



OMBUDSMAN
NHRI SAMOA

ANNUAL REPORT 2020-21

FINANCIAL YEARS 2020-21

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1 November 2021

Hon. Papali'i Li'o Taelu Masepau
Speaker of the House
Legislative Assembly
MULINU'U

ANNUAL REPORT FY 2020-21

I hereby submit the **Office of the Ombudsman/NHRI Samoa Annual Report FY 2020-21** as required by section 57 of the *Ombudsman Act 2013*.

The report highlights the achievements of the Office from 1 July 2020 to 30 June 2021. The report records the Office's key performance results in accordance with its mandate and output structure. It also provides a summary of non-financial performance against the objectives set out in the 2016 – 2020 Strategic Plan. It meets reporting obligations under the *Ombudsman (Komesina o Sulufaiga) Act 2013* and the *Public Finance Management Act 2001*.

Ma le faaaloalo lava.

Luamanuvao Katalaina Sapolu
OMBUDSMAN

About this Report

This report highlights the achievements of the Office of the Ombudsman/NHRI Samoa from 1 July 2020 to 30 June 2021. The report records the Office's key performance results in accordance with its mandate and output structure. It also provides a summary of non-financial performance against the objectives set out in the 2016 – 2020 Strategic Plan. It meets reporting obligations under the *Ombudsman (Komesina o Sulufaiga) Act 2013* and the *Public Finance Management Act 2001*.

This document is available as a download PDF from the Office website www.ombudsman.gov.ws.

Attribution

Content of this Annual Report should be attributed to the Office of the Ombudsman/NHRI Samoa 2020 – 2021 Annual Report.

Accessibility

The Office of the Ombudsman/NHRI Samoa is committed to providing accessible services to the Samoan community from all culturally and linguistically diverse backgrounds.

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ACRONYMS

CEDAW:	Convention on the Eliminations of all Forms of Discrimination against Women.
CP:	Corporate Plan
CRC:	Convention on the Rights of the Child
CRPD:	Convention on the Rights of Persons with Disabilities
CSO:	Civil society organizations
CSU:	Corporate Services Unit
CTI:	Convention against Torture Initiative
ECU:	Engagement and Communications Unit
FLE/CSE:	Family Life Education Comprehensive Sexual Education Project
GANHRI:	Global Alliance National Human Rights Institutions
GGU:	Good governance Unit
HLD:	High Level Dialogue
HRE:	Human Rights Education
KPM:	Key Performance Measures
LJS:	Law and Justice Sector
MEAL:	Monitoring Evaluation Accountability and Learning Framework
NHRI:	National Human Rights Institute Samoa
NMIRF:	National Mechanism on Implementation Reporting and Follow-up
OHCHR Fiji:	Office of the High Commissioner for Human Rights Fiji Office
OLO:	Ombudsman Liaison Officer
OMB:	Office of the Ombudsman/National Human Rights Institute Samoa
OOJ:	Out of Jurisdiction
POM 2020:	Procurement Operating Manual 2020
PSU:	Police Standards Unit
SDS:	Sustainable development Goals
SIU:	Special Investigations Unit
SP:	Strategic Plan
SPC RRRT:	Pacific Community Human Rights and Social Development
UPR:	Universal Periodic Review
VFSC:	Village Family Safety Committee

Ombudsman's message

Pursuant to s.57 Part 7 of the *Ombudsman (Komesina o Sulufaiga) Act 2013*, it is my privilege to submit the Annual Report of the Office of the Ombudsman and Samoa's National Human Rights Institution. The report presents the Office's performance and financial statements for the Financial Year ending 30 June 2021.

My term as Ombudsman commenced on 1 April, 2021. My predecessor, Afioga Maiava Iulai Toma, ended his 27 year tenure on 31 March 2021, and I wish to acknowledge his leadership under which a strong foundation for the Office's operations was laid.

The COVID-19 pandemic and State of Emergency restrictions caused disruption to our outreach and education activities and access to our office by members of the public. Notwithstanding these challenges, the Office was able to continue with its core functions of investigating complaints relating to administrative decisions and against police officers, and advocating for

the promotion and protection of human rights. The Office's performance within the allocated budget for the 2020 – 2021 financial year, demonstrated an adequate absorptive capacity, to utilise funds appropriated by Parliament for the Office. This is testament to my dedicated and hard-working team.

The way the Office worked with our international partners changed immensely and staff adapted well to holding virtual meetings and consultations. Our partners, especially the Office of the New Zealand Ombudsman, the Asia-Pacific Forum of National Human Rights Institutions and the Commonwealth Ombudsman, continued their invaluable support to the Office.

As we move to implement our new Strategic Plan 2021/22 – 2024/2025 and engage more with the whole of Government and civil society, we will endeavor to increase public awareness of the Ombudsman's role in ensuring integrity in governance and respect for human rights.



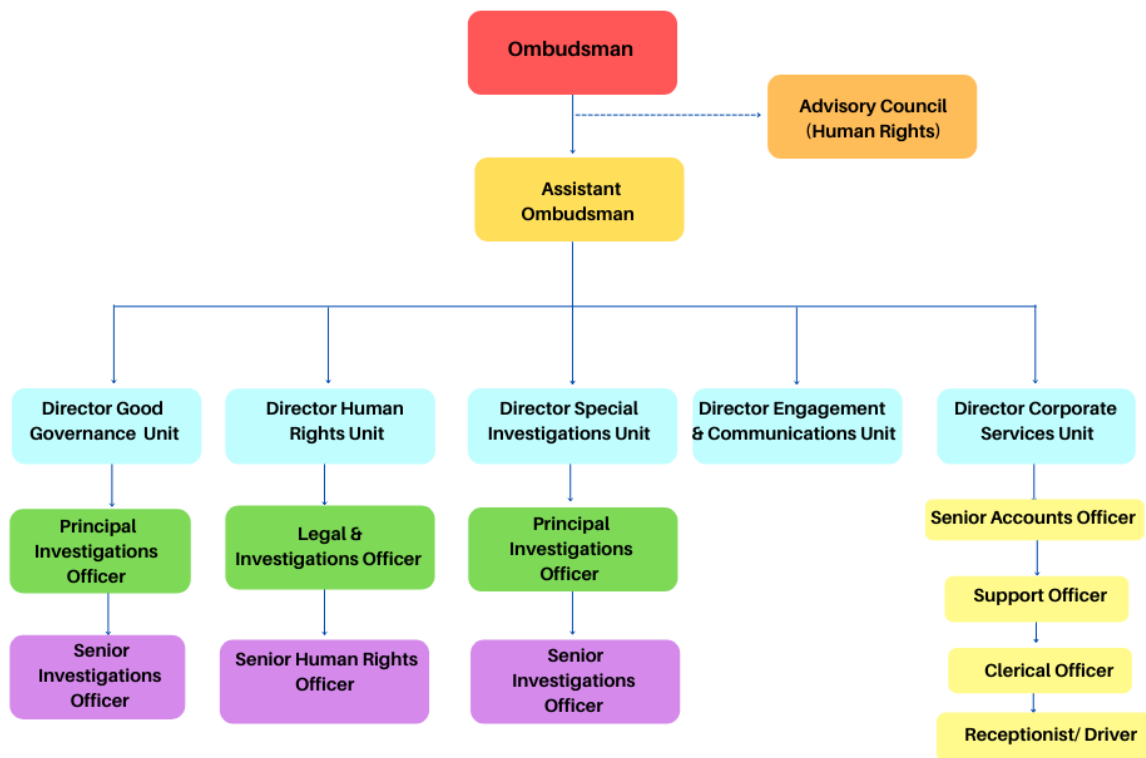
Luamanuvao Katalaina Sapolu
Ombudsman

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Part 1: Office Overview

1.1 Organizational Structure



Office Organizational Structure

1.2 The Office and Mandate

The Ombudsman is an Independent Officer of Parliament who may, on complaint or own initiative, investigate any administrative decision that affects a person in their personal capacity by a Ministry or an organization.

In addition to the Ombudsman, a constitutional appointment, the Office consists of an Assistant Ombudsman, a team of five directors leading each mandated function of Good Governance, Human Rights, Special Investigations and the two supporting functions of the Office being Corporate Services and the Engagement and Communications Units which are staffed by eleven employees altogether.

The *Ombudsman Act 2013* passed in June 2013 expanded the jurisdiction and work of the Office to embrace the role:

- i. Good governance;
- ii. Human rights; and
- iii. Special investigations.

1.3 Functions of the Office

The Office of the Ombudsman/NHRI is an independent office, with three broad objectives. In particular the purpose of the Office of the Ombudsman/NHRI is to:

- to promote transparency, accountability and integrity in the administration and decision making of Ministries and organizations; and
- promote and protect the dignity of humankind enshrined in the Constitution, international human rights law, as the foundation of a fair, just and peaceful society.
- To act in an independent capacity to monitor and to investigate where appropriate the exercise of the State's coercive powers by the Police and any other designated disciplined force.

1.3.1 Good Governance

In the context of Good Governance, the office is independent from the Executive Government functions to promote fairness and justice in public administration to enable strong institutions.

Governance is the **process of decision making and the process by which decisions are implemented (or not implemented)**. The key attributes of good governance are:

- transparency
- responsibility
- accountability
- inclusive participation
- responsiveness (to the needs of the people of Samoa)

The good governance function of the Office and core function of the Ombudsman is to foster good administration within Government ministries and agencies to the satisfaction of the stakeholders – the people of Samoa. The public sector must be accountable to the public who are generally those affected by its decisions as well as the applicable rules of law.

