement and the officers were investigated by Internal Affairs Directorate and Criminal Investigation Division and they were arrested and charged. The case is before the National Court for decision.

### IMPROPER REZONING OF STATE LAND FOR COMMERCIAL PURPOSE

A complaint was registered with the Commission alleging that the Department of Lands and Physical Planning (DLPP) did not follow the administrative systems, processes and procedures set up by various laws which govern DLPP operation when licensing, rezoning, leasing and registering State Leases, when it allocated a piece of land to a private company. The laws include the *Land Act 1996*, *Physical Planning Act 1989* and the *Land Registration Act* (Chapter 191).

An investigation was conducted into the Department of Lands and Physical Planning's rezoning, leasing and registering of the land title for the land.

The investigation into the allegation discovered that the Department of Lands and Physical Planning did not follow its administrative systems, processes and procedures and the Acts governing its work. Furthermore, senior officers in the Department acted without any authority to enable the land title to be granted to the company. The Ombudsman Commission in its Final Report made recommendations for the Department to implement and improve its administration and use its powers according to Law.

The Ombudsman Commission Final Investigation Report was presented to the Speaker of Parliament to be tabled within the eight sitting days in November 2010.

### UNFAIR DELAY IN GRANTING OF TITLE OF A PROPERTY

Despite having completed payment of a property he had occupied over many years, the Complainant could not obtain the title to the property. The Complainant alleged that the State Agency had unfairly delayed the transfer of the title to him. The Commission investigated the complaint and found that the complainant had fully completed all necessary payments for the property and that the finalization of the documents for the transfer of title was unfairly delayed. After Commission intervention, the matter was progressed with the transfer of the title of the property to complainant.

### BREACH OF LABOUR LAWS

Commission received a complaint alleging that a foreign company operating in the country may be in breach of the Labour Laws by employing foreigners on jobs that are classified for nationals only. Ombudsman Commission raised the matter with the Department of Labour and Industrial Relations which conducted an investigation and found the foreign Company failed to comply with the laws. The Company was fined and is under close scrutiny to ensure labour laws are being followed.



#### UNDERPAYMENT OF FINAL ENTITLEMENT

A complaint was registered on the issue of underpayment of final entitlements. The Commission investigated the complaint and found that calculations were made using a wrong format resulting in the underpayment. After a recalculation, the complainant received the payment and was satisfied with the outcome.

#### NON-PAYMENT OF REC. LEAVE ENTITLEMENTS BY POLICE DEPARTMENT

A complainant alleged non-payment of recreational leave entitlements for 2001 & 2005.

After many years of following up without any resolution he sought Commission's assistance. As a result of our preliminary investigation, the complainant was granted payment for his outstanding leave entitlements to his home province.

#### UNFAIR DELAY IN TRANSFER OF PRISONER

The complainant was a prisoner who alleged that the Correctional Services had unfairly delayed his request to be transferred from Giligili to Biru Corrective Institution. The Court granted his request in September 2008. Correctional Services failed to implement the decision. In September 2009, the court re-affirmed its decision. Correctional Services again failed to implement the decision. In January 2010, the complaint was lodged with Ombudsman Commission. Following Ombudsman Commission intervention, Correctional Services commenced implementing the transfer by raising the requisition for travel etc in March 2010.

#### NON PAYMENT OF RETROSPECTIVE PAYMENTS BY NCDC

Commission received a complaint from a group of employees of a Statutory Organisation alleging non payment of salary that had accumulated over a number of years after their salaries were upgraded. The salary upgrading was in line with the Organisation's decision. After several attempts to settle the issues failed, the matter was registered with the Ombudsman Commission. On Commission intervention, the complainants were paid their salaries in accordance with the Organisation's decision on salary upgrading.

#### ALLEGED MISAPPROPRIATION BY PROVINCIAL TREASURY OFFICER

A complaint was lodged with the Commission that a Provincial Treasury officer had misappropriated funds. Soon after we commenced our investigation the Internal Audit Division of the Department of Finance undertook an audit into the affairs and operations of the Provincial Treasury and found that the officer's actions and decisions were in breach of the PFMA. Hence, the Internal Audit Division of Department of Finance recommended that the officer be suspended from duties and charged for his actions.

After sighting the internal audit report compiled by the Department of Finance the case was closed.

#### UNPAID OUTSTANDING SALARIES BY A PROVINCIAL ADMINISTRATION

The complainant alleged non-payment of outstanding salaries from 2007 to 2008 by a Provincial Administration. As a result of our preliminary investigation with the Provincial Administration, the complainant was granted outstanding salaries from January 2007 to March 2008.

Thank you to the Provincial Administration for its co-operation in having the matter resolved

#### COMPLAINT AGAINST PRISON OFFICERS

The complainant is an accused person at a Corrective Institution awaiting trial. The accused through a parent asked the Ombudsman Commission to make a prison visit to raise issues with the Commission.

There were numerous allegations leveled against officers of Correctional Institution through the print media, one of which related to the accused giving birth in the confinement of prison cell and other related issues.

The Commission conducted a preliminary investigation and found the allegations unsubstantiated and that the media reports were exaggerated and misleading.

The case was closed and there is nothing inherently wrong on the part of the State agency Correctional Service and its officers.



### VILLAGE RULE THAT DID NOT ALLOW WOMEN TO WEAR TROUSERS

A Local-level Government Committee on Law and Order in a rural LLG Ward came up with a rule that women in the village are not allowed to wear trousers. Any woman found to violate or breach the rule is guilty of an offence and liable to a spot fine of K50 or imprisonment.

The rule stated that women wearing trousers is indecent and in violation of the village customs and traditional norms. Since the rule was implemented in early January 2010 five (5) women have since been found guilty and fined.

A village woman, who was charged, raised the matter with the Commission seeking intervention to look into the matter. She felt that women and girls have been restricted and deprived of their rights because of the rule.

The woman complained that this rule is discriminatory.

Ombudsman Commission wrote to the Councilor concerned and the matter has since been addressed to the joy of the women of the village.

### SUPERVISING ENFORCEMENT OF THE LEADERSHIP CODE

One of the main purposes of establishment of the Ombudsman Commission is to supervise the enforcement of the *Leadership Code*. The Commission does this by, amongst other things, investigating alleged or suspected misconduct in office by leaders. The Ombudsman Commission can conduct such investigations either on complaint or on its own initiative. If the Commission investigates the conduct of a leader and is satisfied that there is a prima facie case that he or she has been guilty of misconduct in office it is obliged to refer the matter to the Public Prosecutor for prosecution before a Leadership Tribunal. Section 29(1) of the *Constitution* and Sections 17(d), 20(4) and 27(1) of the *Organic Law on the Duties and Responsibilities of Leadership* imposes this duty of supervising the enforcement of the *Leadership Code*.

The Leadership Code is a code of conduct that PNG's leaders are expected to know and follow. This Code applies to all Leaders specified under Section 26 of the *Constitution*. In the event where there is doubt as to whether a position is a leadership position, Section 26(4) of the *Constitution* empowers the Commission to deliberate and make a decision on that position.

The *Constitution* contains general statements of principle while the Organic Law imposes more specific duties and responsibilities. Section 27 of the *Constitution* is headed "responsibilities of office". It states that Leaders must ensure that they do not place themselves in a position in which they could have a conflict of interest. It speaks of leaders demeaning their office or position and not allowing their public or official integrity to be called into question. It implores Leaders not to endanger or diminish respect for and confidence in the integrity of government in Papua New Guinea. In many instances, if Leaders are in breach of these fundamental principles of good governance they can also be described as acting corruptly.

The Leadership Code is therefore morally and legally binding on the Leaders and is firmly enforced.

Ombudsman Commission conducts investigations into breaches of the provisions of the *Constitution* and the *Organic Law on the Duties and Responsibilities of Leadership* (OLDRL) and if prima facie evidence is established, the Leader investigated is referred to the Public Prosecutor for prosecution before the Leadership Tribunal.

### Summary of Investigations carried out in 2010

Leadership complaints made to the Commission fall into four main categories under the Leadership Code. These are:

1. Abuse of Power;
2. Misappropriation of Public Funds;
3. Mismanagement and;
4. Moral Complaints.

In 2010, a total of 147 leadership complaints were received for investigation. With 190 complaints carried over from 2009, the Commission investigated a total of 337 complaints altogether. Out of the four categories of allegations, Abuse of Power and

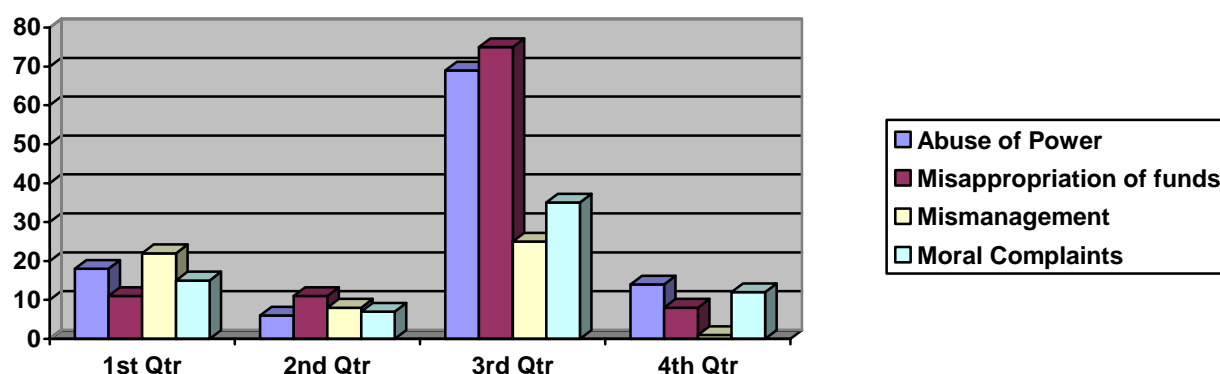


Misappropriation of funds respectively had the highest number followed by moral complaints and mismanagement. The table below shows allegations received and investigated each quarter in the year.

