

1: FAQ's | the federal Ombudsman

Ombudsman The Citizen and Parliament: A History of the Office of the Parliamentary Commissioner for the Administration and Health Service Commissioners by Gregory, Roy and a great selection of similar Used, New and Collectible Books available now at www.enganchecubano.com

Load fact sheet in pdf format The European Ombudsman conducts inquiries into cases of maladministration by European Union institutions, bodies, offices and agencies, acting on his or her own initiative or on the basis of complaints from EU citizens. The Ombudsman is appointed by the European Parliament for the duration of the parliamentary term. Objectives Established by the Maastricht Treaty as one of the aspects of European citizenship, the institution of the European Ombudsman aims to: The Ombudsman then adopted provisions implementing that decision. Requirements The Ombudsman must meet the conditions required for the exercise of the highest judicial office in his or her country or have the necessary expertise and experience to properly fulfil the duties of the Ombudsman; must provide assurance of being entirely independent. A list of admissible candidates is then put to the vote in Parliament. Election is by secret ballot on the basis of a majority of the votes cast. Term of office a. Length The Ombudsman is appointed by Parliament after each European election for the duration of its legislature. He or she may be reappointed. Obligations The Ombudsman must be entirely independent in the exercise of his or her duties in the interests of the Union and its citizens; may not seek or take instructions from any body or organisation; must refrain from any act incompatible with his or her office; may not engage in any other political, administrative or professional occupation, whether gainful or not. Dismissal The Ombudsman may be dismissed by the Court of Justice at the request of Parliament if he or she no longer fulfils the conditions required for the exercise of his or her duties or is guilty of serious misconduct. Scope The Ombudsman deals with cases of maladministration by European Union institutions or bodies. Maladministration may consist of administrative irregularities, discrimination, the abuse of power, refusal to disclose information, unfair delays, etc. Exceptions The following matters are not included: Referrals The Ombudsman conducts inquiries for which he or she finds grounds either on his or her own initiative or on the basis of complaints submitted by EU citizens or any natural or legal person residing or having their registered office in a Member State, either directly or through a Member of the European Parliament, except where the alleged facts are or have been the subject of legal proceedings. Powers of enquiry The Ombudsman can request information from: If the Ombudsman does not obtain the assistance requested, he or she informs Parliament, which takes appropriate action. The Ombudsman can also cooperate with his or her counterparts in the Member States, subject to the provisions of the national law concerned. If the information appears to relate to a matter of criminal law, however, the Ombudsman immediately notifies the competent national authorities and the European Anti-Fraud Office OLAF. If appropriate, the Ombudsman may also inform the EU institution to which the official or member of staff is answerable. Outcome of inquiries Wherever possible, the Ombudsman acts in concert with the institution or body concerned to find a solution satisfactory to the complainant. Where the Ombudsman establishes that maladministration has occurred, the matter is referred to the institution or body concerned, which then has three months in which to inform the Ombudsman of its views. The Ombudsman then forwards a report to Parliament and the institution or body concerned on the outcome of the inquiry. Finally, the Ombudsman informs the complainant of the result of the inquiry, the opinion delivered by the institution or body concerned and any personal recommendations. Administration The Ombudsman is assisted by a secretariat, whose staff is subject to the rules of the European civil service. The Ombudsman appoints the head of the secretariat. The code is a procedural code which takes account of the principles of European administrative law contained in the case law of the Court of Justice and also draws inspiration from national laws. The Ombudsman uses this code when investigating whether there has been maladministration, drawing on its provisions in his or her inquiries. In addition, the Code acts as a guide and a resource for EU officials, encouraging the highest standards of administration. The Statute was amended to strengthen and clarify the role of the Ombudsman, for instance in terms of access to documents and notification of information to OLAF when it might fall within its remit. Role

of the European Parliament Although entirely independent in the exercise of his or her duties, the Ombudsman is a parliamentary ombudsman. The Ombudsman has very close relations with Parliament, which has sole power to appoint and ask the Court of Justice to dismiss him or her, lays down rules governing the exercise of his or her duties, assists with investigations and receives his or her reports.

2: Citizenship of the European Union - Wikipedia

The Ombudsman, the citizen and parliament: a history of the office of the Parliamentary Commissioner for Administration and Health Service Commissioners. [Roy Gregory; Philip James Giddings] -- "The Ombudsman, the Citizen and Parliament tells the stories of the individual Ombudsmen and revisits many of the most fascinating investigations.