Moreover, the Office through the Good Governance Unit may receive and investigate complaints from members of the public about administrative actions and non-actions of all government ministries and agencies and helps resolve decisions that are wrong, unjust, unlawful, discriminatory or unfair. It may also look into matters referred by the Prime Minister or a Parliament select committee relating to a petition.

The Office through the Good Governance Unit however, **does not** investigate complaints against;

- private individuals / companies or other non-government organizations;
- decision of the Courts;
- decision of statutory tribunals.

Furthermore, it may refuse to investigate complaints when;

- the complaint has an existing remedy or appeal which ought to be used in the first instance;
- the subject matter of the complaint is more than 12 months old;
- there is insufficient personal interest.

1.3.2 Human Rights

The *Ombudsman (Komesina o Sulufaiga) Act 2013* established the NHRI for Samoa not as a standalone Human Rights Commission but as part and parcel of the Office of the Ombudsman while complying with the Paris Principles. These Principles which were adopted by the United Nations apply to the National Human Rights Institution of Samoa to actively “promote and protect human rights and freedoms” as well as to be responsive to and in touch with all sectors of the community.

In its daily workload, the NHRI functions to bridge the protection gap between the rights of individuals and responsibilities of the State (Samoan Government) through;

- Monitoring Samoa’s performance in meeting its international human rights commitments through its State of Human Rights reports and places of detention inspections report;
- Review of existing and proposed legislation to ensure consistency with human rights law;
- Providing advice to the Samoan Government so that it meets the domestic and international human rights commitments;
- Conducting visits to all public places of voluntary and involuntary confinement or detention;
- Undertaking human rights education awareness and training programs into villages and the community;
- Engaging with the international human rights partners to raise pressing issues and advocate for recommendations that can be made to the Samoan Government;
- Participating in judicial proceedings as a friend of the court or as a party where human rights issues arise;
- Providing information to the International Human Rights Council and other treaty monitoring bodies through shadow reporting and submissions;
- All of this is achieved through the celebration and protection of the Samoan culture, dignity and respect ingrained in the Fa’aSamoa.

1.3.3 Special Investigations

In addition to the abovementioned mandates, the *Ombudsman Act 2013* gives the Ombudsman jurisdiction through a Special Investigations Unit (SIU) function to address misconduct in agencies exercising the coercive powers of the State and to conduct special investigations as maybe authorized. It is responsible to;

- Receive, investigate and determine any complaints about a police officer, prison officer or officer of other prescribed disciplined force.

The Unit however is not to investigate any matter that is being investigated or inquired into by the Police, Prisons or prescribed force under their respective *Acts*, *unless* an exception applies which include situations where the Ombudsman has reasons to believe that;

- there is an abuse of process by the Police, Prisons or prescribed disciplined force; or
- there has been an unreasonable delay in the investigation; or
- the matter has not been appropriately investigated.

1.3.4 Corporate Services Unit

The Corporate Services Unit operates to ensure smooth, efficient, and effective day-to-day operations of the Office in pursuit of its statutory functions to promote integrity in governance, the protection and promotion of human rights in Samoa, and equal and fair treatment of people. The Unit is responsible for;

- Budget formulation, management and monitoring;
- Administration of procurement and payment services
- Management of Office assets and equipment
- Administrative services
- Secretarial services to the Ombudsman
- Records management services
- Transportation services
- Reporting and planning (formulations of plans for Office strategic directions)
- Human resource management and performance development.

1.4 Jurisdiction

The Ombudsman has jurisdiction to investigate a complaint about the actions and decisions of the state government departments and agencies. The majority of investigations completed by the Ombudsman were grounded on complaints. In addition, the Ombudsman conducts investigations on his own initiative – “own motion”. The Prime Minister or a Parliamentary Select Committee may also refer matters to the Ombudsman for investigation. The Ombudsman makes recommendations to government ministries and agencies within jurisdiction to rectify unlawful, unfair or unjust decisions and improve administrative practice. The Ombudsman does not have the power to investigate private individuals or businesses.

In general, the Ombudsman will not investigate a matter until a person has exhausted all means to resolve the matter directly with the ministry/ agency concerned as well as all other measures for resolution.

Apart from assessing and investigating complaints, the Office also provides advice to assist agencies develop and improve their decision making processes, administrative practices and complaints handling mechanisms.

Collectively, the services provided by the Office assists to ensure that Samoa’s public agencies remain fair and accountable. Good public administration means better service delivery for all Samoans.

1.5 Vision

“To take a leading role in promoting integrity in governance; promoting and protecting Human Rights in Samoa and ensuring Equal and Fair treatment of people”

1.6 Mission

The Office of the Ombudsman/NHRI is an independent office, with three broad objectives. Specifically it will redress administrative injustice and illegality; promote and protect human rights; and monitor the exercise of the coercive powers of the state. To meet the expectations inherent in the *Ombudsman (Komesina o Sulufaiga) Act 2013* by;

- Providing good leadership, management of systems, processes, efficient support and coordination for the successful implementation of the Office’s work program;
- Enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of member of the public;
- Promote and protect the dignity of humankind enshrined in the Constitution, international human rights law, as the foundation of a fair, just and peaceful society; and
- Provide effective oversight and address misconduct of agencies exercising the coercive powers of the State and to conduct special investigations.

1.7 Goals and Objectives

In the pursuit of its vision and mission, the Office has performed its mandates to achieve the following;

- A leading accountable organization with capable and engaged professional workforce.
- A robust and transparent monitoring and evaluation system in the implementation of all office projects and budget targets.
- Effective outreach and educational programs/ events targeting the communities.
- Effective financial management system and compliance with accounting procedures and reporting
- Best practice in administration and conduct
- A culture of continuous improvement
- Effective complaints handling mechanisms

1.8 Values

The Office is fully committed to upholding the following values in the performance of its roles and responsibilities:

Honesty, Integrity and Impartiality

- We are ethical, honest and law-abiding in everything we do.
- We respond to complaints without bias and we do not take sides
- We provide impartial advice without fear or favour and make decisions on their merits
- We are independent.

Ethics, Fairness and Dignity

- We treat people equitably
- We respect and value diversity
- We have the highest ethical standards

Accessibility, Accountability and Transparency

- We are accessible to people
- We are transparent and accountable for our actions.

Consistency, Responsiveness and Diligence

- We respond to complaints quickly. If we can't help, we'll explain why, and if possible, suggest alternative action
- We produce timely and high quality work
- We develop our skills to improve service and become a catalyst for change in promoting good governance and human rights.

Culture and Rule of Law

- We respect and value Fa'aSamoa
- We operate within the laws of the Independent State of Samoa.

Part 2: Divisional Performance for Financial Year 2020-2021

2.1 Output 1: Good Governance Unit

The Objectives, strategies and performance indicators shown here are drawn from the *Office of the Ombudsman Strategic Plan 2016 – 2020*.

Good Governance Unit (GGU) Strategic Framework¹

OUTPUT 1: Good Governance

¹ Office of the Ombudsman Strategic Plan 2016 -2021

Objective:	To enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of members of the public.			
Inputs	Outcomes	Key Performance Measures (KPMs)	Key projects	Link to national, sector goals and SDGs
Effective consultations with Agencies on public dissatisfaction with service delivery Effective and productive stakeholder relationships	1. Individuals are empowered to resolve complaints with State Agencies	1.1 Increased reach and relevance of the role of the Office	Outreach and education	SDG 16 LJS Goal 3
Best practice in administration and conduct A culture of continuous improvement	2. The fair treatment of people and improved decision making and public administration by and within State Agencies	2.1 Effectiveness of working arrangements with Government Agencies to realize principles of good governance and administration. 2.2 Critical good governance issues are investigated and reported on effectively and efficiently. 2.3 Effective analysis of State Agency complaints Management systems.	Ministry consultations	
Effective complaints handling mechanisms	3. Complaints are investigated and reviewed effectively and independently	3.1 Effective and efficient investigation and resolution of complaints	Complaints handling	

Summaries of GGU Activity/Projects FY 2020 2021

Outcome 1: Individuals are empowered to resolve complaints with State Agencies

Indicators:

1.1. Increased reach and relevance of the role of the Office

Function

A core function of the Ombudsman is to resolve complaints received from the public about the administrative decision making and practices of state agencies (government ministries and public enterprises). This function is mandated under s18(1) of the *Ombudsman (Komesina o Sulufaiga) Act 2013* (the Act) and is the responsibility of the Good Governance Unit (GGU). The purpose of GGU is to assist the public by providing independent and timely complaint resolution and investigation services or, where appropriate, referring them to a more relevant body to handle the issues they have raised.

Staff

GGU was previously staffed by two officers (Director Good Governance; Principal Investigation Officer), but is now a trio with the appreciated addition of a Senior Investigation Officer. It is planned for an Investigation Officer to be added to the team. This would be a significant milestone for GGU in expanding the investigation arm of the Office.

Outcome 2: The fair treatment of people and improved decision making and public administration by and within State Agencies

Indicators:

2.1. Effectiveness of working arrangements with Government Agencies to realize principles of good governance and administration.