Figure 17: Summary – Allegations against LEADERS

Allegations	Qtr 1		Qtr 2		Qtr 3		Qtr 4	
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD
Abuse of Power	18	18	6	24	69	93	14	107
Misappropriation of Public Funds	11	11	11	22	75	97	8	105
Mismanagement	22	22	8	30	25	55	1	56
Moral	15	15	7	22	35	57	12	69
<b>Total</b>	<b>66</b>	<b>66</b>	<b>32</b>	<b>98</b>	<b>204</b>	<b>302</b>	<b>35</b>	<b>337</b>

Figure 18: 2010 Allegations against LEADERS



Out of the 337 leadership cases investigated by the Commission in 2010, 179 investigations were completed and closed and 158 cases were carried over to 2011. Of the 179 cases completed and closed, 21 of them concluded with full reports with draft Right To Be Heard (RTBHs) and were progressed to the next level to be further processed.

Figure 19: Summary – Categories of LEADERS investigated

Category	Qtr 1		Qtr 2		Qtr 3		Qtr 4	
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD
Overseas Mission	-	-	-	-	-	-	1	1
Members of Parliament	26	26	23	49	102	151	29	180
Members of Provincial Assembly	-	-	1	1	3	4	1	5
Constitutional Office Holders	5	5	3	8	11	19	-	19
LLG - Mayors and other Leaders	5	5	-	5	8	13	-	13
Departmental Heads	5	5	5	10	24	34	-	34
Provincial Administrators	1	1	-	1	1	2	-	2
Statutory Authority CEOs	1	1	-	1	1	2	1	3



Statutory Authority Board Heads	1	1	-	1	-	1	1	2
Other Statutory Bodies	-	-	-	-	5	5	1	6
<b>TOTALS</b>	<b>44</b>	<b>44</b>	<b>32</b>	<b>76</b>	<b>155</b>	<b>231</b>	<b>34</b>	<b>265</b>

**Note:** The above table shows total number of allegations against all categories of leaders. In a complaint made against the leader, there is usually more than one allegation within a complaint as indicated for Members of Parliament in the above table.

The number of complaints investigated by the Commission under its Leadership jurisdiction in 2010 compared to the number of complaints received in 2009 increased by 66%. Misappropriations of funds and abuse of power are still recorded the highest allegations for the year.

In third quarter, the highest numbers of allegations were recorded in all categories of allegations. Figure 19 shows the summary of categories of leaders and number of allegations investigated in 2010 against each category. The misappropriation of funds and abuse of power were committed by National Parliamentarians, Departmental Heads and Constitutional Office Holders. The categories of leadership that had the least number of allegations made against them were: Provincial Administrators, Statutory Board heads with two allegations each and Overseas Missions with one allegation.

### Annual Statements

Section 4 of the *Organic Law on the Duties and Responsibilities of Leadership* states that leaders must submit their Annual Statement within three months after becoming a person to whom the Leadership Code applies. The Statement must be complete and accurate. If a leader fails to submit the annual statement or fails to provide a complete and accurate Statement, he is guilty of misconduct in office.

**Figure 20:** Number of Annual Statements sent and received from various categories of Leaders in 2010.

Activity	MP	Dept Head	Const. Office Holders	OS Mission	Statutory Authority		PA	MPG (ABG)	Other Statutory Bodies	Totals
					CEO	Board				
Annual Statement Sent	104	21	35	10	8	1	21	44	56	300
Annual Statement Received in 3 months	76	8	22	9	2	0	11	7	22	157
Annual Statement Received after 3 months	7	5	5	0	3	0	6	20	8	54
Annual Statements not Submitted	21	8	8	1	3	1	4	17	26	89

A total of 300 Annual Statements were issued to Leaders in 2010. Out of the 300 Annual Statements issued, 157 were returned to the Ombudsman Commission within the three months required period of time for the Statements to be returned. Further 54 were returned after the required three-month period.

By 31 December 2010, 89 Annual Statements were still not received from the leaders. The late and non – submission of Annual Statement by leaders represents 48 percent which is highest compared to 2009 which was only 15 percent. The increase in the rate of late and non submission of Annual Statements by leaders shows their view of Annual Statements as trivial, and insignificant when these are really of equal importance as other breaches of the Leadership Code. Annual Statements submitted by the leaders speak volumes of their conduct and leadership and good governance in terms of transparency, accountability and conflict of interest.



In 2010 Ombudsman Commission issued three right to be heard notices (RTBH) and made two referrals to the Public Prosecutor. Apart from the two referrals in 2010 there were 4 leaders who had been referred for prosecution in previous years, whose cases were still with the Public Prosecutor to the date of preparation of this report.

Each referral follows an intensive investigation, which consumes a considerable amount of time and resources. After a matter is referred to the Public Prosecutor the Commission still has to devote time and resources to assisting the Public Prosecutor to assess and prosecute the matter before a Leadership Tribunal. If a tribunal finds the leader guilty, recent experience is that the judicial review is almost invariably commenced. The Ombudsman Commission becomes closely involved in that process also.

### Legal and Advisory Services

Section 25(1) (a) (i) of the *Organic Law on the Ombudsman Commission* gives the power to the Commission not only to appoint officers but more specifically Counsel to the Commission. The Counsel to the Commission provides the best possible advice and guidance in accordance with the *Constitution* and all other laws. Counsel administers quality control over major outputs of the Commission and provides legal advice and opinions based on law and sound constitution.

The Office of Counsel deals with all legal and advisory matters that come before the Ombudsman Commission as discussed below.

### Advisory Matters

In its advisory jurisdiction, Ombudsman Commission recorded 296 advices which were dispatched to various parties, including leaders.

### Directions under Section 27(4) of the *Constitution*

Ombudsman Commission is empowered under Section 27(4) of the *Constitution* to give directions either generally or in a particular case, to ensure the attainment of the objects of the *Leadership Code* in the following circumstances:

- 1 Where the Ombudsman Commission conducts investigations under the *Leadership Code* and the *Organic Law on the Duties and Responsibilities of Leadership* relating to misconduct in office by persons to whom that Law applies.
- 2 The person being investigated is a person to whom Division III.2 (*leadership code*) of the *Constitution* applies.
- 3 The person being investigated is subject to Section 26 of the *Constitution*.
- 4 A matter being investigated relates to a leader's conduct to whom the National Goals and Directive Principles, the Basic Rights and the Basic Social Obligations of the *Constitution*, and in particular the duty to act in the spirit of the *Constitution*, apply.
- 5 The Ombudsman Commission determines that it is necessary to issue the Direction for the purpose of ensuring the attainment of the objects of Section 27 of the *Constitution*, in particular, protecting the integrity of leaders.

In 2010 the Ombudsman Commission issued four directions under Section 27(4) of the *Constitution*.

### Litigation

Section 217 of the *Constitution* states that the proceedings of the Commission are not subject to review in any way, except by the Supreme Court or the National Court on the ground that it has exceeded its jurisdiction. It is common for one or more proceedings to be commenced against the Commission each year and Counsel to the Commission defends or prosecutes cases for the Commission.

In 2010 the Ombudsman Commission continued to be involved in a wide range of court proceedings, including registration of six cases. Of those cases, five relate to challenges on Commission's power on supervision of the enforcement of the Leadership Code, while one relates to a request by the Court to be a party on a Police case, under its Organic Law on the Ombudsman Commission jurisdiction. Some outstanding court cases which were not promptly dealt with for many years were referred to the National Court by the Registrar, for summary determination, and disposed of by the Court on its own motion.

In addition to the new cases in 2010, there were matters from previous years which remain pending in both National and Supreme Courts.



## Constitutional References

The Ombudsman Commission is one of a limited range of public bodies authorized by Section 19 of the *Constitution* to make special references to the Supreme Court, to seek the Court's binding opinion on questions relating to the interpretation or application of the Constitutional Laws. In this respect, the Ombudsman Commission has been authorized to maintain a watching brief over the nation's constitutional development. By dint of this "hotline" to the Supreme Court, the Commission has become, to some extent, a guardian of the *Constitution*. Since Independence, it has been a fairly regular referrer of constitutional questions to the Supreme Court.

