

# **The Ombudsmen:**

What is their effective point of difference  
as a dispute resolution mechanism

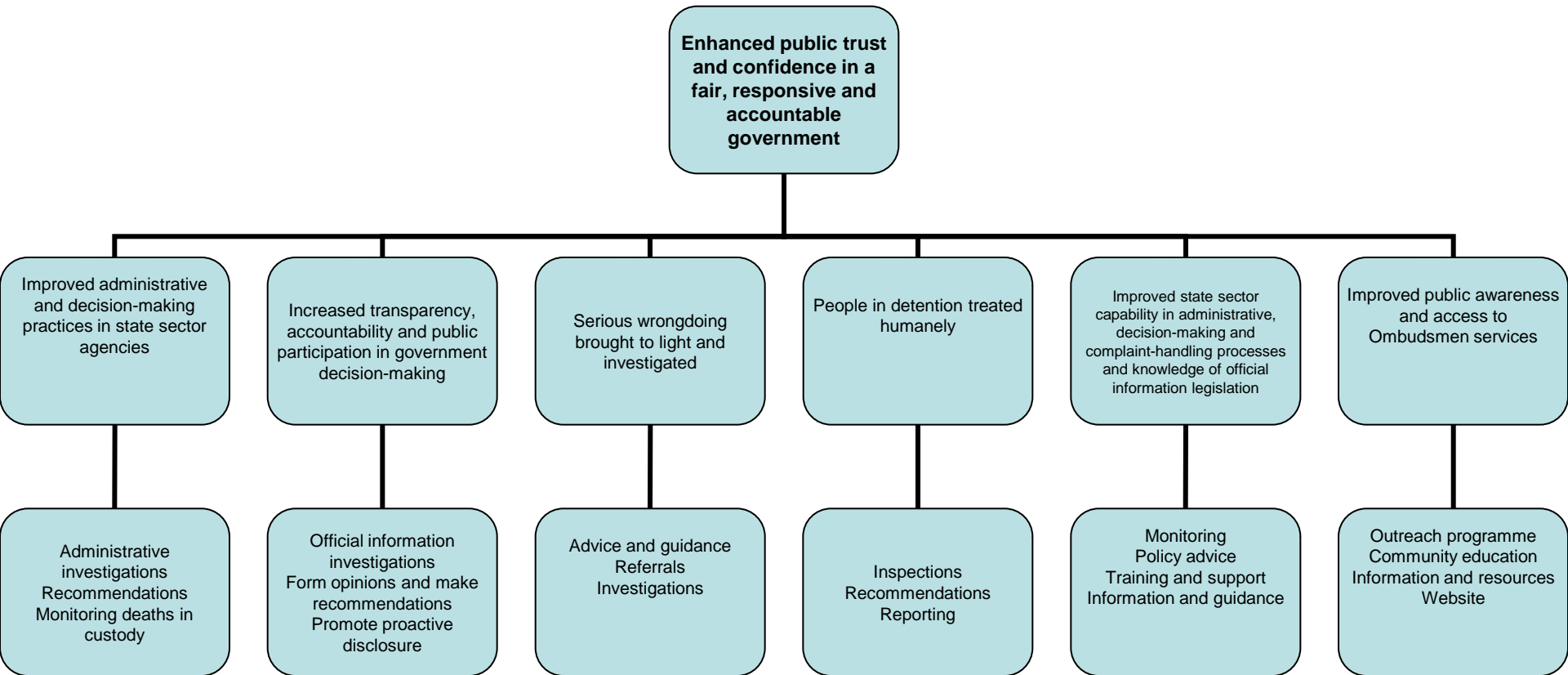
Leo Donnelly, Deputy Ombudsman

New Zealand Office of the Ombudsmen





# NZ Ombudsmen



# Ombudsman's options for “putting right a wrong”

- Investigate the **individual** complaint (formally or informally)
- Conduct a **systemic** inquiry
- Work with agencies to bring about **culture** change











# Statistics

## delay & delay deemed refusal complaints

### ■ Year ending June 1997

#### ■ OIA

216 out of 1223 complaints = 17.6%

#### ■ LGOIMA

29 out of 191 complaints = 15%

### ■ Year ending June 2007

#### ■ OIA

254 out of 812 complaints = 31%

#### ■ LGOIMA

54 out of 192 complaints = 28%

# Ombudsmen's approach to complaints about delay

- Old Approach: **Informal** enquiries
- New approach: **Formal investigation** with recommendations for improvement

# Ombudsmen's recommendations re delay complaints

- a decision should be made and communicated to the requester as a priority;
- the agency's policies and processes should be reviewed; and
- staff should be reminded of their statutory obligations and trained where necessary.