The post of Ombudsman was first established in Sweden. The Ombudsman mediates and intervenes when citizens complain about an action or decision of an administrative authority and when a prior attempt to come to a solution proved unsuccessful. Who is the Federal Ombudsman? The Federal Ombudsman is an institution that comprises two federal ombudspersons and their staff. The federal ombudspersons are appointed by the House of Representatives for a six-year term. The same person may hold the office of ombudsman for no more than two terms. They act independently, meaning that they are not connected to or receive any instructions from any other authority. That is why they select themselves the staff who assist them to perform their duties. What are the duties of the Federal Ombudsman? The aim of the Federal Ombudsman is to help bring about a more open, accessible and user-friendly administration that the citizens can trust. The ombudspersons can examine the action and decisions of the administrative authorities from complaints lodged or at the request of the House of Representatives. They strive to find concrete solutions to problems and to reconcile the points of view of the citizen and the administration. On the basis of their investigations, they report to the House of Representatives, make and submit recommendations. The ombudspersons publish an annual report. This report is discussed in the Petitions Committee of the House of Representatives. This committee can moreover submit petitions to the Federal Ombudsman so that the latter can process complaints that fall under its purview. Who can lodge a complaint with the Federal Ombudsman? This means every person concerned with a dispute underlying the complaint. Such persons may be natural persons, legal persons or interest groups. Is it possible to lodge an anonymous complaint? The Federal Ombudsman processes complaints in consultation with the applicant and the administrative authority. It is therefore difficult to work with a person who does not wish to reveal his or her identity. The Federal Ombudsman may depart from this principle in exceptional cases worthy of consideration. Which complaints can I lodge with the Federal Ombudsman? The Federal Ombudsman examines complaints concerning how the federal administrative authorities function. The complaints must consequently concern federal matters e. Complaints concerning other administrative authorities e. The Federal Ombudsman processes complaints that concern the actions and decisions of the administrative authorities to which the complainant objects. Complaints can also be lodged for the failure of an administrative authority to take action or the refusal to enforce a court decision. Can I lodge my complaint directly with the Federal Ombudsman? Before you lodge your complaint with the Federal Ombudsman, you must first contact the administrative authority concerned and try to solve the problem. Bear in mind that lodging a complaint with the Federal Ombudsman does not suspend the period for appeal against a decision taken by the administrative authorities. How can I lodge my complaint? Access to the Federal Ombudsman has been rendered as informal as possible. A complaint can be lodged by e-mail, by post or merely verbally. Furthermore, the Federal Ombudsman holds monthly local office hours in the provinces. How should my complaint be formulated? Try to be as clearly and complete as possible. Join any relevant document that might benefit the examination of your complaint. Do not send originals, but only copies of your documents! Can I call on the Federal Ombudsman? You can come to our Office at Rue de Louvain 48 leuvenseweg, Brussels, from 9: Our Office is situated close to the Brussels Central train station and near the Arts-Loi underground station. To facilitate access even more, the Federal Ombudsman holds local information sessions in the provinces together with other mediation services. Can the Federal Ombudsman refuse to process my complaint? The Federal Ombudsman may refuse to process anonymous complaints. It may also refuse to handle a complaint introduced one year after the events. Complaints that are clearly unfounded will not be processed. When the Federal Ombudsman refuses to process your complaint, you will be given reasons for that decision. If your complaint is being dealt with in court proceedings, the Federal Ombudsman suspends its

