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INTERNATIONAL

New Zealand elected to lead regional group



New Zealand's Chief Ombudsman, Peter Boshier, has been elected to an important international role following a meeting last month of some 20 regional ombudsmen.

From April next year, Mr Boshier will be the regional president of Australasian and Pacific Ombudsman Region (APOR). He already serves as one of three APOR board directors.

APOR is the regional arm of the International Ombudsman Institute (IOI), the global organisation for the cooperation of more than 180 independent integrity institutions worldwide.

Mr Boshier was elected during APOR's 30th conference, in Auckland on 28-29 November, the theme of which was 'Holding governments to account in a changing climate'.

Mr Boshier praised the outgoing president and Hong Kong Ombudsman, Connie Lau, for the significant contribution she made during her two years in the role. He



Ombudsman Hong Kong, Connie Lau, (pictured on right) will be handing over the APOR regional presidency reins to Chief Ombudsman New Zealand, Peter Boshier (on left) from 1 April 2019.

said he would endeavour to continue her active role in developing links with regional and international bodies to ensure that the work of Ombudsman Offices is understood, valued and protected.

As the hosting country's representative, Mr Boshier welcomed the 72 delegates and support staff to the conference with these words: 'Nā te kaupapa mana tangata i karanga ki a tātou katoa i tenei rā' ('We are here to talk about people, their rights and welfare').

IOI President and Ombudsman for the Republic of Ireland, Peter Tyndall, opened



IOI President and Ombudsman for the Republic of Ireland, Peter Tyndall, (on right) is welcomed to Auckland with a hongi.

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EDITORIAL

FROM THE CHIEF OMBUDSMAN

Tēnā koutou

Season's greetings. It's been a busy year but one that I'm proud of. In October, I presented my annual report to Parliament and was delighted to say that significant progress was made in clearing a backlog of aged complaints—a bugbear both for us and the public. We are now quicker and more efficient in resolving complaints, but with no reduction in the quality or efficacy of our work.

We have also significantly raised our public profile through the publication of our investigations, more guidance material, and our extensive training and assistance for government agencies.

I am pleased to see the focus for government agencies has now started to turn to proactive release of information. We have been promoting the principle of availability, often through proactive release, and encouraging agencies to answer the question, 'Why shouldn't I release this information?' as opposed to asking, 'Why should I release this information?'.

New Zealanders have the right to expect a lot from us. They want us to resolve complaints as early as possible; they want us to be assertive yet helpful; they should feel confident that any complaint will be dealt with fairly, robustly and confidentially. I believe we're well on track to achieve this. Read my 2017/18 report [here](#).

My intention is that this Office keeps improving and evolving. One of the ways in which we can do this is by learning from, and sharing with, fellow 'integrity institutions' here and overseas. Earlier this month it was my pleasure to host my Australasian and Pacific Ombudsman Region (APOR) colleagues in Auckland. They were keen to hear about our contribution to New Zealand's top transparency rating, and our experience in monitoring places of detention.

New Zealand's reputation for integrity and transparency is high internationally — thanks to my fellow 'watchdogs', the public, the media, and government agencies. It is, I believe, the result of our combined efforts that I have been elected to lead APOR for the next few years. I am honoured and will endeavour to work with my colleagues to 'shine the light on any shadows' in the Australasian and Pacific region.

Wishing you all a safe and festive season, and thank you for your support over the past year. All the very best for 2019.

E noho rā

Peter Boshier



PEOPLE'S RIGHTS ARE PROTECTED

Disability Pride Week puts Convention in spotlight

Achieving better outcomes for disabled New Zealanders, and ensuring that human rights are everybody's rights, is highlighted each year during Disability Pride Week.

This too is the aim of the Disability Convention's Independent Monitoring Mechanism (IMM), of which the Chief Ombudsman is one partner. The IMM is responsible for monitoring the implementation of the Convention in New Zealand.

During the past quarter, the IMM met with health, corrections, and social development officials, and Ministers, to address issues relating to seclusion and restraint of people with disabilities. Preparations also are well underway for our progress review by the UN next year. Find out more about the IMM role [here](#). Our Easy to Read guides are [here](#).



Claiming our place: Disability pride in Wellington during November.

Source: [Disability Pride Week Aotearoa](#)

Setting the scene for monitoring places of detention



We have recently been meeting with representatives of the aged care sector to outline the Chief Ombudsman's function and role in monitoring the treatment of detainees in places of detention.

We have talked about our preparation to monitor the treatment and conditions of people detained in aged care facilities, including privately run facilities.

But nothing will happen fast. We have to wait for funding, due from 1 July 2019, before any programme can be set up and resourced.

Whistleblowers need better protection

The Chief Ombudsman has contributed to the current review of legislation protecting whistleblowers—the Protected Disclosures Act 2000—by saying that they need far better protection under the law than they currently do.

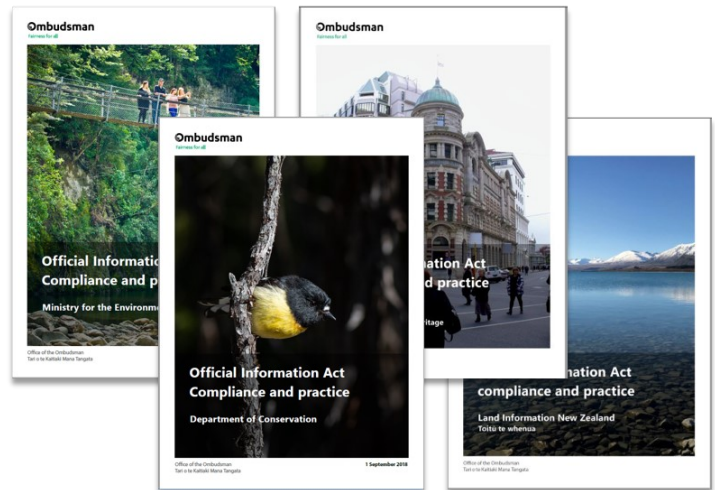
He has made a submission to the State Services Commission, which is leading the review, and you can click [here](#) to hear him outline his views on Radio NZ's *Nine to Noon* programme.