In 2010 Commission registered only two fresh cases under Section 19 of the *Constitution*, while two outstanding matters which were argued in 2006 and 2009 were resolved at the end of 2010. The fresh cases were still pending at the end of 2010.

## Special Projects

Counsel to the Commission and his lawyers are often engaged in projects which are outside of the office's performance indicators. Such projects include special investigations which require the assistance of a lawyer, or programs which see officers being involved with other governmental bodies on projects funded by donor agencies.

In 2010 Office of Counsel continues to provide that assistance.

## GOVERNMENT BODIES LIAISON PROGRAM (GBLP)

GBLP is an ongoing program by the Ombudsman Commission since 2000 in its endeavour to be proactive in educating citizens on good governance and good leadership. There are now 19 active Governmental Bodies out of the 45 Governmental Bodies who joined the GBLP Program. Among other tasks GB's appointed Liaison Officers act as contact points for Ombudsman Commission and assist in a range of different ways including providing information for Ombudsman Commission queries.

*Figure 21:* Liaison officers (facts & figures)

GB's	Male	Female	Total	Remarks
National	16	2	18	
Provincial	18	2	20	Including NCDC
SOE's	4	3	7	SOE = State Owned Entities
Total LO's	38	7	45	

## Liaison Officers Workshops

In 2010 Ombudsman Commission conducted a workshop to help newly appointed Liaison Officers (LOs) to understand the roles and functions of the Ombudsman Commission, its investigation processes and the roles and responsibilities of a Liaison Officer. Those who attended included Heads of Governmental Bodies i.e. Departmental Heads of Agencies, CEO's of State Owned Enterprises and Provincial Administrators and LOs. The Commission believes not only their participation would promote better understanding of the GBLP but enhance relationships with them.

Commission conducted two LO workshops in 2010 held in Port Moresby for National GB's, SOE's and PA's in the Southern Region while the other one was conducted in Kokopo, East New Britain Province for those in the New Guinea Islands Region. Those that did not attend the Port Moresby and the Madang workshops conducted in November 2009 also attended the Kokopo workshop.

The total number of participants was 35 comprising of 31 males and 4 females.

## Internal Complaints Handling Mechanism

Internal Complaints Handling Mechanism (ICHM) is a component of the Government Bodies Liaison Program (GBLP) in the Commission.

The purpose of ICHM is to assist government bodies (GB's) improve or establish their internal administrative complaints handling systems/processes by creating Complaints Desks in their respective agencies and statutory authorities where the



Commission has jurisdiction. This is to give ownership of administrative complaints back to the respective government bodies to attend to in the first instances and OC could be the last resort to seek redress for grievance.

The Commission believes ICHM is important as each GB understands their own internal system and processes better and how it works. The GBs will be able to relate well to the issues raised in the complaint because they may have the necessary information readily available to address the complaints. If the GBs get their internal complaints handling systems and process in order, they will be able to address complaints in an effective and efficient manner than Commission.

The Commission saw the need to initiate ICHM component because statistics from its Case Management System revealed high number of admin complaints against GBs coming to the Commission in the first instance when the Commission is supposed to be the last resort. Over the years there was a huge backlog of administrative complaints and the Commission drew the conclusion that the internal Complaint Handling Mechanisms in GBs were not effectively delivering as expected.

The program started in the year 2000 but was not clearly defined or understood until 2008 when the GBLP Unit was created. To date eight (8) GB's have been working closely with the Commission in reviewing their internal complaints handling systems/processes to improve or establish them.

Some of the GB's the Commission has assisted to improve or set up complaints desks through ICHM component are: -

1. Department of Education
2. Department of Health
3. PNG Defence Force
4. Royal PNG Constabulary (Police)
5. Simbu Provincial Administration

The progressive status of these GB's ICHM is provided below.

1. Department of Education  
A Customer Service Centre was established in November 2007 and it's ongoing.
2. Department of Health  
The Department established an ICHM and created a permanent LO position under Office of Secretary.
3. Simbu Provincial Administration  
A Complaints Desk was established in the Organisational Structure and two permanent positions created for a Liaison Officer and a Complaints Handling Officer.
4. PNG Defence Force  
The PNGDF Redress of Grievance (ROG) process was revised to improve handling of complaints by PNGDF members and signed by the new Commander. The revised ROG process is now being implemented by PNGDF.



## PUBLIC EDUCATION & AWARENESS PROGRAMS

Ombudsman Commission conducts outreach programs to educate Governmental Bodies and the public on its roles and functions. It is apparent from many visits done by the Commission officers to Provinces that the public does not know much about the Commission nor have they heard about the Commission.

The Commission develops an Annual PEP to implement. The program involves public forums, workshops, seminars at Provincial towns, Districts, talk back shows, radio interviews and meeting with management and staff of various government bodies at national and provincial levels. Figure 24 and Figure 25 show the number of Leadership Education workshops and Public Education Events held during 2010.

*Figure 22: Leadership Education*

No. Of Workshops	Location	Total Attendance
3	Madang Manus Kiriwina Islands, MBP	337

*Figure 23: Public Education Events*

Location	Mode	Who	Male	Female	Total
Telikom	Direct Outreach	Executive Management	13	2	15
Trobriand Islands, Milne Bay Province	Direct Outreach	Schools & Communities P/Servants, Churches	1800	200	2000
Nuku District, Sandaun	Direct Outreach	Schools & Communities P/Servants, Churches	2600	400	3000
Asaro Lufa, Okapa Districts, EHP	Direct Outreach	Schools & Communities P/Servants, Churches	2200	300	2500
Paradise High School	Direct Outreach	Students & Teachers	12	5	17
ABG – Bougainville	Direct Outreach	Schools & Communities	2400	600	3000
NBC	Radio Interviews	EHP & ABG	2		2



## **POLICE OVERSIGHT**

The Police Oversight Arrangement between Royal Papua New Guinea Constabulary of Papua New Guinea (RPNGC) and Ombudsman Commission of Papua New Guinea (OCPNG) came into existence as a result of Police Administrative Review 2004 Recommendation 29. An independent accountability and review process was to be established and a separate Police ombudsman created. The RPNGC and the Commission signed an MOA in 2007 to work together to implement the recommendation. The MOA was reviewed in 2008 for another three year term.

The MOA allowed for sharing of information, referral of cases and administrative matters, conduct high profile investigation and monthly cases reviews. The outcome of the arrangement has been good; high profile cases have been resolved with better results and the investigations were less interfered with by the Police hierarchy and politicians. Police are made accountable for their actions and the public begin to have confidence in the Police public complaints investigation.

To codify the arrangements the Working Group consisting of officers from Internal Affairs Directorate of RPNGC and the Commission have been working on a proposed legislation in 2010 which comes in three stages. These include discussion paper, policy paper and legislation proper. In June 2010 the Working Group completed the Discussion Paper and was approved by the Commissioner of Police and Chief Ombudsman for consultative workshop to be conducted with members of RPNGC both rank and file in all Police commands, stakeholders and relevant government agencies.

The consultative workshop was successfully completed in early November 2010 and everyone consulted consented to the legislative reform of RPNGC as a way forward. Towards the end of November 2010 the Draft Policy Paper was completed. It will be finalised and submitted through the Internal Security Minister to National Executive Council (NEC) in 2011 for approval to either amend the Police Force Act or draft a new Act.

In 2010, a survey of the impact of the Police MOA on the attitude and work practice of the Police and monthly case reviews on cases referred to Internal Affairs Directorate for further inquiry was conducted. The survey was completed in November 2010 in all Police establishments. The findings will be developed into a report for RPNGC and OC and Ausaid through the Law and Justice Sector (LJS) in 2011.

The regular monthly case review meetings resulted in several disciplinary proceedings. Further charges were served on one of the Provincial Police Commanders for unlawful shooting causing grievous bodily harm and a senior officer in National Capital District and eight others were arrested and charged for illegally signing MOA with a telecommunication company and getting paid by both the Police and company.

Finally a meeting was held between the Acting Police Commissioner and Chief Ombudsman which saw the Acting Commissioner supporting the arrangement between OCPNG and RPNGC.

# 6. AUDITED FINANCIAL REPORT



**AUDITOR-GENERAL'S OFFICE**  
PAPUA NEW GUINEA

Phone: (+65) 3012262 Fax: (+65) 325 2872 Email: [info@ago.gov.pg](mailto:info@ago.gov.pg) Website: [www.ago.gov.pg](http://www.ago.gov.pg)



**The Chief Ombudsman**  
Ombudsman Commission  
PO Box 1831  
**PORT MORESBY**  
National Capital District

Date: May 09, 2011  
Our Reference: 30-25-4  
Action Officer:  
Designation:  
Your Reference:  
Date:

Office of Secretary  
Received  
Date: 17/05/11  
Noted: *[Signature]*  
17/05/11

→ SMSS & FM,

Dear Sir,  
@ Product Nepal 2010 for your  
personal and records.  
*[Signature]*  
17/05/11

### 2010 AUDIT REPORT

I enclose a copy of the Auditor-General's Report issued under Section 8(4) of the Audit Act, 1989, (as amended), together with a copy of the financial statements of your Commission for the year ended 31 December, 2010.