investigation. Does the Federal Ombudsman process my complaint personally? The number of complaints that the Federal Ombudsman receives annually runs into thousands. Therefore it is impossible for him to monitor each of these complaints all along the line. An experienced staff is on hand to assist and always at your service. These staff members confer regularly on the progress of your complaint with the federal ombudspersons. Does the Federal Ombudsman give legal advice? Does the Federal Ombudsman request fees? The Federal Ombudsman processes complaints free of charge. You can moreover call the Office of the Federal Ombudsman at free phone What Ombuds standards are used by the Federal Ombudsman? Proper application of the rules of law The administrative authorities act in compliance with the general legal rules and regulations and with respect for fundamental human rights. When a rule is not clear, the administrative authorities see to it that it is applied in the spirit of the law or in the meaning that is usually recognised by case law and legal doctrine. The administrative authorities must moreover comply with their own administrative instructions and circulars, provided they do not run contrary to the legal and regulatory provisions. Equality The administrative authorities must treat all citizens equally without creating any illicit distinction between them. Citizens who find themselves in the same circumstances must be treated in the same way. Citizens in different situations are accorded different treatment. The situation is assessed in regard to the measure considered. A different treatment may be established between categories of persons provided it is based on an objective criterion and is reasonably justified in view of the purposes and the effects of the measure criticised. The equality principle is violated when there is no reasonable proportional relation between the means used and the end pursued. Impartiality The administrative authorities may under no circumstances favour one party at the expense of the other. This impartiality presupposes an objective treatment of the case file and entails an absence of interest " even the appearance of interest " of the officiating civil servant. When the administrative authorities process a case file, they may not be influenced by any form of personal, family or national interest, nor by any external pressure or by religious, political or philosophical convictions. No one from the administrative authorities may be involved in a decision in which he or one of his close relations has -- or may be perceived as having " interests; a civil servant may not be involved in an appeal of a decision if he helped to take that decision. The administrative authorities must avoid having their decision influenced by the fact that it might cause inconvenience for one of the parties. Reasonableness and proportionality The administrative authorities must make sure that their decision is appropriate, proportional and fair. The principle of reasonableness is violated when the administrative authorities use their freedom of assessment in a manifestly unreasonable manner. The decision of the administrative authorities may be qualified as being manifestly unreasonable when it is not that which would have been taken by any other normally prudent and diligent civil servant under the same circumstances. When a citizen finds himself in an unfair situation as a result of an administrative rule or practice, the administrative authorities must spare no effort to put things right. Equal treatment of all citizens under the same circumstances must be ensured in such a case too and abuse of power must be avoided. Legal certainty Legal certainty entails that citizens are placed in a position to know the positive law that is applicable to them. Citizens must be able to assess beforehand the legal consequences of their conduct and actions. They must be able to rely on certain constancy in regulations and administrative practices. To preserve legal certainty, the administrative authorities must endeavour to familiarise the citizen, within a reasonable period, with the rules applicable to him. The principle of legal certainty entails that the citizen may not be expected to take account of rules that are made known late if at all, or with decisions of an individual scope that were not notified to him. Legal certainty entails that the retroactive application of legal and regulatory provisions is prohibited. Legal certainty offers guarantees for equal and impartial treatment, thereby setting limits on the freedom of action of the administrative authorities and doing away with arbitrary decisions. Legitimate confidence The administrative authorities honour the legitimate confidence that their constant attitude, promises and previous decisions have aroused in citizens. The expectation aroused must be legitimate. Barring particular exception, legitimate expectation cannot be deduced from the silence of the administrative authorities. Right to be heard Everyone has the right to have his observations asserted orally or in writing when he has to defend his interests, even if this right is not expressly stipulated in the legislation or if the legislation does not require the administrative authorities to hear the citizen before they take a decision.

This right must be assertable at every stage of the decision-making procedure, including, insofar as reasonable, after the decision is taken. This principle is intended to protect the interests of the citizen and the administrative authorities alike, as the former can thereby present his or her case, and the administrative authorities can be certain of taking a decision with full knowledge of the facts. Reasonable time limit for complaint handling Every request must be processed by the administrative authorities within a reasonable period of time. A reasonable period of time is assessed in terms of the concrete situation considered: Consequently, under certain circumstances, the principle of reasonable time requires the administrative authorities to decide within a shorter period than the maximum period provided by law. If the administrative authorities are not in a position to answer a question within three weeks, they must send an acknowledgement of receipt to the interested party informing him accordingly and proposing a period within which to provide such an answer. The administrative authorities must make efforts to take a decision within four months. For a particularly complex case, this period amounts to eight months. Conscientious handling Every administrative authority must proceed and decide conscientiously.

3: The European Ombudsman and Citizens Rights

The Hardcover of the Ombudsman, the Citizen and Parliament: A History of the Office of the Parliamentary Commissioner for Administration and Health Service.