2.2. Critical good governance issues are investigated and reported on effectively and efficiently.

2.3. Effective analysis of State Agency complain Management systems.

Outcome 3: Complaints are investigated and reviewed effectively and independently

Indicators:

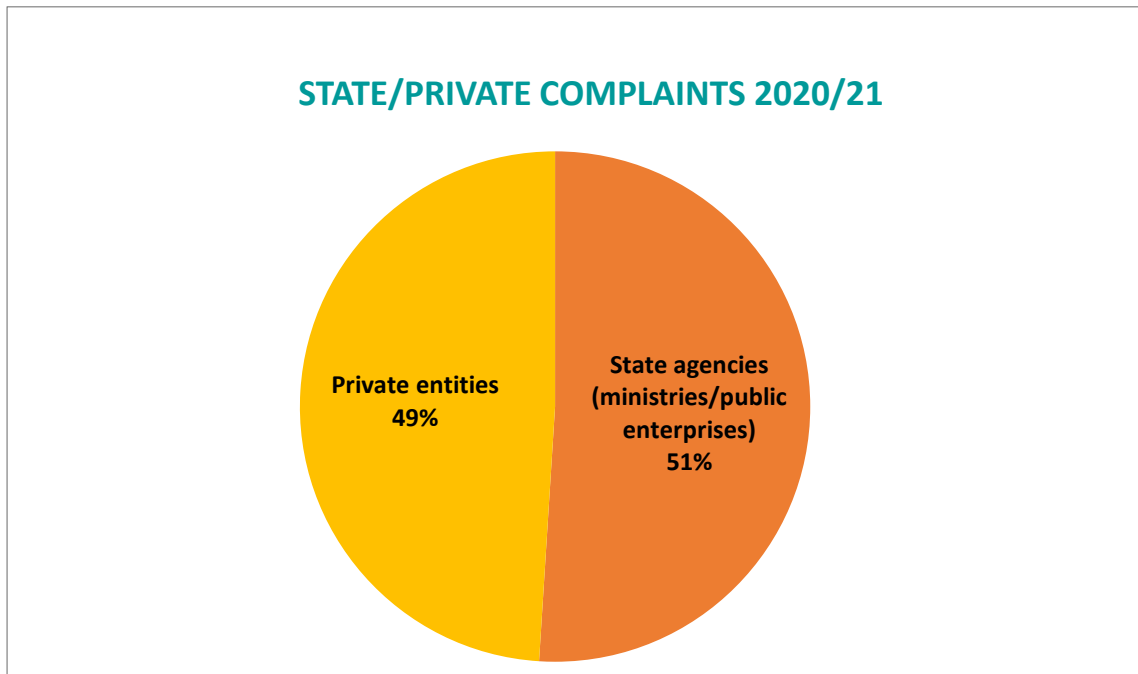
3.1. Effective and efficient investigation and resolution of complaints

Work

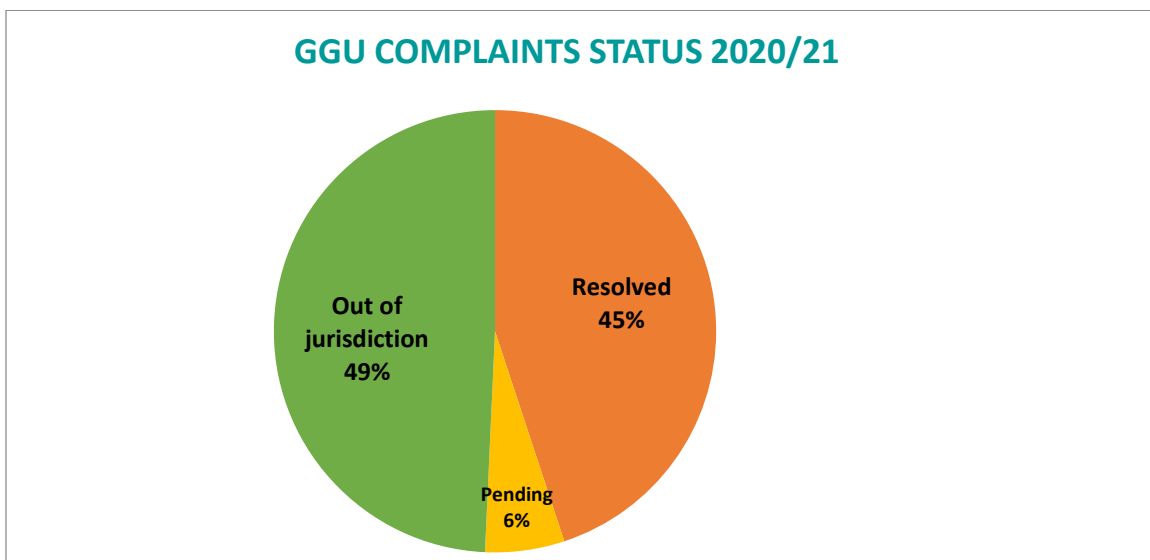
This financial year (July 2020-2021), GGU has encountered new challenges. In addition to the continuing global threat of COVID-19, the General Elections in April and its aftermath affected GGU operations. Projects and activities such as the scheduled GGU engagement booths at the Salelologa Market in Savaii and the continuing Ombudsman Practice Statement Rollout to public agencies were suspended due to the political instability at the time. In spite of these obstacles, GGU continued its other core services – complaints investigations and agency referrals. No own motion investigations or referrals from the Prime Minister or a parliamentary committee were carried out for this period. The duration of an investigation varies depending on the seriousness and complexity of the complaint. A complaint can be promptly resolved (early resolution) or escalated to a formal investigation. Complainants are always encouraged to

resolve their issues first with the subject agency. There were 69 registered complaints received by GGU for 2020-21. 41 complaints were against public/state agencies (59%) and 28 complaints were against private entities (49%).

Below chart represents complaints received by GGU in the period under review



The following chart summarizes the status of complaints for 2020/21 – 27 resolved (45%); 6 pending (6%); 36 out of jurisdiction (49%):



The most common complaints received and investigated by GGU during this period for public agencies were unfair/unreasonable termination, unreasonable administrative decisions and delayed action. Complaints against private entities were out of jurisdiction (OOJ). These were usually employer/employee matters that were referred to the relevant agencies such as the Samoa National Provident Fund (SNPF) for unpaid contributions or the Ministry of Commerce, Industry & Labour (MCIL) on employment entitlements. Further to these referrals the complainant would be advised that GGU could only be involved if there was any dissatisfaction with the relevant agency. Through this service, GGU would also follow up with the complainant on the outcome of the referral. About 56% of OOJ matters were referrals. Personal complaints received were private matters such as family disputes and court decisions. Complaints from public servants were referred to the Public Service Commission (PSC), pursuant to s21 of the Act. Other matters in relation to authorities vested with statutory law enforcement powers such as Police were referred to the Special Investigations Unit (SIU).

OMB Frontline Staff Training – Initial Complaints Receivers

In June 2021 GGU and SIU conducted training on Complaints Handling for the Corporate Service Unit (CSU) to enhance and strengthen service delivery. The opportunity not only provided the frontline staff with skills to best handle difficult complaints but also served as refresher training on the complaints handling procedures highlighting the value of complaints on improving public service. The Office encourages and continues to value all complaints about the provision of better public service to the people.

Practice Statement Awareness

GGU and SIU continued its Practice Statement initiative and met with the Public Service Commission and the Public Trust Office during this period. Many engagements were held off due to the COVID-19 restrictions and the political climate. For clarification, the intention is twofold:

- For each agency to nominate an Ombudsman Liaison Officer (OLO) for easier access in relation to enquiries concerning the agency.
- Assist agencies where necessary in providing efficient, effective and accessible complaint handling services to the public.

Certificate IV Government Investigations - ICETS

GGU and SIU Principal Investigation Officers have almost completed their Certificate IV in Government Investigations course under the Investigation Compliance and Enforcement Training Systems (ICETS). Participation in the course was financially supported by the Commonwealth Ombudsman of Australia (COA).

Certified Fraud Examiner

Congratulations to the GGU Principal Investigation Officer who has completed this year long online course and is now a Certified Fraud Examiner. There are now 3 Certified Fraud Examiners in the Office. GGU Senior Investigation Officer is currently undertaking the course. Again, COA has continued to offer financial assistance.

Case Summaries

The following selection of cases is indicative of the types of complaints received by the Unit ranging from very simple to complex cases that ordinary people face and for which they seek assistance. The following are some of the reviews that may be of interest:

Gambling Control Authority (GCA)

Unreasonable termination

Ms A complained that the decision to terminate her employment was unreasonable. The decision was based on the findings of an internal investigation concerning misconduct and breaching Office protocols. According to Ms A, GCA had failed to administer procedural fairness, i.e. being afforded the opportunity to respond to the allegations against her.

Ms A had initially sought the assistance of the Ministry of Commerce Industry and Labor (MCIL) and engaged legal counsel. She had also approached the Prime Minister who rightly referred her to the relevant Minister and responsible agency (MPE). Ms A was then advised to wait on the Minister/MPE's course of action and MCIL's effort before deciding to pursue the matter further through OMB.

Subsequently, an article in the Samoa Observer stated that Ms A and others were to appear before the Supreme Court in relation to her complaint. Given that the matter was before the Court, no further action was taken pursuant to ss21 and 23 of the *Ombudsman (Komesina o Sulufaiga) Act 2013*, i.e. outside of OMB jurisdiction. Due to the shift in circumstances, the matter was considered an **early resolution**.