I would like to extend my appreciation to your staff for the co-operation and assistance rendered during the course of the audit

Yours faithfully,

**JOSEPH FELIX WAK**  
A/Assistant Auditor-General (B)  
(Statutory Bodies Branch)  
For: Acting Auditor-General

-D Sec  
For your attention  
& for records  
pls

  
16/5/11

Level 6  
TISA Investment House  
Kumul Avenue, NCD

PO Box 423  
WATIGAIT, NCD  
Papua New Guinea



Phone: (+675) 3012300 Fax: (+675) 325 2872

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**INDEPENDENT AUDIT REPORT ON THE ACCOUNTS  
OF OMBUDSMAN COMMISSION  
FOR THE YEAR ENDED 31 DECEMBER 2010**

**To the Prime Minister**

I have audited the accompanying financial statements of the Ombudsman Commission for the year ended 31 December, 2010. The financial statements comprise:

- Statements of Cash Receipts (Revenue) and Cash Payments (Expenditure);
- Schedule of Assets and Liabilities; and
- Notes to and forming part of the financial statements.

**Responsibility for the Financial Statements**

The Chief Ombudsman is responsible for the preparation and presentation of the financial statements and the information contained therein in accordance with the *Finance Instructions* issued under *Section 117* of the *Public Finances (Management) Act, 1995*. The Chief Ombudsman is also responsible for the efficient management of administrative services, keeping proper accounting records, safeguarding the assets and taking reasonable steps for the prevention and detection of fraud and other irregularities.

**Responsibility of the Auditor-General**

I have conducted an independent audit in accordance with *Section 5(4)* of the *Audit Act, 1989 (as amended)* in order to express an opinion to you. My audit has been planned and performed in accordance with *International Standards on Auditing* as promulgated by the *International Federation of Accountants* to obtain reasonable assurance whether the financial statements are free of material misstatement. The audit involved performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements.

The nature of an audit is influenced by factors such as the use of professional judgment, including the assessment of the risks of material misstatements in the financial statements, whether due to fraud or error. I have considered the risks, based on those assessments, on the internal controls relevant to the preparation and fair presentation of the financial statements in designing audit procedures considered appropriate in the circumstances.

Procedures were performed to assess whether, in all material respects, the financial statements present fairly, in accordance with the *Public Finances (Management) Act, 1995*, Accounting Standards and other mandatory financial reporting requirements, a view which is consistent with my understanding of the Authority's financial position, and of its performance as represented by the results of their operations and cash flows.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for this report.

Level 6  
TISA Investment House  
Kumul Avenue, NCD

*Accountability first*  
**IMPACT**

PO Box 423  
WAIGANI, NCD



#### AUDIT OPINION

In my opinion, the financial statements of the Ombudsman Commission for the year ended 31 December, 2010:

- a) give a true and fair view of the total receipts and payments made by the Commission during the year ended 31 December, 2010; and
- b) have been prepared in accordance with the cash receipts and disbursements basis as described in the Commission's Accounting Policies disclosed in the Notes accompanying the financial statements.

#### OTHER MATTER

In accordance with the *Audit Act, 1989 (as amended)*, I have a duty to report on a significant matter arising out of the financial statements, to which the report relates. I wish to draw attention to *Note 2.9* to the receipts and payments statement on *Grants and Other Assistance (Payments by External Third Parties)*.

The Commission received a total of K432,625 from the Australian Development Assistance (AusAid) for the year in respect of the Law and Justice Sector Project and spent K401,871 within the set guidelines of the Annual Program Plan (APP) which is outside the Commission's normal business operations and is not subject to audit by me. The Commission is under an obligation to ensure full accountability of the funds expended and the Program is subject to annual audit by the Program auditors.

**GEORGE W. SULLIMANN**  
*Acting Auditor-General*

5 May 2011



**OMBUDSMAN COMMISSION  
OF  
PAPUA NEW GUINEA**

TELEPHONE: (675) 308 2600  
FAX: (675) 320 3260  
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P.O BOX 1831  
PORT MORESBY, N.C.D 111  
PAPUA NEW GUINEA

**FINANCIAL STATEMENT  
FOR THE YEAR ENDED 31 DECEMBER 2010**

**DECLARATION BY MEMBERS OF COMMISSION**

In our opinion, the accompanying Statement of Receipts and Payments together with the notes to and forming part of the financial statements of the Ombudsman Commission of Papua New Guinea have been drawn up so as to show fairly the financial operations for the year ended 31 December 2010 and the state of affairs of the Commission as at that date.

Except as disclosed in the accounts, we are of the opinion that:

- (a) the results of the Commission's operations for the year ending 31 December 2010 have not been materially affected by items, transactions or events of an abnormal character.
- (b) no circumstances have arisen which would render any amount shown in the statement misleading.
- (c) fixed assets to the values shown in the statements, were all in existence at 31 December 2010.
- (d) no contingent liability has become enforceable or is likely to become enforceable within the period of twelve months from the date of this report which will materially affect the Commission in its ability to meet its obligations as and when they fall due.

**CHRONOX MANEK, LL.B (UPNG), LL.M (Unimelb), CL**  
CHIEF OMBUDSMAN

**JOHN NERO, BAC, MBA**  
OMBUDSMAN

**PHOEBE SANGETARI**  
OMBUDSMAN





**STATEMENT OF CASH RECEIPTS AND PAYMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2010**

	Notes	2010			2009		
		Ombudsman Commission	External Parties - LJSP	External Parties - NACS	Ombudsman Commission	External Parties - LJSP	External Parties - NACS
<b>RECEIPTS</b>							
Grant from GoPNG	1.0	14,040,000	0	0	14,040,000	0	0
Grant & Other Assistance	2.0	0	415,005	70,000	0	447,440	40,005
Other Receipts	3.0	22,923	17,620	0	232,541	47,527	0
<b>TOTAL RECEIPTS</b>		<b>14,062,923</b>	<b>432,625</b>	<b>0</b>	<b>14,242,541</b>	<b>495,067</b>	<b>40,005</b>
<b>PAYMENTS</b>							
Salaries, Wages & Employee benefits	4.0	5,475,259	3,500	0	7,545,486	54,051	0
Supplies & Consumables	5.0	373,176	0	0	458,207	3,300	0
Utilities	6.0	665,070	0	0	651,586	0	0
Administrative Expenses	7.0	593,407	20,024	0	714,352	0	0
Other Operating Exp	8.0	3,083,366	380,747	70,000	2,300,756	1,029,393	27,584
Capital Expenditures	9.0	693,936	0	0	505,480	0	0
<b>TOTAL PAYMENTS</b>		<b>13,993,597</b>	<b>401,871</b>	<b>70,000</b>	<b>12,137,857</b>	<b>1,057,444</b>	<b>27,584</b>
<b>INCREASE / (DECREASE) IN CASH</b>		<b>70,685</b>	<b>30,754</b>	<b>0</b>	<b>2,104,684</b>	<b>(572,377)</b>	<b>12,341</b>
Cash at the beginning		7,571,972	84,392	12,341	5,467,287	656,769	0
Increase / (Decrease) in cash		70,685	30,754	0	2,104,685	572,377	12,341
<b>CASH AT THE END OF THE YEAR</b>	10.0	<b>7,642,657</b>	<b>115,146</b>	<b>12,341</b>	<b>7,571,972</b>	<b>84,392</b>	<b>12,341</b>

  
**CHRONOX MANEK, LLB (UPNG), LL.M (Uf-Melb), OL**  
**CHIEF OMBUDSMAN**

  
**JOHN NERO, BAC, MBA**  
**OMBUDSMAN**

  
**PHOEBE SANGETARI**  
**OMBUDSMAN**



**OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT**

**RECEIPTS**

**1.0 GRANT APPROPRIATION FROM GOVERNMENT OF PNG**

Grant receipts primarily consist of funding provided to the Ombudsman Commission by the Government of Papua New Guinea, usually in the form of cash receipts. The Ombudsman Commission's appropriation for 2010 was K 14,040,000, same as 2009.

Tabulated below is the summary of receipts and expenditure for 2010 and the unspent funds at close of the financial year.

Funding Source	Initial Appropriation	Revised Appropriation	Warrants / Cash Fund Certificates	Expenditure	Grant Balance at End of FY
Recurrent Budget:	14,040,000	14,040,000	14,040,000	(13,897,724)	142,276
Department Budget	0	0	0	0	0
<b>TOTAL</b>	<b>14,040,000</b>	<b>14,040,000</b>	<b>14,040,000</b>	<b>(13,897,724)</b>	<b>142,276</b>

**2.0 GRANT & OTHER ASSISTANCE - Payments by External Third Parties**

**2.1 AUS-AID – PNG LAW & JUSTICE SECTOR (LJSP)**

Ombudsman Commission benefits from payments made by *Aus-Aid* under the Law and Justice Sector Program (LJSP).