It connects the European Ombudsman, national and regional ombudsmen with the aim of ensuring complainants can get help at the appropriate level. It facilitates cooperation between ombudsmen, with a view to safeguarding the rights of EU citizens and individuals under EU law. National and regional ombudsmen make a vital contribution to ensuring that citizens and residents of the EU can know and enjoy their rights. The European Network of Ombudsmen brings together, on a voluntary basis, the national and regional ombudsmen and similar bodies of the Member States of the European Union, the national ombudsmen of the candidate countries and of Iceland and Norway, as well as the European Ombudsman and the Committee on Petitions of the European Parliament. In Germany, committees on petitions at the national and regional level fulfil a similar role to ombudsmen. They are part of the Network. EU law and policy have an increasing impact on the everyday life of citizens and residents of the Member States. For the most part, they are put into effect by the public authorities of the Member States. National and regional ombudsmen deal with complaints against public authorities of the Member States, including complaints that relate to activities that are within the scope of EU law. The appropriate national or regional ombudsman is responsible for dealing with complaints against public authorities of a Member State, including complaints about a matter falling within the scope of EU law. The European Ombudsman investigates complaints against the European Union institutions and bodies. Although the powers and responsibilities of different ombudsmen in the Network vary widely, they are all committed to providing the public with a service that is impartial, effective and fair. Within the limits of their mandates, they support the principles on which the European Union is founded. One of the most important activities of the Network is sharing information about EU law and best practice, so as to offer the best possible service to the public. National and regional ombudsmen in the Network may ask the European Ombudsman for written answers to queries about EU law and its interpretation, including queries that arise in their handling of specific cases. The role and purpose of ombudsmen The ombudsmen in the Network are independent and impartial persons, established by constitution or law, who deal with complaints against public authorities. They try to achieve an appropriate outcome for each complaint. Having investigated a complaint and found it to be justified, an ombudsman may criticize what has taken place and state how, in his or her opinion, the case should have been properly handled. In many countries, the ombudsman may also propose remedies, which may include, for example, reviewing a decision, giving an apology, or providing financial compensation. Some ombudsmen may try to achieve a friendly solution to a complaint. In some cases, the complainant may have the choice between going to an ombudsman or to a court. Normally, however, an ombudsman cannot deal with a complaint if a court is dealing or has dealt with the matter. If they do not, the ombudsman can, for example by notifying Parliament, draw political and public attention to the case. As well as responding to complaints, ombudsmen also work proactively to raise the quality of public administration and public services. They encourage good administration and respect for rights, suggest appropriate solutions to systemic problems, spread best practice and promote a culture of service-mindedness. Ombudsmen encourage public authorities to regard complaints as an opportunity to communicate effectively with the complainant and to put right any deficiencies in their service. Correspondingly, most ombudsmen do not investigate a complaint unless the body complained against has first been given a reasonable opportunity to deal with the matter itself. The precise grounds on which an ombudsman can act vary within the Network, but normally include: Examples of maladministration that an ombudsman can help correct include unreasonable delay, failure to follow established policy or procedures, lack of impartiality, unfairness, giving inaccurate information or advice, inconsistency, and discourtesy. Service to the public The ombudsmen in the Network are committed to treating all members of the public with courtesy and respect. They aim to be accessible and service-minded, fair, impartial, consistent and effective. Within the limits set by law and by the need to respect privacy and legitimate reasons for confidentiality, ombudsmen in the Network aim for transparency in their actions and

decisions. They publish the criteria which they apply in dealing with complaints, give reasons for their decisions and report publicly on their activities. The ombudsmen in the Network seek to maintain an appropriate balance between the thoroughness and the speed of their inquiries, taking account of the interests of the complainant and of the need to make effective use of resources. Accessibility The ombudsmen in the Network seek to facilitate free and equal access for everyone who is entitled to make use of their services. Complaints may normally be addressed to an ombudsman directly. Where exceptions to the above principles are imposed by law, the ombudsman seeks to minimise their adverse impact on complainants, as far as possible. Handling of complaints The ombudsmen in the Network aim to deal promptly and effectively with complaints. They take into account the relevant provisions of EU law, including general principles of law, such as respect for fundamental rights. The Charter of Fundamental Rights of the European Union may provide a useful point of reference in this regard. Each complaint received is carefully analysed with a view to securing an appropriate outcome. If a complaint is inadmissible, the ombudsman informs the complainant rapidly, explaining clearly the reason or reasons. If possible, the ombudsman advises the complainant of another body that could help. If there is a full investigation of the complaint, the ombudsman provides information to the complainant about the investigation, or ensures that the complainant can easily obtain such information. Relevant information could, for example, concern: At the conclusion of the investigation, the ombudsman issues a written report or decision that normally sets out: Publication of information The ombudsmen in the Network publish easily understandable information, in widely accessible forms. Such information may include, for example: The European Ombudsman has undertaken to facilitate wide access to the information published by the national and regional members of the Network. The website also contains an interactive guide which can be used to find out which ombudsman or other body is best placed to deal with a complaint, or to answer a request for information. An ever-improving service to the public The ombudsmen in the Network are committed to continuously improving the service that they provide to the public. To this end, this Statement will be reviewed, as and when necessary, with the aim of ensuring that it reflects evolving best practice.

4: Ombudsman - Wikipedia

4 A full history of the office, including the Health Service Commissioner is given in a recent book, The Ombudsman, the Citizen and Parliament () Roy Gregory and Philip Giddings.