HIGH PUBLIC TRUST IN GOVERNMENT

Government agencies want to change

Four government agencies (the Ministry for Culture and Heritage, the Ministry for the Environment, the Department of Conservation, and Land Information New Zealand) want to make changes to become more transparent and accountable, in particular through the development of proactive release policies.

In our first round of official information practice investigations, we identified a number of areas for improvement: clearer messaging from senior leaders; improving their web presence for official information requests; clarification of the role of the Minister in departmental OIA responses; and how media requests are a key part of an agency's OIA statistics and record-keeping. The four reports are on our website [here](#).



ROBUST, INDEPENDENT OVERSIGHT

Committed to ensuring the public's right to know



The Chief Ombudsman (pictured on left) joined fellow access-to-information watchdog Privacy Commissioner John Edwards (on right) for a public Q&A session to mark Right To Know Day in September.

The free event was well attended with questions being asked online and in person, and also livestreamed on YouTube. Author and lecturer Dr Kathleen Kuehn (centre) moderated the event. Watch the session by clicking [here](#).

Council OI practices also being investigated

Public sector official information (OI) practices at Callaghan Innovation, Treasury, Horowhenua District Council, and Christchurch City Council, are currently being looked at.

In mid-December our third tranche of investigations was announced, this time into four local bodies – the Far North District Council, Auckland Council, Greater Wellington Regional Council, and the Tasman District Council. Read our media statement [here](#).

Our self-initiated investigations look at the leadership, culture, organisational systems, policies and procedures in place at public sector agencies to support good practices when dealing with OIA and LGOIMA requests.

More information about our Official Information Practice Investigations (OIPI) work, is on our website [here](#).



Imposing conditions on National Stadium preliminary reports justified, in this case

Imposing conditions on access to preparatory studies for the proposed National Stadium was justified, in this case, says the Chief Ombudsman. He said there was a strong public interest in making sure Auckland City Councillors had access to the information they needed to perform their duties.

This was balanced with appropriate confidentiality conditions due to the commercially sensitive information contained in the Stadium's

pre-feasibility study, and the associated funding and delivery study.

The Chief Ombudsman found that the Auckland Council's solution of offering councillors physical copies of the full reports, with conditions that the reports were to be returned once read and not copied, was reasonable in this instance.

Click the links to read our [media statement](#) or [case note](#).

Australasian and Pacific Ombudsman Region's 2018 conference highlights



How integrity institutions can address disadvantages that still face women in the Pacific was the topic of a panel discussion on day one.

Pictured from left to right are: Jeannine Daniel (Assistant Ombudsman, Cook Islands); Linda Folaumoetu'i (CEO, Office of the Ombudsman, Tonga); Deborah Glass (Ombudsman, Victoria); and Dame Beverley Wakem (former Chief Ombudsman New Zealand and former IOI President).

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the conference, highlighting the vital role ombudsmen have to play in ensuring that people can access the services they need and are treated fairly by their governments.

"We have a key role to play in vindicating people's rights and need to take a human rights based approach to our work," he said.

"The intensification of globalisation in recent years demonstrates more than ever the importance of Ombudsman Offices working together to address the shared issues which we face," Mr Tyndell said.

"Having the Ombudsman recognised as a fundamental component of democratic accountability, something every state should have, is an important aspiration of the IOI."

More photos from the conference are on our [Facebook](#) page and a copy of Mr Tyndell's opening address is on our website [here](#).



Michael Manthorpe (Commonwealth Ombudsman) shared Australia's recent experience in setting up its OPCAT National Preventive Mechanism (NPM) regime.

Delegates were also keen to learn from us about how we set up and run our OPCAT function and monitoring.

Solomon Islands visit part of Pacific outreach programme



As part of the Chief Ombudsman's Pacific outreach programme, he was in the Solomon Islands in early November. He is pictured here with the Right Honourable Ajilon Nasiru, the National Parliament Speaker, on the left.

For more news from around the Pacific and Australasia, read our latest edition of Waka Tangata [here](#).

IN CASE YOU MISSED IT ...

Keep checking our online [Newsroom](#) for the latest news and information, including the following publications released this quarter:

Guides

Draft documents aren't automatically exempt. Our latest guide for agencies struggling with OIA requests for drafts is [here](#).

Our new OIA and LGOIMA guide explores some of the issues around requests for information that is not held, or not intended to be included in the official information regime. It is on our website [here](#).

Case notes

What happens when there is a request for salary details under LGOIMA? Click [here](#) for an example case.

Opinions

Vetting emails? Check your policies. Click links for our [media statement](#), and [Final Opinion](#) on Horowhenua City Council to find out more. Also check out our guides on managing [unreasonable complainant conduct](#).

Corporate documents

Read about what we've achieved in our *Annual Report 2017/18* [here](#).

Read about what we plan to do over the next five years in our *Strategic Intentions 2018/22* [here](#).



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