These payments do not constitute cash receipts or payments of the Commission but do benefit the Commission and thus disclosed in the Payments & Receipts by LJSP in the Statement of Cash Receipts and Payments.

These receipts and payments are audited periodically by the Internal Audit Unit of the LJSP and an appointed External Auditor annually.

**2.2 NATIONAL AIDS COUNCIL SECRETARIATE (NACS)**

The Ombudsman Commission was provided funding assistance in 2009. In 2010, an amount of K 70,000 was received towards the close of accounts. This fund has being returned back to National Aids Council (NACS) as unspent funds.





**OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT**

**3.0 OTHER RECEIPTS**

**3.1 INTEREST EARNED**

Ombudsman Commission operates a Business Management Account with the Bank South Pacific since year 2004, where unspent funds from each financial year are kept to earn interest on these unspent funds.

The unspent funds are resultant of under spending in the Commission's Main Operation Account at the end of each financial year.

The underspending of these funds is a consequence of the balance of the Commission's annual funding being released to the Commission towards the end of the financial year. This does not allow adequate timing to utilise the funds as intended in the yearly budget.

The transactions for the year are;

Month	Deposit	Interest Earned	Bank Fee	(Payment)	Balance
Balance b/fwd					5,481,378
January		6,217			5,487,593
February					5,487,593
March					5,487,593
April		6,089			5,493,684
May					5,493,684
June	2,082,873			(86,798)	7,489,759
July		4,843			7,494,602
August					7,494,602
September					7,494,602
October		4,415			7,499,017
November					7,499,017
December	142,276				7,641,293
<b>TOTAL</b>	<b>2,225,149</b>	<b>21,564</b>	<b>0</b>	<b>(86,798)</b>	<b>7,641,293</b>





**OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT**

**3.2 CLOSURE OF ANZ BANK ACCOUNT**

The Ombudsman Commission received funding from Aus-Aid back in 2000 through the Institutional Strengthening Program (ISP). A bank account was opened with ANZ Bank for the purpose of operating the program. At the end of the Aus-Aid program, the fund left in the bank account was K 1 360.

The Commission requested and closed this dormant account this year. The funds received from ANZ Bank will be deposited to the Commission's Business Management Account.

**PAYMENTS**

**4.0 SALARIES AND ALLOWANCES AND EMPLOYEE BENEFITS**

Item	Description	2010	2009
111	Salaries & Allowances	5,648,939	5,468,225
113	Overtime	137,183	92,656
114	Leave Fares	112,777	282,140
116	Contract Officers' Education Benefits	9,550	7,500
127	Officers' Rental	307,703	290,466
136	Education, Training & Development	853,988	388,518
141	Gratuity, Pensions & Retirement Benefits Funds	1,330,368	1,006,867
142	Subscription Fees	17,752	9,112
<b>TOTAL</b>		<b>8,478,259</b>	<b>7,545,486</b>

**5.0 SUPPLIES & CONSUMABLES**

Item	Description	2010	2009
123	Office Materials & Supplies	361,045	427,117
124	Operational Materials	12,131	12,090
<b>TOTAL</b>		<b>373,176</b>	<b>439,207</b>

4 |





OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT

**6.0 UTILITIES**

Item	Description	2010	2009
122	Public Utilities	665,070	631,586
<b>TOTAL</b>		<b>665,070</b>	<b>631,586</b>

**7.0 ADMINISTRATIVE EXPENSES**

Item	Description	2010	2009
125	Transport & Fuel	346,559	216,205
126	Administrative Consultancy Services	186,940	209,256
127	Office Space Rentals	0	24,750
128	Routine Maintenance & Repairs	164,901	234,141
<b>TOTAL</b>		<b>698,401</b>	<b>714,352</b>

**8.0 OTHER OPERATING EXPENSES**

Item	Description	2010	2009
121	Travel & Subsistence	2,677,607	1,866,375
135	Other Operating Expenses	398,073	424,153
	Other Charges	0	0
	Regional Office Expenses	7,716	10,238
<b>TOTAL</b>		<b>3,083,396</b>	<b>2,300,766</b>





OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT

**9.0 SCHEDULE OF ASSETS**

- During this reporting period, the Ombudsman Commission spent a total of K 693,936 to acquire new assets and the purchases were made from the Commission's Main Operating Account and the Business Management Account.
- The Commission disposed three (3) motor vehicles. The vehicles were disposed at their purchase cost of K 382,230 as detailed below:

Motor Vehicle Location		Cost of Purchase
Mt Hagen Office	- Rego HAG 611	124,951
Complaints Branch	- Rego BBQ 706	79,301
Leadership Branch	- Rego BBV 487	87,190
Lae Regional Office	- Rego BBV 125	90,188
<b>Total</b>		<b>382,230</b>

The Commissions' Asset Reconciliation below is generated from the Commission's Asset Management System (AMS)

Asset Groups	Opening Balances as at 01/01/2010	Additions at Cost in 2010		Disposal at Cost in 2010		Closing Balances as at 31/12/2010
		OC	LJSP	OC	LJSP	
Land & Buildings	0	0	0	0	0	0
Furniture & Fittings	1,190,252	20,285	0	0	0	1,210,539
Office Equipment	4,442,771	230,200	0	0	0	4,672,980
Motor Vehicles	1,261,692	443,441	0	382,230	0	1,322,902
Marine Vessels	0	0	0	0	0	0
Plant & Machinery	0	0	0	0	0	0
Tools & Equipment	211,432	0	0	0	0	211,432
<b>TOTAL</b>	<b>7,106,147</b>	<b>693,936</b>	<b>0</b>	<b>382,230</b>	<b>0</b>	<b>7,417,852</b>





**OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT**

**10.0 CASH**

Cash comprises cash on hand, demand deposits and cash equivalents. Demand deposits and cash equivalents comprise balances with banks, business management funds and short term deposits.

Amounts appropriated to the Ombudsman Commission are remitted direct to the Commission's bank account. The Ombudsman Commission is a self accounting entity.

Cash included in the Statement of Cash Receipts and Payments comprise the following:

Description	2010	2009
Business Management Account	7,642,653	5,481,370
Main Operation Account	0	2,082,873
Cash On Hand (Petty Cash)	0	1,375
Other Bank Balances	4	6,346
<b>TOTAL</b>	<b>7,642,657</b>	<b>7,571,972</b>

**10.1 BANK ACCOUNTS**

Bank	Account Name	Account Number	Branch	Balance
BSP	Main Operation A/C	10 000 14772	Gordon	0
BSP	Business Management A/C	10 000 11903	Gordon	7,642,653
BSP	Mamose Imprest A/C	10 011 13657	Lae	(286)
BSP	Highlands Imprest A/C	10 011 14881	Mt Hagen	266
BSP	New Guinea Islands Imprest A/C	10 011 14015	Kokopo	24
<b>TOTAL BANK ACCOUNTS</b>				<b>7,642,657</b>





OMBUDSMAN COMMISSION OF PNG  
2010 ACCOUNTS  
NOTES TO FINANCIAL STATEMENT

**10.2 CASH ON HAND**

OFFICE LOCATION	Balance
Head Office – Port Moresby	(225)
Mamose Regional Office – Lae	143
Highlands Regional Office – Mt Hagen	15
New Guinea Regional Office - Kckopo	67
<b>TOTAL CASH ON HAND</b>	<b>0</b>
<b>TOTAL BANK &amp; CASH ON HAND</b>	<b>7,642,657</b>

**SCHEDULE OF LIABILITIES**

There appears to be no contingent liabilities, other expenditure arrear carried forward to the new financial year.

End of Notes to and forming part of the Accounts for the Year Ended 31 December 2010, prepared in accordance with IFAC Cash Reporting Standard (in Kina).





**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2010**

**ACCOUNTING POLICIES**

**Report Entity**

The Financial Statements are for the Ombudsman Commission of Papua New Guinea, a Constitutional Office. The Financial Statements encompass the reporting entity as specified in the *Public Finances (Management) Act*. The Ombudsman Commission is a Constitutional Office set up under the *Constitution of Papua New Guinea*.

Ombudsman Commission's principal activity is defined under Section 219(1) of the *Constitution*. The Commission controls its own drawing bank account at Bank South Pacific. Appropriations and other cash receipts are deposited into its bank account.

**Basis of Preparation**

The Financial Statements comply with International Public Sector Accounting Standards (IPSAS) Financial Reporting under the Cash Basis of Accounting.

The accounting policies and practices followed in the preparation of the 2010 Accounts are based on concepts embodied in the *Public Finances (Management) Act*, as required by the Auditor General's Office and policies and practices evolved over the years.

The Accounts are maintained on a cash basis. Receipts and expenditures shown in the financial statements are based on amounts actually received or actually spent in the financial year. Expenses for goods and services received are brought to account in the year payment for those goods and services are made. Similarly any income received is brought to account in the year of receipt.