Costa Rica[edit] The ombudsman office in Costa Rica , which is also the national human rights institution, is unique in bearing the name Defender of the Inhabitants Spanish: Cyprus[edit] The Commissioner for Administration Greek: The office is currently held by Maria Stylianou-Lottides. The office was established in It has the traditional ombudsman role of mediating between complainants and officials in public bodies, but has no direct means or mechanisms of enforcement. Should the relevant body fail to provide a remedy, the ombudsman may refer the matter to the government. Denmark[edit] The Parliamentary Ombudsman Danish: Folketingets Ombudsmand was established in Denmark in to investigate complaints brought by an individual or ex officio in all matters relating to public governance, including maladministration by central or local authorities, on a case-by-case basis and on a general scale. The ombudsman is appointed by the Parliament of Denmark. The Consumer Ombudsman Forbrugerombudsmanden was established in to ensure that the consumer protection and marketing rules are complied with by private undertakings. The ombudsman can ultimately institute legal proceedings before the Copenhagen Maritime and Commercial Court. The highest representative of the Danish government in Greenland is called the Royal Ombudsman Rigsombudsmanden since Defensor del Pueblo performs the functions of an ombudsman. Procurador para la Defensa de los Derechos Humanos. The function of ombudsman was entrusted to the Chancellor of Justice in In the ombudsman functions expanded to cover local governments, legal persons in public law and private persons who exercise public functions. The European Union Ombudsman investigates claims by individuals or companies which reside or have their interests within the European Union against incidents of bad administration by bodies or institutions of the European Union. Riksdagens justitieombudsman , modelled after the Swedish Ombudsman, was established by the Constitution of The Ombudsman is appointed by Parliament, and has the task of ensuring that all government departments and officials follow the law. The Parliamentary Ombudsman shares many duties with the Chancellor of Justice. The Ombudsman has wide-ranging oversight and investigative powers, has access to all government facilities, documents and information systems and can order a police investigation if necessary. If the Ombudsman determines that a government official has not acted in accordance with the law she or he can advise on the proper application of the law, reprimand the official or in extreme cases order a criminal prosecution. In July Dominique Baudis was appointed to the office by the Council of State on the nomination of the Prime Minister, for a single six-year term but died in April In June , former minister Jacques Toubon was chosen for the following six years. The office was established by Parliament in The Public Defender is elected for a five-year term by a parliamentary majority, and must follow the Constitution and the law, as well as the universally recognized principles and rules of international law, and international treaties and agreements concluded by Georgia. The Public Defender supervises the protection of human rights and fundamental freedoms, investigates violation of human rights and assists in securing redress. The office supervises the activities of national or local public authorities, public officials and legal persons, evaluates all acts passed by them and gives recommendations and proposals. The office also conducts human rights education. The current Public Defender, George Tugushi, was elected in His mandate expires in Petitionsausschuss Deutscher Bundestag , which receives and investigates complaints of maladministration. After , the end of the communist era multiple Parliamentary Commissioner Hungarian: Iceland[edit] The post of Althing Ombudsman Icelandic: It recommended a two-tier machinery: However, the jurisdiction of the Lokpal did not extend to the judiciary as in case of New Zealand. The central Government introduced the first Lokpal Bill , Lokpal and Lokayuktas Bill in , and further legislation was introduced in Final bill, after all the amendments, has been passed in Rajya Sabha on 17 December and passed in Loksabha on 18 December Lokayukta The state-level Lokayukta institution has developed gradually. Orissa was the first state to present a bill on establishment of Lokayukta in , but Maharashtra was the first to establish the institution, in The structure of the Lokayukta is not uniform across