# Liam Ashley

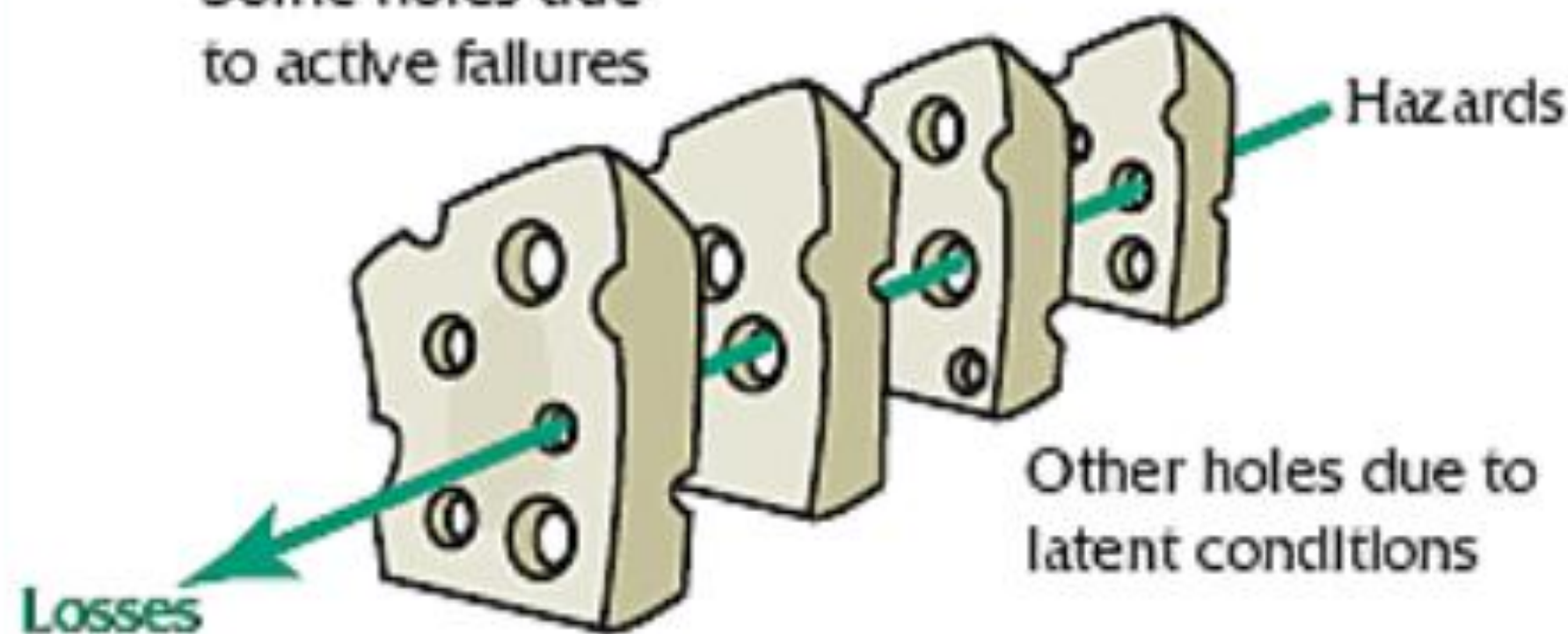
1989 - 2006





# The Swiss Cheese Model of Accident Causation

Some holes due to active failures



Other holes due to latent conditions

Successive layers of defenses, barriers, & safeguards

*“The Ombudsman has **three levels** of functioning: **complaints handling**, achieving the **systemic change**, but even perhaps more radically, trying to bring about a measure of **cultural change**.”*

*Ombudsman George Brower  
ANZOA Conference 2008*







# The New Zealand Ombudsmen



Chief Ombudsman Beverley Wakem



Ombudsman David McGee

*“The Ombudsman is Parliament’s man,  
put there for the protection of the individual,  
& if you protect the individual you protect society”*

*Sir Guy Powles, 1962*