The Financial Statements have been prepared on a cash basis and the accounting policies, principles and practices have been applied consistently throughout the period and those applied in previous years.

**Payments by Other Government Entities**

The Ombudsman Commission of PNG does not benefit from payments made by other government entities.

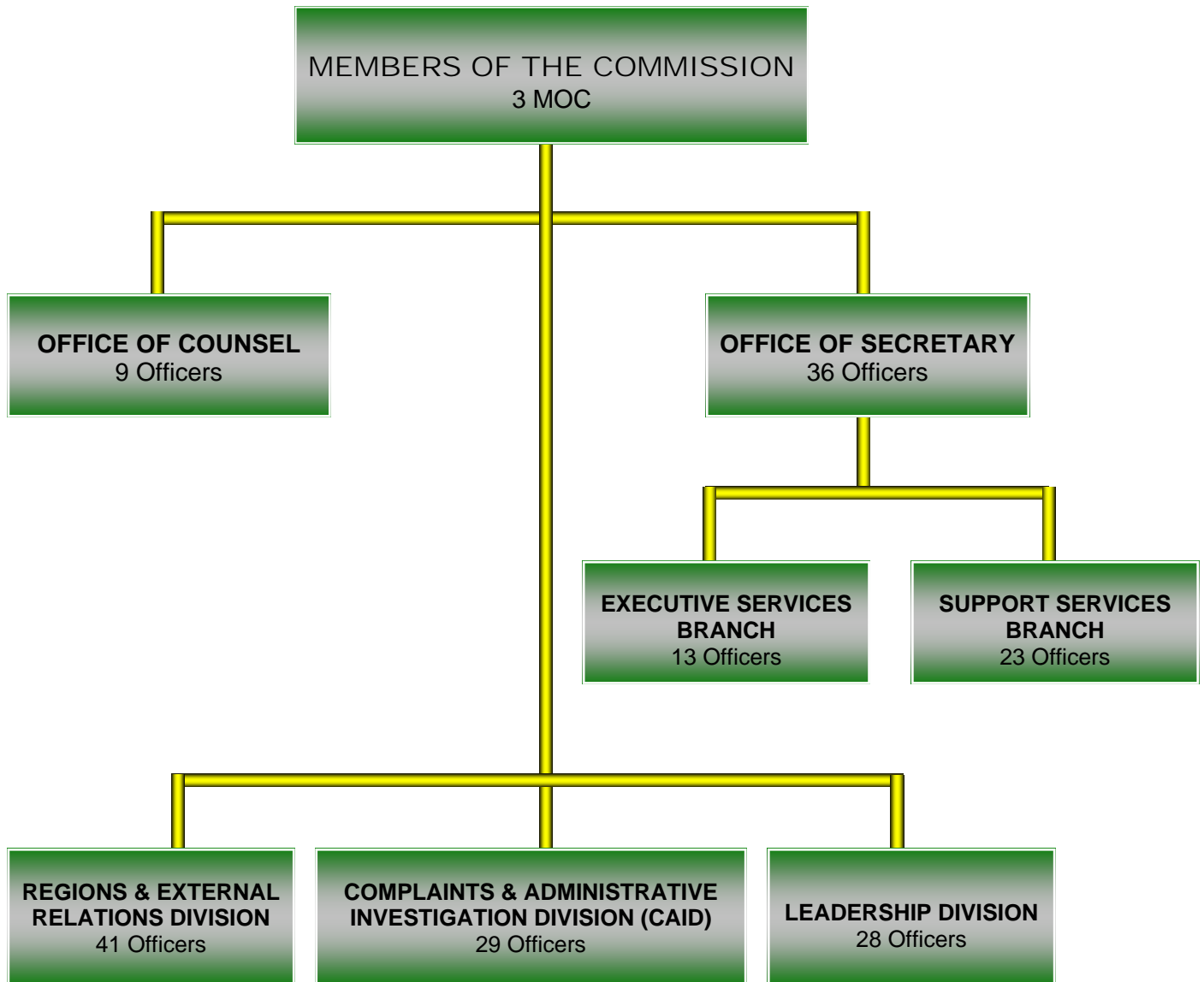
**Reporting Currency**

The reporting currency is Papua New Guinea Kina.





**ORGANISATIONAL STRUCTURE – OMBUDSMAN COMMISSION OF PAPUA NEW GUINEA**





## 7. APPENDICES

### APPENDIX I Major Reports produced by the Commission under Section 22 of the *Organic Law on the Ombudsman Commission* as at 31 December 2010

DATE PUBLISHED	NAME OF REPORT
February 1980	Report on the formal enquiry into the dispute between the Harbours Board and the wharf workers of Rabaul.
June 1980	Air Niugini an interim report by the Ombudsman Commission
August 1981	Ombudsman Commission Final Report on the Kerevat National High School Enquiry
February 1982	Report on the investigation into allegations against the former acting Vice Chancellor of UPNG Mr Nicholas Kuman
November 1982	Corruption in Government
February 1983	Formal enquiry into the cause of student unrest at the University of Papua New Guinea.
May 1985	Report by the Ombudsman Commission on street vending and associated problems arising as a result of formal enquiry into the complaint by street vendors against the NCD interim Commission.
February 1986	Report upon an investigation into the treatment of Juvenile Offenders.
January 1988	Brief to the Government on the Ombudsman Commission
December 1989	Public Officers Superannuation Board Investigation
January 1992	Investigation into the results of an investigation into the dismissal of an officer of the Papua New Guinea Defence Force – Leo Nuia No. 455 of 1991.
December 1992	Report of an investigation into the Spring Garden Road Poreporena Freeway Project.
June 1994	Report of an investigation into the Disciplined Forces Institutional Housing Project.
November 1994	Investigation into the termination of Dr AG Pillay, a senior lecturer in Anatomy, University of Papua New Guinea.
June 1995	Report of an Investigation into the Appointment of the Director and a member of the Legal Training Institute – Final Report
May 1996	Investigation into Mrs Mary Parker's Complaint Against the Public Curator
October 1996	Investigation into alleged unfair decision in varying contract gratuity amounts due to non citizen contract officers by the acting chief Executive and General Manager – Papua New Guinea Electricity Commission.
October 1996	Investigation into Awarding of Contracts for Upgrading of the Port Moresby Water Supply Project.
June 1997	Investigation into Alleged Improper Transfer of Title Relating to State Lease Volume 30 Folio 7280 Section 238 Allotment 10 Hohola on a complaint made by Papua New Guinea Banking Corporation – Final Report
August 1997	Investigation into Alleged Improper Leasing of Properties by the National Housing Corporation from Neisenel No. 77 Pty Ltd
August 1997	Investigation into Issue of A Permit to Turama Forest Industries Pty Ltd by the Forest Authority
November 1997	Preliminary Report on Complaint made by Ms Grace Ochero against the University of Papua New Guinea Relating to ERSA and Gratuity

*Continued...*

March 1998	Report of an investigation into the illegal occupation of state leases in Bereina town Central Province CF: 198/94
November 1998	Preliminary Investigation Report of an Allegation of unfair decision to award multi-million Ramu Highway Upgrading and Sealing contract to Downer Construction By NEC
November 1999	Investigation into the Purchase of the Conservatory Cairns by Public Officers Superannuation Fund Board and associates transactions and arrangements.
November 1999	Investigation into the lease and proposed purchase of Malagan House, 99 Creek Street, Brisbane by the Independent State of Papua New Guinea.
July 2002	Investigation into the decision of the National Forest Board to award the Kamula Doso FMA to Wawoi Guavi Timber company (a subsidiary of Rimbunan Hijau) as an extension to Wawoi Guavi Timber Resource Permit – Final Report
July 2006	Investigation into Administrative Practice – Payment of public funds to officers for sick leave by a Government Department.
September 2009	Investigation Report into the Appointment and Conduct of Hamish Sharp in the National Maritime Safety Authority Board
2009	Investigation Report into the Julian Moti Affair
2009	Investigation report into the Alleged Unlawful and Abuse of Human rights by Police, Three Mile Guest House, Port Moresby, National Capital District
2010	Investigation into the Department of Lands and Physical Planning rezoning, leasing and registering of the land title for section 31 allotment 03 Kimbe issued to Quiquing Trading Limited.