all the states. Some states have UpaLokayukta under the Lokayukta and in some states, the Lokayukta does not have suo moto powers of instigating an enquiry. The Ombudsman deals with complaints against Departments of State , local authorities , the Health Service Executive Ireland , private and public nursing homes and direct provision accommodation services. The first Pensions Ombudsman, Paul Kenny, was appointed in 1997. All these offices are statutory and their holders are public servants. A non-statutory Press Ombudsman began work in January 1997 and legislation has been published to establish a Legal Services Ombudsman. The Ombudsman Amendment Bill of 1997 provided for the statutory protection of the title of Ombudsman. She or he discharges this function by way of a special unit in the Office of the State Comptroller, known as the Office of the Ombudsman. The Ombudsman investigates complaints against bodies that are statutorily subject to audit by the State Comptroller, including government ministries, local authorities, state enterprises and institutions and government companies, as well as their employees. Many units of sub-national government regions , provinces and communes have their own ombudsman Italian: The Public Defender currently Earl Witter has the typical ombudsman function of investigating and remedying maladministration, with additional jurisdiction to investigate alleged violations of constitutional rights. CAJ is a Commission within the meaning of chapter 15 of the constitution and has the status and powers of a commission under that chapter. The institution is currently led by Ombudsperson Sami Kurteshi, a former opposition activist, political prisoner and human rights activist, who was elected to the post by the Assembly of Kosovo on 4 June 2001. In October 2001 the Assembly elected five deputy Ombudspersons: The OIK has several offices throughout Kosovo, and participates although not yet accredited in the global network of national human rights institutions , as well as in the European ombudsman network. - Akyikatchy carry out parliamentary control over the observance of the rights and freedoms of man and citizen. Previously, similar functions were carried by National Human Rights Office " Lithuania[edit] In Lithuania, the nearest equivalent to the position of ombudsman is that of Parliamentary Controller Lithuanian: Seimo kontrolierius , an office appointed by the Seimas Parliament of Lithuania. Macedonia[edit] Since Macedonia has an Ombudsman for protection of citizens rights Macedonian: The ombudsman is appointed by the Parliament and performs her or his work under the Constitution and the Law of the Ombudsman. The Office of the Ombudsman is a constitutional body established by the Constitution of Malta and is regulated by the Ombudsman Act. The Ombudsman may investigate.,.

5: Trinidad and Tobago Parliament

Draft Report (Parliament and the Ombudsman), proposed by the Chairman, brought up and read. Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph. Paragraphs 1 to 12 read and agreed to.

Exploring the Role of the Commonwealth Ombudsman in Relation to Parliament Exploring the Role of the Commonwealth Ombudsman in Relation to Parliament Colin Neave First of all, I would like to acknowledge the traditional owners of the land on which we meet and pay my respects to their elders both past and present. I have been the Ombudsman for a little over two years now. It seems like, as a lot of you might understand, as you go on in life two years flashes by pretty quickly. Most of my experience has been in the private sector. And I was just thinking today, as I was coming along, that the very first job that I ever had started 56 years ago virtually today when I was working in the Myer underwear department after having completed my intermediate year at school. Anyway, that is by the by. What I want to do today is to talk broadly about my perceptions of the role of the Ombudsman under various headings: I want to talk about leadership, I want to refer to some history issues, I want to talk about what I regard as good ombudsmanship, I want to talk about the policy contribution that an Ombudsman can make, and I want to talk a bit about the future of the role of Ombudsman. That is a very narrow view these days, and it falls dramatically short. In fact, it is a very old-fashioned notion. In reality, we are leaders in building better public administration. We have got a critical place between government and the public, and we are a safety net for members of the community. Ombudsman schemes are an integral part of a framework that provides access to justice, to consumers as well, and we contribute significantly to the standards of public administration. We promote good governance, accountability and transparency, through oversight of government administration and service delivery. Ombudsmen contribute to improving accountability and good governance in three main ways. Firstly, we do resolve individual disputes. We investigate complaints, we safeguard citizens from government actions which could adversely affect them, and we give citizens a voice to complain where they would otherwise fear to do so. Ombudsmen are often the only avenue readily available to individual citizens seeking recourse on matters of maladministration or official misconduct that affect everyday lives. Because ombudsmen services are free, they are practically valuable to the most vulnerable. We investigate systemic problems. And we do that on our own initiative, from time to time. On other occasions we might have one complaint made to us which we can see might well apply to many other thousands of people. So we look at how we can fix problems through an Ombudsman investigation, not only in relation to the complaint that has been made to us, but also to help others who might have been adversely affected by, for example, maladministration. We contribute to improving public sector performance, and that works in two ways: In our case, we can add a fourth element. That is, we monitor law enforcement agencies for their compliance with the relevant legislation. It is a topic on which I will elaborate later. An Ombudsman can get good insight into how a policy or the delivery of that policy can go off track or where there is a mismatch between what the government offers and what the public expects or demands. It is recognised that mechanisms are needed to ensure administrative processes are sound. No agency, of course, sets out to perform badly, but mistakes are inevitable in any industry or field of endeavour, and the public sector is certainly not immune from that. Now I want to deal with some historical matters. The idea that people have a right to complain about government without hindrance or reprisal, and to have their complaint resolved on its merits, is firmly established. Most agencies are willing to engage with, resolve and seek to learn from complaints. Agencies should rightfully be the first to receive and deal with complaints. If the citizen is not satisfied, they can come to us. The better they work, the fewer disputes that come through to ombudsmen. However, Ombudsman offices have developed into being powerfully influential and able to work in collaboration with agencies and departments under their jurisdiction with the objective of continually improving the quality of public administration. The Commonwealth Ombudsman commenced operations in At that time, dealing with the Commonwealth Ombudsman was a new experience for Commonwealth public servants. Some of you may have been in the public sector at that time. Indeed, what the Ombudsman did initially, may well have come as a shock to what was then called a permanent head of a