Ministry of Commerce, Industry & Labour (MCIL)

Unfair Treatment

Mr B claimed that he had received unprofessional service from MCIL staff. Mr B had sought MCIL assistance about his entitlements from his former employer but sensed that the attending officer seemed unconcerned when informing Mr B that they would look into his matter. Mr B was advised to be patient and to wait on the outcome of MCIL's work. In spite of this, a preliminary enquiry via email was sent to MCIL Ombudsman Liaison Officer (OLO) for assistance and clarification of this complaint.

MCIL responded with a report of mediation between Mr B and his former employer outlining that the matter was settled between both parties. Mr B returned and thanked OMB for the assistance rendered; he then requested to cease any further action to his complaint. Based on the MCIL report and subsequent request for closure, it was evident that there was **no unfair treatment**. The matter was considered an **early resolution**.

Ministry of Prime Minister & Cabinet – Samoa Immigration Division (ID)

Unreasonable decision/action

Mr C, a New Zealander, enquired on an issue he had with ID in relation to a delay in the granting of his Permanent Resident Permit (PRP). Mr C queried why he had to go through the PRP quota system when

he was married to a Samoan citizen and had resided in Samoa for more than 20 years. According to Mr C, ID had also advised him to apply for Samoan citizenship given his marital status. Mr C also complained that he did not have the funds for payment.

A preliminary enquiry with ID led to a meeting to discuss and reconcile the concerns of Mr C. During the meeting, it was confirmed that there were 3 types of Permit applications administered by ID including the prescribed fees. In fact, ID had already explained this to Mr C. When Mr C was informed on the outcome of the meeting with ID, he acknowledged that he was aware of the fees. Mr C was satisfied with the update and thanked OMB for the assistance rendered. Mr C then requested that no further action be taken with his complaint. The actions administered by ID were **not unreasonable** and the matter was considered an **early resolution**.

Office of the Attorney General (OAG)

Unlawful termination

Mr D alleged unlawful termination of employment against OAG. Mr D had initially submitted his letter of resignation, which the Attorney General (AG) had acknowledged and responded that his resignation be effective forthwith. According to Mr D, when he received the AG's response, he left the office immediately without informing anyone; he also claimed this was a breach of his resignation conditions of 4 weeks' notice in his contract. Mr A was advised that given it was an employment issue to return to OAG to try and resolve the matter internally.

OAG was then contacted about Mr D's complaint. The AG then agreed to meet with Mr D but to be accompanied by an OMB officer to discuss his matter. Mr D did not accept this, citing his own firm understanding of the matter thus postponing discussions until an appropriate time. Further emails to Mr D were not answered. It was then decided that since Mr D had been provided with sufficient support to settle his matter with OAG, **further action was unnecessary** pursuant to s23 of the Ombudsman (Komesina o Sulufaiga) Act 2013

It was found that OAG's administrative decision to terminate Mr D's employment was **not unreasonable**. Mr D had resigned and the AG acknowledged his resignation and thanked him for his services accordingly. Had Mr D accepted OMB's request to meet with the AG, the matter would have been promptly resolved. The issue with the unlawful termination and the breach of contract was a legal matter for the Courts to decide, which was outside OMB's legislated jurisdiction.

Public Trust Office (PTO)

Delayed action

Mr E questioned the service delivery of PTO. According to Mr E, he had gone to PTO on a number of occasions concerning an estate issue, but no officer was available. Mr E also claimed that he made appointments but was given no clear confirmation. PTO was contacted about the complaint and responded that an appointment with Mr E had already been set but he did not attend. PTO thanked OMB for contacting on Mr E's matter.

Mr E was then relayed the conversation with PTO, which he confirmed and that PTO had contacted him for another appointment to meet. Mr E thanked OMB for the prompt action and assistance rendered. The matter was considered an **early resolution**.

2.2 Output 2: Human Rights

The Objectives, strategies and performance indicators shown here are drawn from the *Office of the Ombudsman Strategic Plan 2016 – 2020*.

NHRI Strategic Framework²

OUTPUT 2: Human Rights				
Objective	To promote and protect human rights and freedoms in Samoa as the National Human Rights Institution (NHRI).			
Inputs	Outcomes	Key Performance Measures (KPMs)	Key projects	Link to national, sector goals and SDGs
Effective outreach and education programmes	1. Enhanced awareness and understanding of human rights, the role of and access to the office.	<i>1.1. Increased understanding and acceptance of the value of human rights in Samoa.</i> <i>1.2. Increased Government consideration of treaty ratification.</i>	Awareness raising, promotion & outreach. Public education	SDG 5, 10, 16 SDS 8.2 LJS 1,2,3
Reporting on human rights abuses.	2. Violations of human rights are investigated and reported on effectively and efficiently.	<i>2.1. Critical human rights issues are investigated and reported on effectively and efficiently.</i> <i>2.2. Informative yearly reporting on human rights issues.</i> <i>2.3. Informative timely reports submitted to international treaty bodies and mechanisms.</i>	State of Human Rights report. Thematic Investigations.	

² Office of the Ombudsman Strategic Plan 2016 -2021

Effective monitoring of domestic and international human rights law.	3. Improved compliance of domestic legislation, policy and practice with international human rights standards.	<i>3.1. Improved compliance of domestic legislation and policy with international human rights standards.</i> <i>3.2. Standards of detention facilities are improved in line with human rights standards</i>	Legislative and Policy Review. Detention inspections.	
Best practice protection and promotion of human rights.	4. Engagement and partnerships strengthened and expertise of staff enhanced	<i>4.1. Increased partnerships, cooperation and information sharing with regional and international bodies.</i> <i>4.2. Improved coordination of human rights across government, civil society and the private sector.</i> <i>4.3. Office capacity built to deliver Amicus Curiae function.</i>	Coordination and application of human rights. Regional and international engagement and reporting.	

Human Rights Work Overview

This section sets human rights work and performance of the Office in the 2020/2021 financial year.

Some of the key milestones achieved by the human rights team include – submission of 2 international reports (1) alternative report to the United Nation’s Universal Periodic Review (UPR) Working Group to assist with Samoa’s UPR in November 2021, and (2) Statement of Compliance (SoC) to the Global Alliance for National Human Rights Institutions (NHRI). The Office is due to be reviewed and accredited again this year in October. The review will look at how effective the NHRI has been in the promotion and protection of human rights in Samoa. Currently, the Office is accredited with an ‘A’ status from its first ever review in 2016.

The Office has also been proactive with its engagement with civil society organizations (CSO) and in January coordinated the CSO UPR workshop to assist CSO with shadow reporting to the UPR Working Group. The workshop was conducted in collaboration with Pacific Community (SPC-RRRT) and Office of the High Commission of Human Rights (OHCHR) Regional Office in Fiji. The Office also issued public statements on various issues including freedom of speech and plans by the Government to ban Facebook, as well as on the right to vote and fair elections.

Building on from previous year, the human rights team also began the implementation of the Phase 3 (i.e. Implementation) of the Village Family Safety Committee Pilot Project. Implementation required the Office to assist with conducting some of the key activities outlined in the work plans of the 6 villages (3 in Upolu and 3 in Savaii) who are part of the Project. Some of these activities include – capacity building workshops for committee members on good governance and management, as well as awareness workshops on freedom of speech and safe use of the internet, safety of children, anger management etc. The awareness workshops will lead into the beginning of the next financial year 2021/2022.

Challenges & Strategies

The impact of COVID-19 had greatly hindered progress especially with our outreach programs being reduced due to state of emergency measures that were put in place. The team resorted to utilizing its online platforms to raise awareness as well as worked internally to reflect and realign its priorities.

Capacity remains a challenge for the Unit. The recruiting of a Senior Human Rights Officer (currently being advertised) will greatly assist with our implementation work. However, there is still a need for more given the board mandate of the NHRI.

Snapshot of NHRI Activity/Projects FY 2020/21

The following provides an overview of the Unit's activities carried out for FY2020-2021.

Human rights education, awareness and training	<ul style="list-style-type: none"> • 6 Community Engagements covering all 6 villages piloting the Village Family Safety Committees on freedom of speech and safe use of the internet • 32 Info sheets on human rights • 1 CRPD awareness workshop • 1 Human Rights Day 2020 • 2 training for law enforcement officers – police and prisons
Reporting – national and international	<ul style="list-style-type: none"> • 1 Statutory Report – State of Human Rights Report 2021 • 1 Universal Periodic Review (UPR) Alternative Report • 1 Statement of Compliance – Accreditation by GANHRI
Inspections and investigations	<ul style="list-style-type: none"> • 1 Visit to Tanumalala and police outpost custody cells
Legislative/Policy Analysis	<ul style="list-style-type: none"> • 1 Submission to the Family Laws Review
Human Rights Advisory Engagements	<ul style="list-style-type: none"> • 2 Advisory Council Meetings
Local/Regional/International Engagements	<p><u>Local engagements</u></p> <ul style="list-style-type: none"> • Civil Society Organization (CSO) UPR workshop • 1 Parliamentarians and Human Rights Workshop • 6 governance and management workshops for 6 VFSCs <p><u>Regional engagements</u></p>

	<ul style="list-style-type: none"> • 1 High Level Dialogue (HLD) <p><u>NHRI involvement in national committees</u></p> <ul style="list-style-type: none"> • Family Life Education Comprehensive Sexual Education Project (FLE/CSE) – committee member • National Mechanism on Implementation Reporting and Follow-up (NMIRF) – observer member • National Human Rights Committee (CEDAW-CRC-CRPD) – observer member <p><u>NHRI participation in regional workshops</u></p> <ul style="list-style-type: none"> • Convention against Torture Initiative (CTI) workshop • Human Rights Education (HRE) and Facilitation • Environmental human rights defenders (EDHRs) in the Pacific workshop
Media Engagements	<ul style="list-style-type: none"> • 5 Press Releases • 1,701 Facebook Likes (408 more from last year) • 1,805 Facebook Followers (487more from last year) • 20 Facebook Posts

Summaries of NHRI Activity/Projects FY 2020/21

Outcome 1: Enhanced awareness and understanding of human rights and the role of and access to the Office

Indicators:

- 1.2. Increased understanding and acceptance of the value of human rights in Samoa.
- 1.3. Increased Government consideration of treaty ratification.