## APPENDIX II Leaders Referred for prosecution by the Ombudsman Commission under the Leadership Code as at 31 December 2010

No	LEADER	OFFICE	YEAR	RESULT
1	MOSES SASAKILA	MP; Minister for Culture	1976	Guilty – dismissed – later set aside by Supreme Court
2	BRIAN GREY	General Manager, National Airline Commission	1978	Guilty – reprimanded
3	AKO TOUA	Commissioner, Electricity Commission	1978	Guilty – suspended
4	LEO MORGAN	Acting Secretary, Department of Works and Supply	1978	Guilty – dismissed
5	JAMES MOPIO	MP	1981	Guilty – dismissed
6	OPAI KUNANGEL	MP; Minister for Commerce	1982	Resigned after appointment of tribunal
7	PIUS KEREPIA	Secretary, Department of Works and Supply	1983	Guilty
8	ILINOME TARUA	PNG High Commissioner to London	1983	Guilty
9	MICHAEL PONDROS	MP	1983	Guilty – dismissed
10	LENNIE APARIMA	MP	1985	Not guilty
11	EZEKIEL BROWN	Managing Director, National Provident Fund	1985	Guilty – fined
12	JULIUS CHAN	MP; Deputy Prime Minister; Minister for Finance	1988	Not guilty
13	JOHN KAPUTIN	MP	1988	Guilty – fined
14	OBUM MAKARAI	Chairman, Papua New Guinea Banking Corporation	1988	Guilty – fined
15	KEDEA URU	Chairman, National Broadcasting Commission	1988	Not guilty
16	GERALD SIGULOGO	MP	1989	Guilty – dismissed – judicial review by leader unsuccessful
17	SUSUVE LAUMAEA	Chief of Staff, Office of the Prime Minister	1990	Public Prosecutor failed to refer matter to tribunal – no further action
18	GABRIEL RAMOI	MP	1990	Resigned after appointment of tribunal
19	ESEROM BUREGE	MP	1990	Resigned after tribunal commenced hearing
20	TED DIRO	MP; Deputy Prime Minister; Minister for Forests	1991	Guilty – recommended for dismissal – resigned before dismissal effected
21	TOM AMAIU	MP	1992	Resigned after appointment of tribunal
22	TONY ILA	MP	1992	Guilty – resigned before decision on penalty
23	TIMOTHY BONGA	MP	1992	Resigned – later guilty – dismissed
24	PETER GARONG	MP	1992	Resigned – later guilty – dismissed
25	GALEN LANG	MP	1992	Resigned – later died in office
26	MELCHIOR PEP	MP	1992	Resigned – later guilty – dismissed
27	PHILIP LAKI	MP	1993	Guilty – recommended for dismissal – resigned before dismissal effected
28	ANDREW POSAI	MP; Minister for Forests	1995	Guilty – dismissed – judicial review unsuccessful
29	JOHN NILKARE	MP; Minister for Village Services and Provincial Affairs	1995	Guilty – dismissed – later reviewed by Supreme Court – penalty altered to fine



Continued...

No	LEADER	OFFICE	YEAR	RESULT
30	PAUL PORA	MP; Minister for Civil Aviation	1995	Guilty – fined – judicial review by Public Prosecutor unsuccessful
31	JEFFREY BALAKAU	MP; Governor, Enga Province	1996	Guilty – dismissed – judicial review unsuccessful
32	GABRIEL DUSAVA	Secretary, Department of Foreign Affairs	1996	Guilty – dismissed – judicial review unsuccessful
33	YAIP AVINI	MP; Minister for Health	1996	Lost office through criminal conviction
34	JOSEPH ONGUGLO	MP; Minister for Education	1996	Resigned after tribunal commenced hearing
35	ALBERT KARO	MP	1997	Lost office in election
36	PETER YAMA	MP; Minister for Transport and Works	1997	Lost office in election – later re-elected Dismissed from office on 01.12.04. On 04.02.05 National Court quashed the penalty of dismissal, dismissed 2 guilty findings and imposed a fine of K1000. Leader is reinstated as member of Parliament for Ussino-Bundi. Appeal by the Public Prosecutor is pending.
37	AMOS YAMANDI	MP	1997	Lost office in election
38	JERRY SINGIROK	Commander of the Defence Force	1999	Guilty – dismissed – judicial review unsuccessful
39	MICHAEL GENE	Secretary, Department of Attorney-General; Attorney-General	2000	Appointment revoked prior to appointment of tribunal
40	JIM KAS	MP; Governor, Madang Province	2000	Guilty – dismissed – judicial review unsuccessful
41	PETER PEIPUL	MP; Deputy Leader of the Opposition	2000	Guilty – dismissed – later reviewed by Supreme Court – decision on guilt affirmed but penalty altered to fine – slip rule application by Public Prosecutor rejected
42	ANDERSON AGIRU	MP; Governor, Southern Highlands Province	2000	Guilty – dismissed – judicial reviews unsuccessful
43	JOHN WAKON	Commissioner of Police	2000	Appointment revoked – judicial review of referral unsuccessful
44	KUK KULI	MP	2001	Resigned after appointment of tribunal
45	BERNARD MOLLOK	MP	2001	Resigned after appointment of tribunal
46	JACOB WAMA	MP	2001	Resigned after appointment of tribunal
47	JOHN KAMB	MP; Minister for Communications and High Technology	2001	Not guilty
48	BEVAN TAMBI	MP	2001	Resigned after appointment of tribunal
49	PETI LAFANAMA	MP; Governor, Eastern Highlands Province	2001	Guilty – dismissed – later reviewed by National Court – decision on guilt affirmed but penalty altered to fine
50	PETER WAIENG	MP	2001	Resigned after appointment of tribunal
51	ANDERSON AGIRU	MP; Governor, Southern Highlands Province	2001	Guilty – dismissed – judicial reviews unsuccessful.
52	VINCENT AUALI	MP; Minister for Corporatization and Privatisation	2001	Resigned after appointment of tribunal
53	PETER ARUL	MP	2001	Resigned after appointment of tribunal
54	BERNARD HAGORIA	MP	2002	Guilty – dismissed
55	MAO ZEMING	MP	2002	Guilty – dismissed – Applied for judicial review. On 06/02,06 the Court considered that the breach of s. 21(6) OLDRL did not result in any real and substantial injustice to Mr Zeming and declined to quash the tribunal's findings and dismiss the application with costs to the respondent, the State, who is the nominal respondent representing the 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> respondents.
56	IAIRO LASARO	MP	2002	Lost office in election



Continued...

No	LEADER	OFFICE	YEAR	RESULT
57	YAUWE RIYONG	MP	2002	Lost office in election
58	JOHN TEKWIE	MP	2002	Lost office in election
59	THOMAS PELIKA	MP; Deputy Leader of the Opposition	2002	Lost office in election
60	ANDREW KUMBAKOR	MP; Minister for Finance, Planning and Implementation and Rural Development	2002	Not guilty
61	MICHAEL NALI	MP	2002	Guilty – fined
62	ALFRED DANIEL	Chairman, National Gaming Control Board	2002	Appointment expired after request for tribunal
63	REUBEN KAIULO	Electoral Commissioner	2002	Appointment expired after matter referred to tribunal
64	CES IEWAGO	Managing Director, Public Officers Superannuation Fund	2003	Appointment revoked prior to request for tribunal
65	MICHAEL NALI	MP, member for Mendi Open, member Southern Highlands Provincial Assembly	2003	Guilty – dismissed. Judicial Review application granted, tribunal decision quashed and matter referred for rehearing. Pending
66	DANIEL KAKARAYA	Managing Director, Mineral Resources Development Corporation Ltd	2003	Pending – Decision Judicial review in National Court pending
67	MARK WANI	Auditor-General	2003	Guilty –Judicial Review on payment of entitlements successful.
68	RAHO HITOLO	Ombudsman	2004	Tribunal disbanded due to lack of jurisdiction. Matter pending
69	MARK SEVUA	Judge of the National Court and Supreme Court	2004	Pending
70	PETER IPATAS	MP, Governor of Enga Province	2004	Guilty of 16 out of 23 allegations. Fine of K1000 for each allegation. Public Prosecutor has filed application seeking leave for judicial review: pending
71	GALLUS YUMBUI	MP, member for Wosera-Gawi Open	2004	Tribunal decision pending. Recommended for dismissal as at 2 March 2007.
72	CHARLIE BENJAMIN	MP, member for Manus Open	2005	Guilty of 19 allegations. Recommended for dismissal as at 15 January 2007.
73	GABRIEL KAPRIS	MP, Minister for Works	2005	Guilty of 2 out of 2 allegations and fined K2,000
74	ANO PALA ISO	Clerk of the National Parliament	2005	Term expired and not reappointed. Pending
75	PUKA TEMU	MP, Minister for Lands & Physical Planning	2005	Guilty of 4 out of 6 allegations. Fine of K1000 each.
76	JAMES YALI	MP, Governor of Madang Province	2005	Pending. Mr Yali was dealt with by the National Court Criminal Jurisdiction and convicted on 13/12/05 on rape and sexual assault. On 19/01/06 was sentenced to serve 12 years imprisonment with hard labour.
77	ANDREW BAING	MP, Deputy Leader of the Opposition	2005	Guilty of 3 out of 5 allegations – recommended for dismissal as at 20 December 2006.
78	CHRIS HAIVETA	MP, Governor of Gulf Province	2006	Pending.



Continued...