government department and leaders of agencies. Those permanent heads no doubt saw themselves as running the country. The first Commonwealth Ombudsman, Professor Jack Richardson, was not backward in coming forward in his approach to the role. He engaged in a lot of publicity for the existence of the office of the Ombudsman back in , suggesting that citizens disturbed about administrative acts performed for them should come direct to him in order to obtain appropriate redress. That publicity included paying for an advertisement for his office on milk cartons in the ACT, and one can imagine a permanent head of a government department confronting a smiling picture of Jack on a milk carton with an advertisement and contact details for his office as that permanent head poured milk on his breakfast cereal. In short, there was quite a deal of conflict between the first Ombudsman and senior members of the bureaucracy in Canberra initially. Around the time of the establishment of the Commonwealth Ombudsman, other state ombudsmen were being set up. Some were established before the Commonwealth Ombudsman. In , the first industry ombudsman was announced by the banking industry. This was followed shortly thereafter by organisations handling complaints about telecommunications, general insurance, investment products, energy and water. There are lots of ombudsmen these days. Those industry ombudsmen were established essentially to redress what was seen to be a power imbalance between individual consumers and industry, when many organisations were being privatised like Telecom as part of asset sale initiatives or by various state governments or as a result of freeing up markets. The government-owned telecommunications company was sold, and the market for financial services was deregulated from around . So the industry ombudsmen, along with government ombudsmen, as they have developed, have been seen as a very important access to justice mechanism given that their services are free to consumers and generally small businesses. They also have extensive public awareness programs in place, which has had the effect of making the Ombudsman name readily recognised in the Australian community. In fact, over seventy per cent of the Australian community now have an appreciation of what an Ombudsman does. Moving to the present, the Federal Budget and the report by the Commission of Audit highlighted the changing environment for public sector agencies in general. For us, this has included a change in some functions in the future, a requirement to manage, of course, with fewer resources and a growing role for what has come to be known as an integrity agency. None of these factors have affected our core purpose which is to influence agencies to treat people fairly through our investigation of their administration. In pursuing this purpose the office seeks outcomes that deliver fairer treatment of people, accessible, effective and targeted complaint-handling services, agency compliance with legislation in the use of intrusive and coercive powers and the effective and efficient conduct of our own business. The ombudsman of all organisations needs to be a shining example to the rest of the public sector in relation to management and the way in which we conduct our business, and so we pursue these outcomes through four pillars of assurance, integrity, influence and continuous improvement. Essentially we aim to provide assurance that agencies act with integrity and treat people fairly. We work with agencies to influence them to improve public administration and assure the Australian community and the government that those agencies treat people fairly by monitoring their complaint handling. Access to justice is assured through those accessible, effective and targeted complaint-handling services. Like every other agency, our role will continue to evolve. We should no longer see change as unusual; it is with us in the public and the private sectors and now always will be. As announced in the Federal Budget, the Private Health Insurance Ombudsman function is expected to come to our office from 1 July and we are having discussions with that agency at the moment about the best way to transition that role to us. It is also expected that the handling of freedom of information complaints will come to us from 1 January . Under an arrangement between the ACT Government and the Australian Government, the Commonwealth Ombudsman is also the ACT Ombudsman, which is a role I enjoy because some of the work that we do at the Commonwealth level is remote from the community, whereas the role as ACT Ombudsman is very close to the community, dealing with the sort of issues with which communities are directly involved. Problems about parking and problems about tenancies for public tenants, all those sorts of issues come to the ACT Ombudsman and it really is good for our office because it brings us back to earth in a sense. There is much to commend this initiative because then there is no doubt about the role that the Ombudsman in the ACT jurisdiction has, to make reports direct to parliament. That is available to us in our legislation at the