- **Civil Society Organization (CSO) UPR workshop**

During the months of February and March 2021, the NHRI with the support of SPC-RRRT and OHCHR Fiji conducted several workshops for CSOs in Samoa in light of Samoa's UPR that is due to take place in November 2021. The workshops focused on building capacity of CSOs in reporting writing as well as provided technical advice on the UPR reporting process. A total of 5 alternative reports by CSOs who took part in the workshop were submitted to the UPR working group to assist with Samoa's review. The 5 reports does not include reports by CSOs not part of the workshop who submitted their own reports.

- **Village Family Safety Committee (VFSC) awareness on freedom of speech**

The NHRI in collaboration with Samoa Police Services and the Office of the Regulator under its VFSC Pilot Project conducted an awareness programme and consultations on the freedom of speech and safe use of the internet for all 6 village family safety committees in Savaii and Upolu. The awareness programme is one of the activities in the Workplans of the 6 VFSCs. The activity was kindly supported by the UNDP Spotlight Initiative. A total of 226 participants with a composition of 121 males and 105 females. From the evaluation questions that were verbally put out to the participants it was clear that for many of them the

awareness raising was the first time they have heard about laws that protects the freedom of speech/opinion and the associated punishments/penalties.

- Almost 80% of participants felt that freedom of speech meant that it was their ability or right to say anything to anyone at any time without limitations.
- 90% of the participants agreed that the misuse of freedom of speech through technology has been a key factor to relationship breakdowns within their own families and felt that part of it was due to the freedom of speech where people felt it was ok to say what they felt even if it meant threatening and insulting others triggering violence and unrest in family relationships.
- 100% of those who shared supported the initiative and felt that it should be rolled out to every village of Samoa as they felt that this was one freedom that the public are abusing.

The workshops are the first of many other workshops that the Office will be working in collaboration with its partners for 2021. It will also be one of many activities in the pipeline for this specific human rights issue.

- ***Human rights info sheets***

The NHRI has developed various info sheets on various human rights matters including information about human rights treaties, reporting process, human rights terminology, applying human rights based approaches in project work etc. It is anticipated that the Office will continue to develop information resources and publicize them for the public's information and awareness on human rights. The info sheets are available on our website.

- ***Human rights press releases /public statements***

The NHRI also provided opinions on certain human rights issues including freedom of speech and the possible ban of Facebook by the Government, citizen's right to vote as well as on unpacking myths about sexual violence.³

- ***Convention on the Rights of Persons with Disabilities (CRPD) awareness workshop***

The NHRI was invited to present on the CRPD during a training held by Nuanua o le Alofa (NOLA) for its members. The presentation touched on Articles 32 and 33 of the Convention on international cooperation and national implementation and monitoring and their application. NHRI continues to work with disability groups such as NOLA to ensure inclusivity and that no one is left behind.

- ***Human Rights Education and Training for Police and Schools***

The NHRI conducted a 1-day training for new police recruits on human rights standards and the application of these in their line of work. The training was attended by 54 recruits with a composition of 20 females and 34 males. 80% of the recruits have not heard of the Ombudsman Office before and so it the training was also an opportunity to raise awareness about the role and functions of the Office and how it relates

³ OMB/NHRI Press releases: <https://ombudsman.gov.ws/speeches/>

to the work of law enforcement. 90% of the participants were aware of human rights however did not understand how they are practically applied to work of the Police.

Due to state of emergency restrictions the NHRI was unable to conduct its annual friendly school program. The NHRI aims to continue this work as soon as possible once there is an all clear. In the meantime, the Office has been developing educational materials on human rights treaties, terminology etc.⁴ and publishing them on its online platforms to raise awareness and for the public's information.

NHRI and SIU also conducted trainings for prisons officers particularly on procedures regarding effective complaint handling. It was also an opportunity to share on human rights and how it connects with work of correction officers.

- ***Human Rights Day Celebrations 2020***

The NHRI hosted a public engagement event in partnership with Offices housed at the NPF Plaza Building to commemorate Human Rights Day 2020 on the theme A'o toe timata le upega - Fa'ataua le isi tagata soifua (Recover Better – Stand up for Human Rights). The event was attended by Office of the Electoral Commission, Ministry of Public Enterprise, Digicel, and Frankies Supermarket who competed in three mini competitions for prizes as well as the public that were present on the day. One of the competitions was a quiz on understanding basic human rights. The quiz was to raise awareness on rights and responsibilities as well as unpacking some common misconceptions surrounding the exercising of rights not only amongst the Offices but also the public.

- ***Parliamentarians and Human Rights Workshop***

The NHRI conducted its first ever roundtable dialogue with Parliamentarians on 11 September 2020. The aim of the dialogue was to strengthen partnerships and promote proactive engagement between the Office and Parliament in the realization and protection of human rights in Samoa. The dialogue targeted specific Members of Parliament who have a direct engagement with the work of the Office particularly the Special Committee tasked to review and scrutinize the Office's annual State of Human Rights Reports. The participants shared on how important the workshop it was for them particularly understanding human rights but also on the roles and functions of the Office. It was recommended that the Office and the Office of the Legislative to work together in ensuring that this program is ongoing for all Parliamentarians to ensure that they understood human rights issues to debate and lobby for them. The NHRI plans to make this workshop as part of its annual work plan.

Outcome 2: Violations of human rights are investigated and reported on effectively and efficiently

Indicators:

- 2.4. Critical human rights issues are investigated and reported on effectively and efficiently.*
- 2.5. Informative yearly reporting on human rights issues.*
- 2.6. Informative timely reports submitted to international treaty bodies and mechanisms.*

⁴ OMB/NHRI Info sheets link : <https://ombudsman.gov.ws/infosheets/>

- ***State of Human Rights Report 2021***

In light of issues relating to freedom of speech and expression that had become topical in Samoa at the time, the NHRI decided to look into and report on the status of the freedom of opinion and expression and the rights of access to information for its 2021 State of Human Rights Report.

The Report endeavors to highlight the status of freedom of opinion, freedom of expression, and right to information in Samoa, the public's understanding of such freedoms and rights, how they are applied and the issues associated with their application, how they are protected, and where improvements could be made for their progressive realization.

The Report explores various aspects of such rights and freedoms including – defamation; hate speech; freedom of expression and political rights; freedom of expression and the media; the internet, freedom of expression, and safety of children; right of access to information, and whistleblower protection. The Report also considers various contexts in which such freedoms and rights are and may be restricted or curtailed.

The Report contains a number of recommendations for the consideration and subsequent implementation by relevant Government agencies to ensure that the freedom of expression and opinion and the right of access to information of all Samoans is continuously promoted and protected. Recommendations made relate to three broad categories: (1) *outreach and awareness*, (2) *legislative and policy*, (3) *resourcing and capacity building*.

The Report will be submitted to Parliament once convened and thereafter be made available on the Office website for the public's information.

- ***Universal Periodic Review (UPR) Alternative Report***

To assist with Samoa's upcoming UPR in November 2021, the NHRI submitted its UPR independent alternative report to the UN Human Rights Council in March 2021. The Report provides an alternative submission focusing on providing an update on progress made by Government since its last UPR in 2016, as well as comment on specific human rights issues in Samoa that it sees require urgent attention and prioritization by the State. Some of these issues include conditions of detention, climate change, health and COVID-19, family violence, persons with disabilities rights, as well as the recent constitutional reforms.

The Report acknowledges and commends progress by Government in fulfilling its human rights obligations, as well as notes the need for further work to be done to ensure the full enjoyment by Samoans of their rights.

The Ombudsman will be presenting its report during the UPR Pre-sessions in October 2021.

- ***Statement of Compliance – Accreditation of the Office by GANHRI***

The NHRI is due for its accreditation this year in October 2021, and thus submitted its Statement of Compliance to GANHRI in June 2021. The Statement provides an overview and account of various aspects

including – mandate and office structure, membership, operations, policy and budget, as well as the work undertaken by the Office as Samoa’s NHRI to promote and protect human rights in Samoa.

This will be the NHRI’s second accreditation. The Office was first accredited in May 2016 with an ‘A’ status by GANHRI which meant that it was compliant with Paris Principles which are the international minimum standards for effective, credible NHRIs.