No	LEADER	OFFICE	YEAR	RESULT
79	GUAO ZURENUOC	MP, member for Finchaffan Open	2006	Pending
80	ARTHUR SOMARE	MP, minister for Planning & Monitoring	2006	Pending
81	MELCHIOR PEP	MP, Minister for Health	2006	Pending
82	SIR MOI AVEI	MP, Deputy Prime Minister and Minister for Mining	2006	Presently before a Leadership Tribunal.
83	JOHN MUINGNEPE	MP, member for Bulolo Open	2006	Pending
84	FRED MALIUPA	MPA, member of Madang Provincial Assembly and President, Usino Local-level Government	2006	Pending
85	HAMI YAWARI	MP, Governor of Southern Highlands Province	2006	Pending
86	CHARLES PUNAHA	Chief Executive Officer, Papua New Guinea Radio communications and Telecommunications Technical Authority ("PANGTEL")	2006	Pending
87	JERRY TETAGA	Chairman, Public Services Commission	2006	Pending
88	ROBINSON SIRAMBAT	Provincial Administrator, New Ireland Province	2007	Pending. Term expired and not considered for appointment
89	TOM TOMIAPE	MP, member for Tari Open	2007	Lost office in election
90	SIR MICHAEL SOMARE	Member, East Sepik Provincial, Assembly and Prime Minister	2008	Pending appointment of Leadership Tribunal
91	PATRICK PRUAITCH	MP, Member for Aitape-Lumi Open and Minister for Treasury and Finance	2009	Pending Tribunal appointed but Court matter pending
92	RICHARD CHARLES SIKANI	Commissioner of Correctional services	2009	Pending
93	ROBERT HOWEN	President, East Yangoru Local-level Government, East Sepik Province	2010	Pending
94	NELLY JAMES	Secretary, Department of Mineral Resource and Geo-hazards Management	2010	Pending



**APPENDIX III List of Governmental Bodies who are currently under the Ombudsman Commission's Governmental Bodies Liaison Program**

NO	ORGANISATION	DATE JOINED
<b>Active Governmental Bodies</b>		
1	Dept. of Education	June. 2002
2	Teaching Services Commission	June. 2002
3	Royal PNG Constabulary	June. 2002
4	PNG Defence Force	June. 2002
5	Correctional Service HQ	June. 2002
6	Bomana Metropolitan Gaol	June.2002
7	Simbu Provincial Administration	June. 2003
8	Post PNG Limited	July. 2003
9	Central Provincial Administration	August. 2003
10	NCD Commission	November. 2003
11	Enga Provincial Administration	December. 2003
12	Sandaun Provincial Administration	September. 2004
13	Oro Provincial Administration	September. 2004
14	Madang Provincial Administration	March. 2005
15	Gulf Provincial Administration	February. 2006
16	Milne Bay Provincial Administration	March. 2006
17	WNB Provincial Administration	September. 2006
18	Port Moresby General Hospital	June. 2008
19	Dept. of Health	October. 2008
<b>Non-active Governmental Bodies</b>		
1	National Housing Corporation	December. 2002
2	Dept. of Lands & Physical Planning	January. 2003
3	Dept. of Personnel Management	March. 2003
4	Dept. of Foreign Affairs & Immigration	April. 2003
5	Dept. of Works	June. 2003
6	Electoral Commission of PNG	June. 2003
7	Magisterial Service HQ	July. 2003
8	PNG Forest Authority	April. 2004
9	Southern Highlands Provincial Administration	June. 2004
10	East Sepik Provincial Administration	August. 2004
11	WHP Provincial Administration	November. 2004
12	Manus Provincial Administration	December. 2004
13	Western Provincial Administration	March. 2005
14	ENB Provincial Administration	March. 2005
15	EHP Provincial Administration	August. 2005
16	Bougainville Autonomous Region Administration	October. 2005
17	National Broadcasting Corporation	December. 2005
18	Office of Workers Compensation	May. 2006
19	National Judicial & Staff Services	September. 2006
20	Dept. of Trade & Industry	September. 2006
21	Office of the Clerk of National Parliament	September. 2006
22	Dept. of Agriculture & Livestock	September. 2006
23	Dept. of Prime Minister & NEC	September. 2006
24	Dept. of Finance	September. 2006
25	National Intelligence Office	September. 2006
26	Morobe Provincial Administration	November. 2009
27	Telikom PNG	January. 2010
28	Public Service Commission	April. 2010
29	New Ireland Provincial Administration	June. 2010



**APPENDIX IV**

**Former Members of the Commission**



**Sir Ignatius Kilage CBE**  
Chief Ombudsman  
4.12.75—4.1.85



**Frank Hedges**  
Ombudsman  
8.12.75 – 4.1.78



**Andrew Opu Maino OBE**  
Ombudsman  
17.12.75 – 28.2.82



**Sunny Cherian**  
Ombudsman  
6.10.78—25.1.79



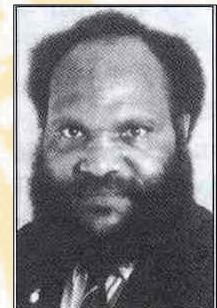
**Keith E. Anderson**  
Ombudsman  
19.11.80 – 10.12.84



**Jean L Kekedo OBE**  
Ombudsman  
1.3.82 – 8.10.86



**Sir Charles Maino**  
Chief Ombudsman  
5.1.85—31.12.94



**Ango Wangatau**  
Ombudsman  
23.6.86 – 31.12.92



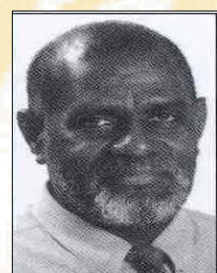
**Jim Ridges**  
Ombudsman  
10.10.86 – 20.12.92



**Joe N. Waugla**  
Ombudsman  
20.12.92—19.12.98



**Ninchib Tetang**  
Ombudsman  
5.1.93 – 4.1.99



**Simon Pentanu**  
Chief Ombudsman  
01.01.95 – 31.12.00



**Raho Hitolo, MBE**  
Ombudsman  
06.01.99 – 05.01.05



**Peter Masi**  
Ombudsman  
23.05.01 - 03.05.07



**Ila Geno**  
Chief Ombudsman  
01.01.01 - 01.07.08



## APPENDIX V

## LIST OF ABBREVIATIONS

ANU	Australian National University
A/S	Annual Statement
ASAU	Annual Statement Assessment Unit
BAC	Bachelor of Commerce
BCG	<b>Bacillus Calmette-Guerin</b>
BSP	Bank South Pacific
CEO	Chief Executive Officer
CMS	Case Management System
CIS	Correctional Institutions Service
CS	Correctional Service
CPA	Central Provincial Administration
CPA PNG	Certified Practising Accountants of Papua New Guinea
DSP	Development Strategic Plan
DLPP	Department of Lands and Physical Planning
DPM	Department of Personnel Management
DLIR	Department of Labour and Industrial Relations
GB	Government Body
GBLP	Government Bodies Liaison Program
GoPNG	Government of Papua New Guinea
ICHM	Internal Complaints Handling Mechanism
IT	Information Technology
IAACA	International Association of Anti-Corruption Authority
KPI	Key Performance Indicator
LJS	Law & Justice Sector
LO	Liaison Officer
LLG	Local Level Government
LLB	Bachelor in Law
LLM	Masters in Law
MOA	Memorandum of Agreement
MBA	Masters in Business Administration
NGOs	Non Government Organisations
NEC	National Executive Commission
NHC	National Housing Commission
NCDC	National Capital District Commission
OL	Organic Law
OLDRL	Organic Law on Duties and Responsibilities of Leadership
OLOC	Organic Law on Ombudsman Commission
OoC	Office of Counsel
OC	Ombudsman Commission
OAC	Office Allocation Committee
OCPNG	Ombudsman Commission of Papua New Guinea
PNGDF	Papua New Guinea Defence Force
PA	Provincial Administration
PFMA	Public Finance Management Act
PMR	Performance Management Review
RTBH	Right To Be Heard
ROG	Redress of Grievance
RPNGC	Royal Papua New Guinea Constabulary
SOE	State Owned Entities
UNICEF PNG	United Nations International Children's Education Fund



## APPENDIX VI

## Contact Details



**OMBUDSMAN COMMISSION  
OF  
PAPUA NEW GUINEA**

### HEADQUARTERS

Ground Floor Deloitte Tower Douglas Street, Port Moresby PO Box 1831 <b>PORT MORESBY 121</b> National Capital District	Telephone: (675) 308 2600 Facsimile: (675) 320 3263 Email: ombudspng@ombudsman.gov.pg
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### REGIONAL OFFICES

<u><b>Momase Region</b></u> Vele Rumana Building 4 <sup>th</sup> Street PO Box 2259 <b>LAE 411</b> Morobe Province	Telephone: (675) 472 1695 Facsimile: (675) 472 2755
<u><b>Highlands Region</b></u> AGC Building Hagen Drive PO Box 745 <b>MT HAGEN 281</b> Western Highlands Province	Telephone: (675) 542 1986 Facsimile: (675) 542 2497
<u><b>New Guinea Islands Region</b></u> PO Box 359 <b>KOKOPO 613</b> East New Britain Province	Telephone: (675) 982 8792 Facsimile: (675) 982 8953



Ombudsman Commission of Papua New Guinea