Commonwealth level but it is certainly there with great clarity in relation to the ACT Assembly, which as I say, is a very welcome development. This year we were instructed with new functions, such as our role in the Public Interest Disclosure PID scheme because of our independence, impartiality and investigative skill. These attributes developed through traditional complaint-handling roles, mean that we can play a bigger role in improving and maintaining the standard of public administration in Australia. The PID scheme is central to our growing integrity role. It seeks to improve accountability and integrity in the Commonwealth public sector by supporting agencies to address suspected wrongdoing. The scheme became effective on 15 January. It conferred a number of roles and powers on the Commonwealth Ombudsman to ensure the scheme provides robust protections to public officials who report wrongdoing in the public sector while protecting national intelligence and security. Our role includes assisting both agencies and disclosers, to interpret, understand and comply with the legislation. The oversight of agency decisions and annual reporting to the parliament also provides transparency and accountability. As I said before, our complaint-management function is enshrined in the Ombudsman Act. The parliament has passed other legislation which gives us additional roles where clear, impartial, external oversight is required and that is what we call our monitoring role. Part five of the Act has regard to the AFP professional standards and provides the framework for its complaint-management system. We now focus on how the AFP deals with complaints, not just the subject matter of the complaint. We are then required to report to parliament on our findings. People who lodge complaints with the AFP, or AFP officers who may be the subject of a complaint, should expect that the complaint will be managed in an objective and professional manner. Therefore, during our inspections we have regard to matters such as the consideration given by investigators to possible or actual conflicts of interest, how conflicts of interests were managed and whether the investigators contacted relevant witnesses. I am giving you this as an example of the sort of monitoring role which we perform because we do consider the entire complaint-management process from start to finish, including the reasonableness of the findings from the investigation, to identify where the AFP complaint-management process may not have been complied with. We can then raise these issues with the AFP which can then take appropriate action. As well, where we identify AFP conduct or practice which is not the subject of a complaint, we may choose to commence our own investigation, and we have developed a very productive working relationship with the AFP. Another example of where the parliament may prescribe a monitoring role for our office includes when legislation is passed that empowers agencies to conduct covert or surveillance activities. Currently my office performs this independent oversight in relation to powers such as intercepting telecommunications, preserving and accessing stored communications, using surveillance devices, undertaking covert and undercover operations and exercising coercive examination powers. In performing some of these functions, my staff inspect the records of Commonwealth and also state and territory agencies, and I have myself been on a visit to work with my staff just to see what is done, which I found very illuminating indeed. The Ombudsman is also required to appear before parliamentary joint committees to brief parliamentarians on some of our monitoring activities and answer questions about how we conduct our inspections. We welcome this scrutiny on behalf of the parliament to ensure that our office conducts this work to the highest possible standard. We have an established set of methodologies for each of these oversight roles which are applied consistently across all agencies. These methodologies are aligned to best practice in auditing standards, focus on areas of high risk and are based on the principles of transparency, accountability and procedural fairness. Our methodologies are also based on legislative requirements and best practice. We also give, as required by legislation, notice to each agency of our intention to inspect their records and provide them with a broad outline of our inspection or review criteria.

6: Institutions of the Parliament / The Danish Parliament

The Ombudsman, the citizen and parliament: a history of the office of the Parliamentary Commissioner for Administration and Health Service Commissioners.

7: European Ombudsman | About the European Network of Ombudsmen

The Ombudsman, the other EU institutions, and the European Network of Ombudsmen clearly have a major role to play in informing citizens better about the Charter. Almost half of the respondents consider the right to move and reside freely in the EU to be the most important citizens' right.

8: The European Ombudsman | Fact Sheets on the European Union | European Parliament

Ombudsman The Citizen and Parliament: A History of the Office of the Parliamentary Commissioner for the Administration and Health Service Commissioners. Politicos,

A new civil rights movement Rivers to remember The Graduate Social Work Dean: Roles and Reflections ABC of child abuse work The story of the thirteenth treasure T. A. Barron Crisis of the Union, 1860-1861. Quiz history chapter 17 king ashoka history alive textbook The naked mole-rat letters Allsorts Class Pack of Six Richard Ford, 1796-1858 Roads for the people Sittigs Hazardous Chemicals Database 2017 ap style book Android er text reflow Associative property of multiplication worksheet Kuby immunology 8th edition Kathy reichs fatal voyage Leonards ANNUAL Price Index of Art Auctions, Volume #17 Building a profitable practice Steroids and peptides The Case of the Peace Offering The genetics of human obesity Victor J. Lawrence and Tahseen A. Chowdhury Playfairs Commercial and Political Atlas and Statistical Breviary Phenomenology and philosophical understanding Novel the red badge of courage Evaluating literacy Lens mechanism technology Insight Map Los Angeles 5 minute veterinary consult A Life in the Financial Markets Expert systems in tourism marketing The Amnesty Bill of 1875 Experimental techniques in fracture mechanics Muscle against metal Ergonomics Desk Reference Western manuscripts in the library of Emmanuel College. Navy procurement of beverage base for military sea transportation service. Brief lives, chiefly of contemporaries Advertising and selling fortnightly. The Norwich school of painters, 1803-1833