Outcome 3: Improved compliance of domestic legislation, policy and practice with international human rights standards

Indicators:

3.2. Improved compliance of domestic legislation and policy with international human rights standards.

3.3. Standards of detention facilities are improved in line with human rights standards

- **Family Laws Review**

The NHRI provided a submission to the Samoa Law Reform Commissions Family Laws Review in February 2021. This submission primarily focused on providing advice on the human rights implications of the Review. The Family Laws Review looks at family laws in Samoa namely the *Infants Ordinance 1961*, *Marriage Ordinance 1961*, *Divorce and Matrimonial Causes Ordinance 1961*, *Maintenance and Affiliation Act 1967*, *Family Safety Act 2013*, and the *Family Court Act 2014*. The submission discussed and made recommendations to specific issues including adoption and the protection of children, rights to matrimonial property upon separation, maintenance of persons by near relatives particularly persons with disabilities, definition of family violence, protection orders and the role of villages in enforcing them, protection of children in court from media as well as age for marriage.⁵

- **Detention Inspection visits**

In 2020, the NHRI conducted inspections of the Tanumalala Prisons Facility as well as custody cells of the Police Outposts. Despite the new facility at Tanumalala providing more space for inmates, there were still some issues observed. These included poor record management, poor hygiene, and ineffective rehabilitation programme for inmates. For police outposts, some did not have custody cells and thus all persons were transported to Apia to be detained there. One of the challenges identified by police staff interviewed was the lack of manpower to man the outpost

The Report is currently being drafted and will be finalized by the end of the 2021.

Outcome 4: Engagement and partnerships strengthened and expertise of staff enhanced

Indicators:

4.1. Increased partnerships, cooperation and information sharing with regional and international bodies.

⁵ A copy of the submission can be found on our website (www.ombudsman.gov.ws) under *Resources & Publications- Human Rights Documents – Human Rights submissions*.

4.2. Improved coordination of human rights across government, civil society and the private sector.

4.3. Office capacity built to deliver Amicus Curiae function.

- ***Family Life Education Comprehensive Sexual Education Project (FLE/CSE)***

The NHRI is currently involved as a member of the Multi-Stakeholder Committee as well as the three sub-committees of the FLE/CSE Project spearheaded by MESC. The project aims to develop a curriculum on family life education focusing on comprehensive sexual education for in-school and out-of-school students, as well as training for teachers and peer educators to deliver the curriculums. This is an important initiative and progress by Government in recognizing the issue of comprehensive sexual education in schools which was one of the recommendations in the National Public Inquiry into Family Violence Report.

The Office is responsible for the development of the human rights component of the curriculum and trainings. Work on the Project began in October 2020 and is forecasted to be completed by end of 2021.

- ***Human Rights Advisory Council Meetings***

The NHRI held two meetings with the Advisory Council – December 2020 and June 2021. The December meeting gave an update of the Office human rights work for 2020 while the June meeting was a farewell for the council given their expiration of their term. A call for expressions of interest for new Council members was publicized in April-May. It is anticipated that new council members will take up office sometime later in the year.

- ***National Mechanism on Implementation Reporting and Follow-up (NMIRF)***

The NHRI as an observer member of the NMIRF has engaged in several meetings of the mechanism with regard to coordinating of the national UPR report. The mechanism is responsible for compiling national reports on various areas including UPR and the SDGs. The Office as an observer member provides advice to the mechanism regarding best practices on reporting.

- ***National Human Rights Committee (CEDAW-CRC-CRPD)***

The NHRI was appointed in early 2021 as an observer member on the National Human Rights Committee. The Committee is responsible for coordinating reporting on the three treaties namely CEDAW, CRC and CRPD. To date the Committee has met twice with two more meetings for 2021.

- ***Leadership and Good Governance training workshops for the 6 VFSC***

A half-day refresher workshop on Leadership and Good Governance training workshops for the six village Family Safety Committees was carried out by the Office to re-emphasize and remind Committees of their roles and to highlight the roles and responsibilities of the Executive members of the VFSC. The training raised awareness about the Ministry of Finance's financial processes and the importance of accountability. It also reiterate the good governance principles that guide the work of the VFSC.

- ***Asia Pacific Forum of NHRIs High Level Dialogue (HLD)***

The Office took part in a HLD convened by the Asia Pacific Forum from 17-19 May 2021. The HLD was an opportunity to discuss various matters including strategic priorities of the Office, being proactive in good governance and human rights and looking at emerging areas in which the Office can make a contribution to e.g. environment and elections. The HLD was attended by management and staff.

- ***Human Rights Education (HRE) and Facilitation workshop***

Two NHRI staff members took part in the HRE and Facilitation online course from 31 May - 25 June 2021. The course included a mix of self-paced lessons, course group engagement and live discussions. The course's purposes was to help strengthen knowledge and understanding of HRE and Human Rights Facilitation including explore education and facilitation practice, strengthen capability in delivering HRE and share experiences on successes and challenges.

- ***Convention against Torture Initiative (CTI) workshop***

The NHRI took part in the CTI workshop on building effective anti-torture regulatory frameworks for fair systems of justice held from 18-20 May 2021. The purpose of the workshop was to enhance the capacity of senior government officials to: (a) build the case for the Convention Against Torture (UNCAT) ratification and prepare associated Cabinet submission, (b) stock take on existing national legislative frameworks to achieve alignment with UNCAT, (c) facilitate State reporting to the UN Committee against Torture (Committee), and (d) reflect on how this can be managed by Small States with constrained capacities. With Samoa being a party to the UN Convention Against Torture (UNCAT) it is important that NHRI continues to monitoring the implementation of State obligations under UNCAT.

It is important to note that Samoa has yet to ratify the UNCAT Optional Protocol sometime which if it does will require Samoa to put in place an independent mechanism for monitoring places of detention. This role has been conducted by the NHRI since 2015.

- ***Environmental human rights defenders (EDHRs) in the Pacific workshop***

The NHRI took part in the EDHR in the Pacific workshop from 14-15 June 2021. The purpose of the 2 day workshop was to share experiences and good practices, identifying protection gaps in EDHRs efforts in promoting and protecting their rights. It was also an opportunity to widen the EHRDs network in and beyond the Pacific region.

2.3 Output 3: Special Investigations Unit

The Objectives, strategies and performance indicators shown here are drawn from the Office of the Ombudsman Strategic Plan 2016 – 2020.

Special Investigations Unit (SIU) Strategic Framework⁶

OUTPUT 3: Special Investigations Unit

⁶ Office of the Ombudsman Strategic Plan 2016 -2021

Objective:	To address misconduct in agencies exercising the coercive powers of the State and to conduct special investigations as maybe authorised			
Inputs/Critical Success factors	Outcome	Performance Measure	Key Projects	SDG / Sector Goal
A well-managed referral system to deal with complaints and monitoring that encourages increased compliance of performance standards of policing	1. An office that ensures effective and independent resolution of complaints against the police and other prescribed forces and any other matters that may be defined by law or regulations	1.1 Independent, credible and effective discharge of the functions of the Special Investigations Unit	Independent Police force investigations Other disciplinary force investigations	SDG 16 LJS Goal 3
A well-established Special Investigations Unit (SIU)	2. An informed Public on the scope and functions of this Unit. SIU has the necessary capacity to deliver its Services	2.1 Increased Public awareness of role of SIU demonstrated by biennial SBS survey 2.2 Effective engagement with the Public on functions of the Special Investigations Unit 2.3 An adequately resourced SIU with capable staff able to adequately deliver its functions	Outreach and Awareness Building Ongoing establishment of Special Investigations Unit	
Capability and standby capacity to conduct authorised investigations	3. An open and transparent relationship with Police	3.1 Improved Professional Standards Unit case handling	Active case consultations with Police Professional Standards Unit (PSU)	

Summaries of SIU Activity/Projects FY 2020 2021

Staff

In November 2020, SIU welcomed on board a new Senior Investigations Officer, Nepa Papalii. SIU staff are now at a physical capacity of three members.

Work

Outcome 1: An office that ensures effective and independent resolution of complaints against the police and other prescribed forces and any other matters that may be defined by law or regulations

Indicators:

- 1.1. *Independent, credible and effective discharge of the functions of the Special Investigations Unit through; regular monitoring and good control to improve Police handling of complaints*
- 1.2. *Independent investigations subject to serious complaints received*
- 1.3. *Review of other disciplinary force complaints mechanisms continuing*
- 1.4. *Addressed matters referred to the office in a timely manner*

As per section 68(5) of the Police Service Act 2009, the SIU is to review the PSU on a regular basis. SIU reviews PSU on an annual basis, submitting reports to the Commissioner on the following scope:

- a) PSU case management practices and procedures in compliance with PSU's Standard Operating Procedures;
- b) Quality of investigations (ie. timeliness, evidence gathering, consideration of charges).
- c) Trends in Police Misconduct
- d) Public Interest Matters

In October 2020, SIU conducted its annual review of all complaints received by PSU between July 2019 and June 2020.

It was recorded that PSU received a total of 130 complaints during the review period. This is a 9.2% increase of complaints compared to the last 12 months and is perhaps due to the addition of complaints from the prisons given the merge in early 2020. 58.4% (76) of these complaints were filed internally by other police officers, an indicator of a good internal disciplinary culture in the Service. The remaining 41.5% (54) were from members of the public.

There are recurring issues such as the absence of risk assessments, investigation plans and the provision of all files requested. Of the 130 complaints, SIU were only able to assess 60 and have issued recommendations around timeliness, evidence gathering, establishment rates and trends in Police misconduct.

Overall, SIU commends the work of PSU in improving its complaint management system. Of the 19 recommendations issued so far by the Ombudsman, PSU has adopted 21.1% (4), partially adopted 52.6% (10), and have yet to adopt to 26.3% (5). SIU issued 9 additional recommendations around thematic areas

of concern and will continue to monitor the progress of PSU in an effort to improve Police handling of complaints.

