



Ombudsman Quarterly Review

The quarterly update of Ombudsman news, reports, investigations and more.

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Ombudsman
Tuia kia ōrite • Fairness for all

From the Chief Ombudsman

The international index that measures perceptions or experience of public sector corruption has again ranked New Zealand first equal in the world with Denmark in transparency.

The 2020 Transparency International Index of 180 countries puts each on a scale of 0 (highly corrupt) to 100 (very clean). New Zealand and Denmark lead the league table, both scoring 88. This is a welcome continuation of our pattern of consistently high performance in the Perceptions of Corruption Index.

Our high anti-corruption rating is good for New Zealand's international reputation, good for trade and investment, and good for public trust in government.

This pattern is testament to the hard work of our public sector and to oversight bodies such as the Ombudsman, which hold government to account when needed. As Canadian Chief Justice Valentine Milvain has put it, an Ombudsman brings the lamp of scrutiny to otherwise dark places.

My work with other integrity agencies across our region often reminds me that we are well regarded here, and considered honest brokers. This is a reputation I treasure, and that New Zealanders can be proud of.

This Summer 2021 issue of Ombudsman Quarterly Review shines the lamp of scrutiny on the conditions of prisoners in New Zealand's only maximum security jail; official information practice in four local authorities; the rights of the disabled during times of national crisis such as a pandemic; and rehabilitation opportunities for people held under Public Protection Orders.

Ngā mihi

Peter Boshier

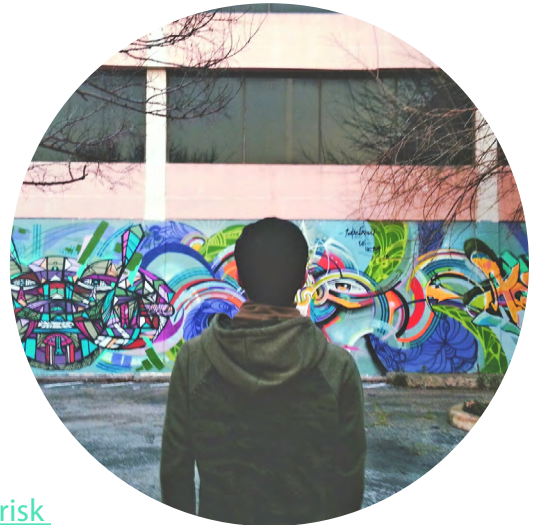
Chief Ombudsman



Inspections and monitoring

Rehabilitation opportunities lacking

In December, the Chief Ombudsman called on the Department of Corrections to urgently introduce more rehabilitation opportunities for people held under Public Protection Orders. Peter Boshier made the call when releasing his first report on New Zealand's only civil detention centre for Public Protection Orders, Matawhāiti.



[Rehabilitation opportunities must be increased to avoid the risk of breaching international obligations, says Ombudsman](#)

Culture of containment

Auckland Prison's culture remains one of containment rather than rehabilitation, despite promised changes.

The Chief Ombudsman released his report on his unannounced OPCAT inspection at Auckland Prison in December. He found maximum security prisoners were spending 22-23 hours a day in their cells, and that an incident in which an inmate was pepper sprayed amounted to cruel treatment.

[Chief Ombudsman says Auckland Prison has to change](#)

Managed Isolation and Quarantine

Over the summer, the Chief Ombudsman continued his programme of OPCAT inspections in managed isolation and quarantine facilities for people arriving from overseas. "These are places of detention that fall within my OPCAT designation, and the public needs to be assured that people who are being isolated for health reasons are being treated fairly, and their basic human rights being respected", he says.

The Chief Ombudsman also continued to handle complaints from those in a managed isolation or quarantine facility, and concerning applications for exemption.

[Fact sheet—MIQ inspections](#)

Annual Report

Strong year in a time of crisis

Holding government to account is never more important than in a time of crisis. The Ombudsman's Annual Report for 2019/2020 sets out a busy and expanding programme of work, including new areas of focus in response to COVID-19.

This new work included targeted, COVID-19 OPCAT inspections of prisons, mental health facilities, and private sector aged care facilities; setting up inspections of managed isolation and quarantine facilities, and handling complaints about exceptions and exemptions; and delivering training and support to Pacific Ombudsmen via Zoom.

Other highlights of the year included the formation of Pūhara Mana Tangata, an external advisory board of leaders in te Āo Māori; and release of Off the Record, an investigation into the Ministry of Health's collection and use of information about the deaths of people with intellectual disabilities.

[Annual Report—A strong year in a time of crisis](#)



Disability rights

Crisis intensifies disability challenges

The realities and challenges disabled people faced during the COVID-19 emergency were highlighted in a report published by New Zealand's International Monitoring Mechanism (IMM) in January. *Making Disability Rights Real in a Pandemic, Te Whakatinana i ngā Tika Hauātanga i te wā o te Urutā* presents stories from disabled people about their experiences during the pandemic, and makes recommendations for ensuring disabled people's rights are upheld during future humanitarian emergencies.

[Disability rights report highlights challenges under lockdown](#)



Official information

Four LGOIMA practice reports released

In February, Chief Ombudsman Peter Boshier published his latest four reports into Local Government Official Information and Meetings Act 1987 (LGOIMA) practice and compliance at local authorities.

His investigations into Buller District Council and into Tauranga, Invercargill, and Porirua City Councils resulted in suggested actions for improvement in areas such as training and record keeping. He also made six formal recommendations for Invercargill City Council, and stated his confidence in the Chief Executive's commitment to positive change.



[Ombudsman releases latest LGOIMA reports](#)

Case notes

Advice on 2017 Coalition Agreement

The Minister of Police was entitled to withhold a briefing from New Zealand Police containing advice on an issue in the 2017 Coalition Agreement, under section 9(2)(f)(iv) of the Official Information Act: protecting the confidentiality of advice tendered by Ministers of the Crown and officials.

[Request for information about volunteer rural constabulary programme](#)



The Ombudsman
Kaitiaki Mana Tangata

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