Case Summaries

These are some of the independent investigations taken on by SIU:

SIU01

Launched: February 2020 – November 2020

Summary: SIU received an anonymous complaint from employees of disciplinary force, alleging differential treatment through extramarital affairs, unfair promotions, and abuse of Government funds.

Findings: (1) Confirmed extramarital affairs between senior management and lower level staff. This is not appropriate nor professional. It has incited disapproval from the public and affected families and members of the Authority (2) Disciplinary process at entity is so grossly ignored as to be effectively dormant (3) Unjust appointments without proper advertisement (4) Misuse of Government Funds

Recommendations: (1) Disciplinary action against officers involved in extramarital affairs (2) Policy to be put in place, prohibiting extramarital affairs in the office; (3) Financial misappropriation issue referred to Ministry of Finance and Audit Office; (4) Human Resource to monitor personnel files and discipline accordingly; (5) All staff to undergo proper appraisal and promotional assessments before any promotion; (6) Pay slips to be issued to all volunteer firefighters; (7) Human Resources to conduct thorough background checks of persons considered for managerial positions; (8) Set up an investigation team.

Update: Implicated officers have been terminated from disciplinary force by Cabinet

SIU02

Launched: February 2021

Summary: Complainant's wife took off to Savaii with his infant son and has been trying to contact law enforcement to assist him in acquiring access to his son

Update: SIU contacted Police who attended to getting a witness statement regarding the facts of the case and managed to resolve the matter early.

SIU03

Launched: May 2021

Summary: He was suspended for almost 2 years for negligent driving causing injury. Disciplinary force filed criminal charges but they were dismissed in Court.

Findings: Disciplinary force has not followed due process. It was unfair to dismiss the subject officer without proper administrative cause.

Update: Officer has been reinstated to his position with back pay.

The Samoa Prison and Correction Service is now merged under the Ministry of Police. Complaints for both disciplinary forces are thus monitored by SIU through its annual review mandate.

All complaints received by SIU are given equal priority and are assigned an 'informal complaint' status while an SIU investigator reviews the complaint. This review takes a minimum of 10 working days depending on the complexity of the case.

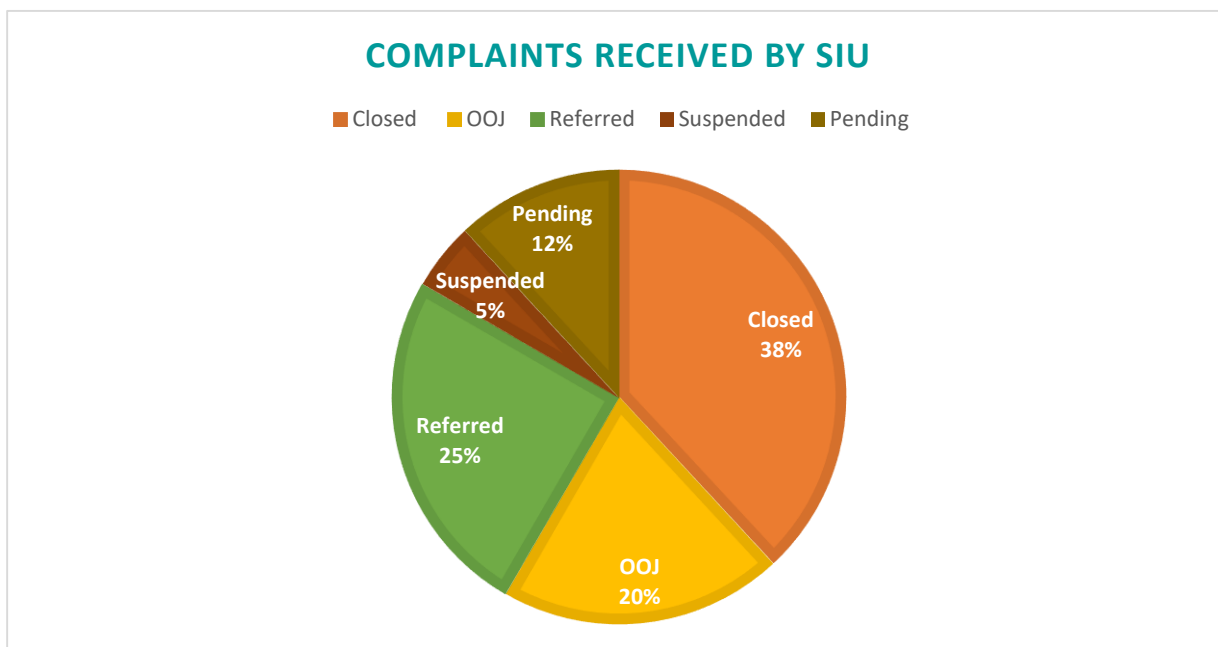
If following a review, it is clear that the matter falls outside of the Ombudsman's jurisdiction (eg. Court decision or a complaint against a private company etc) as per the Ombudsman Act 2013, then the complainant is advised to seek professional legal advice or directed to other avenues of redress.

If following a review, it becomes clear that the complainant has yet to approach the Government agency complained of, or there is an adequate remedy available to him or her, then the matter is referred to the relevant agency.

An SIU investigator will also contact the agency complained of, for further information or clarification of the issue raised by the complainant. If the matter can be resolved (eg. Complainant was finally given an opportunity to meet the Police Commissioner for his case) at this stage, then it becomes an Early Resolution case. If no satisfactory answer is given by the agency complained of, then a formal investigation⁷ is warranted.

During this financial year, SIU received a total of 88 complaints. This is a 51.1% increase in complaints against disciplinary forces compared to the last financial year. This can be an indication of increased awareness of SIU's role through its Proactive Ombudsmanship Rollout, its prison complaint box system and awareness programs conducted through the Engagement and Communication Unit.

⁷ A formal investigation is when the investigation team notifies both parties that it intends to do so and thereby proceeds to conduct interviews, request documents, site visits, and write a formal investigation report with findings and recommendations.



Of the 88 complaints received, 88% of SIU matters have been resolved in the sense that they have either been referred to the relevant agency, suspended for lack of contact (ie. complainants who did not come back for second meetings after 6 months with Investigating Officers irrespective of follow ups), closed following investigations or early resolution processes or dubbed as out of the Ombudsman's jurisdiction. The pending 12% cases are those with preliminary enquiries being conducted.

The majority of complaints were employment-related and about unreasonable delay, abuse of power and bad customer service. Since its Proactive Ombudsmanship Rollout, SIU has maintained effective lines of communication with disciplinary forces particularly the Ministry of Police, Prisons and Corrections Services to expedite written requests for information and recommend alternative resolutions, which has resulted in the successful early resolution of some of their cases during this period.

Forty (41) were complaints from prisoners that SIU collects from its Ombudsman Complaint Boxes stationed at each prison in Samoa on a monthly basis. Most prisoners complain about parole and often request meetings with the Ombudsman for special requests like transfers, assault and sentences. Unfortunately, SIU have yet to collect complaints from the Savaii Vaiaata Prison due to lockdown procedures during this period.

SIU have referred a number of these complaints to the Commissioner for investigations and others to the Parole Board. The trends in these complaints such as the conditions of the prisons, food rations, and requests for a phone call and legal aid are flagged to the Commissioner for his consideration and necessary action. These are also referred to the National Human Rights Institution for their prison inspections.

Outcome 2: An informed Public on the scope and functions of this Unit. SIU has the necessary capacity to deliver its Services.

Indicators:

2.1. Increased Public awareness of role of SIU demonstrated by biennial SBS survey

- 2.2. Effective engagement with the Public on functions of the Special Investigations Unit
- 2.3. An adequately resourced SIU with capable staff able to adequately deliver its functions

SIU and GG continued its Proactive Ombudsmanship Rollout and met with the Public Service Commission and the Public Trust Office during this period, bringing a total of public sector engagements to 20. Many engagements were held off due to the COVID-19 and the political climate.

Plans are now underway for the investigation teams to do Community Booths in Savaii in order to proactively reach out to the public that do not have the benefit of accessing the Ombudsman's physical location to lodge a complaint.

Outcome 3: An open and transparent relationship with Police through an adequately resourced SIU with capable staff able to deliver all functions

Indicators:

- 3.1. Improved Professional Standards Unit case handling

SIU is fortunate to have an additional staff member to help carry out the functions of SIU. As the work grows for SIU, so does the need for manpower.

1) Certificate IV Government Investigations – ICETS – September 2020

SIU and Good Governance Unit Principal Officers commenced training for Certificate IV in Government Investigations taught by the Australian Investigation Compliance and Enforcement Training Systems. All fees are paid through the financial assistance of the Commonwealth Ombudsman.

2) Complaint Handling Forum – 18-27 May 2021 (Zoom)

All SIU and GG officers attended the forum via zoom, engaging with experts on harnessing the value of complaints.

3) Frontline Complaint Handling Workshop – 16 June 2021

SIU and GG conducted a workshop for the Corporate Service Team of the office, touching on how to receive a complaint and how to look for status of complaints on the Ombudsman Complaint Registry. Discussions were also held on handling difficult complaints and good customer service.

2.4 Output 4: Corporate Services Unit

The Unit objectives, strategies and performance indicators shown here are drawn from the *Office of the Ombudsman Strategic Plan 2016 – 2020*.

Corporate Services Unit (CSU) Strategic Framework⁸

OUTPUT 1: Corporate Services Unit

⁸ Office of the Ombudsman Strategic Plan 2016 -2021

Objective		To provide good leadership, management of systems, processes, efficient support and coordination for the successful implementation of programmes		
Inputs	Outcomes	Performance Measures	Key projects	Link to SDG/SDS /LSP
A capable and engaged workforce and an effective Human Resources management system.	1. An Office with the necessary capacity to fulfil its mandates.	<i>1.1 Improved management & efficient support for service delivery</i> <i>1.2 Enhanced human resource efficiency and staff capacity.</i> <i>1.3. Improved Organizational performance</i>	Human Resources Management	LJS Goal 5
An effective Financial Management System and compliance with accounting procedures and reporting.	2. Effective & sound financial management systems and reporting.	<i>2.1 Maintenance of efficient systems& processes</i> <i>2.2 High levels of budgetary control and adherence to Treasury Instructions</i>	Budget and Finance	
Monitoring implementation of projects and budget targets.	3. Regular updating of Strategic Plans and team and individual performance plans using robust Monitoring and Evaluation Reporting.	<i>3.1 Simple Strategic Plan easily understood by staff and external audience.</i> <i>3.2 Monitoring and evaluation framework that is easily implemented.</i>	Monitoring implementation of staff work plans.	
Efficient coordination and logistical support.	4. Relevant & responsive Information & Communication system and maintenance of effective records management system.	<i>4.1 Improved business operations and ready access to applications and information.</i> <i>4.2 Provision of adequate coordination and logistics for efficient program delivery.</i> <i>4.3 Best practice records management that address the needs of staff.</i>	Office and records management	

Summaries of CSU Activity/Projects FY 2020 2021

Below in detailed is the work of the Unit throughout the year which is captured under 4 outcomes as provided in the Office Strategic Plan 2016-2020.

Outcome 1: An Office with the necessary Capacity to fulfill its Mandates.

Indicators:

- 1.1 Improved management and efficient support for service delivery.*
- 1.2 Enhanced human resource efficiency and staff capacity.*
- 1.3 Improved organizational performance.*

Office Relocation to SNPF Plaza Savalalo, Level 2

Since its last reporting period, the Office on 1 July 2020 relocated from the Central Bank Building to its new premises at the SNPF Plaza Savalalo Level 2, to accommodate growing staff numbers and multi-mandated operations. The Ombudsman, Management, and staff express gratitude to the Governor and staff of the Central Bank of Samoa for accommodating the Office tenancy throughout the past 26 years.

For the period under review, CSU was able to effectively and efficiently manage all operations of the Office by providing administrative support in terms of strategic corporate services in areas of human resource management and development, financial management (budgeting, reporting, and payment processing), assets management as well as records management.

Further, CSU has endeavoured to continue drafting foundational policies and establish structural components to reflect continuous growth taken by the Office. This process has evolved step by step as the office continues to grow from strength to strength. By the end of June 2021, the Unit developed foundational policies and structures aimed to strengthen its service and program delivery.

These include, but not limited to;

- Monitoring Evaluation Accountability and Learning (MEAL) Framework
- Strategic Plan 2021-2024
- Corporate Plan 2021-2024 (draft)
- Manual (Terms and Conditions guidelines) draft
- Corporate design image guide.
- Media and Communications Policy
- Stakeholder Consultation and Engagement Policy
- Review and Performance Assessment Procedures
- Website re-development to reflect the multi-facet mandates of the office and to provide a mobile - user friendly version to reach all members of the community.

All of the above Office documents have been drafted to cover all areas of employment and responsibilities in its day-to-day operations. Prior to the preparation of these guidelines, the office followed the Public Service Commission policy manuals. Included in the office policies developed is the continued Office

Strategic Plan 2020/21 – 2024/25 which presents the Office work in the next four years. This is further amplified in its Corporate Plan 2020/21- 2024/25 which presents the foundational activities for the aforementioned period. As the Office continues to grow in strength, it is anticipated these documents will form the basis of understanding the objectives and purposes of the office.

The formulation of the staff review and performance assessment procedures is to assist management in supervising and monitoring the work undertaken by all staff. It will serve as a mechanism to progress all work undertaken by staff and develop the capacity and skills within the office as we seek to fulfill our mandates.

The website of the office was re-designed to provide a mobile –user-friendly version for enhanced accessibility on mobile phones especially in accessing and completing the online complaint form which encourages online access to our services. Included in this website redevelopment are the revised Office corporate image, update of additional staff information, office events and activities conducted to inform the public of the Office work, and the profile of those in the office. It is intended for the Office to continue utilizing the website as a tool to further raise awareness and publicize the work of the office.

The Monitoring Evaluation Accountability and Learning framework was developed with the financial assistance of the Asia Pacific Forum of National Human Rights Institutions (APF) which has enormously benefited the office with its extensive events and activities to ensure maximum impact is achieved through its mandated work. The tool also provides for accountability and learning which enables the Office to take back activity outcomes to its key stakeholders. Further, this tool is particularly invaluable in an office like ours where we have less staff with many functions and responsibilities to fulfill. For instance, the monitoring evaluation accountability and learning framework will host and collect the majority of the data and information that will form the basis of the official reports. As well, it will be a means for the office to monitor and evaluate all work. The Office expresses gratitude to the Asia Pacific Forum of National Human Rights Institutions (APF) for continuing to assist in building the office capacity.

All the aforementioned policies and tools are integral to strengthening and entrenching the role of the office. These are living documents that will be amended from time to time as the office continues to carry out its functions, and will help instil the independence and unique position of the office in Samoa.

Human Resource Management

The increase in the Office personnel budget provisions for FY 2021 provided five additional staff to the Office bringing the total of its employees to eighteen for the period under review. The corporate services unit facilitated and completed the recruitment and selection process for the contractual appointments of the aforementioned vacancies which included position evaluation, advertisement, shortlisting, interviews, and finalizing the appointment and other administrative logistics relating thereto. Positions advertised and successfully filled included the senior investigations officer for the Good Governance Unit, senior human rights officer for the Human Rights Unit, senior investigations officer for the Special Investigations Unit, and a driver and cleaner for the Corporate Services Unit to assist with its growing support functions and daily operations of the Office. By Jan 2021 all positions had been successfully filled by Luogafatolaiula Soialo, Nepa Camilla Papalii, Ropati Sitivi, Elizabeth Charlina Tone and Mele Afato Taveuveu.

The Office in March bid farewell to the longest-serving Ombudsman Afioga Maiava Iulai Toma who has held the office since 1994. His leadership has played a significant role in building and expanding the role of the Ombudsman Office broadening its multi-faceted mandates. The Office wishes Maiava and his family well in all future endeavors.

In April 2021, the Office Officially welcomed Afioga Luamanuvao Katalaina Sapolu as Samoa's 4th Ombudsman and the first female to hold the post. She brings to the Office a wealth of international and legal experience from numerous roles she has held at the helm of international Organizations including her recent role with the Commonwealth Secretariat in London.

As opposed to the previous financial year, CSU had recorded one staff resignation for FY 2020/2021 ascribable to a personal family commitment.

Induction program

The recruitment of new staff necessitated an induction program held on 18 January 2021 hosted collaboratively by the engagement and communications unit and the corporate service unit with the objective to welcome and develop rapport with the new recruits to inspire and create awareness of their professional responsibilities and manner required in their tenure with the Office. The program was deemed a success by the attendees as it provided them with insight and guidance to their work.

Outcome 2: Effective and sound financial management systems and reporting.

Indicators:

2.1 Maintenance of efficient systems and processes.

2.2 High levels of budgetary controls and adherence to Treasury Instructions.

Office Audit

In strengthening its financial reporting, the Office successfully completed its comprehensive audit review of the Financial Year ended on 30 June 2020. The main objective of the audit was to examine that payments of the Office were fairly stated in financial reports and records as a basis for supporting the accuracy and completeness of the Public Accounts of the Government of Samoa and to ensure that financial systems, processes and records of the Office are adequate and reliable so as to safeguard public funds and assets.

Office Assets Inspection

The Office completed on Thursday 10 September 2020 its last asset inspection of the year. All Office Assets were accounted for and sighted by the MOF assets team.

Procurement Operating Manual 2020

In ensuring effective financial management skills, the CSU team of five successfully completed training on the Procurement Operating Manual (POM) 2020. The training was held for eight months and was hosted by the Ministry of Finance with the assistance of Charles Kendall & Partners from November 2019 to July 2020. Modules studied and completed included procurement plans, fraud and corruption, contract management and document control to name but a few. The team also managed to ace quizzes given for

each module which earned three dinner vouchers for two from Paddles restaurant. This is evident in the team effort to maintain effective financial management systems and reporting for the Office.

Outcome 3: Regular updating of Strategic Plans and team and individual performance plans using robust Monitoring and Evaluation Reporting.

Indicators:

- 3.1 Simple Strategic Plan easily understood by staff and external audience.
- 3.2 Monitoring and evaluation framework that is easily implemented.

Office Strategic Planning Workshop & Monitoring Evaluation Accountability and Learning Framework Workshop

The Office enabled by the financial assistance of the Asia Pacific Forum for National Human Rights Institutions (APF) completed in March 2021 an internal review of its Strategic Plan 2016-2020 and training on Monitoring Evaluation Accountability and Learning (MEAL) mechanism which aims to measure the progress of office activities and assess the overall impact of activities and events held. It is aligned in parallel to the Office Strategic Plan and Corporate plans and will aid the Office to measure and demonstrate our overall contribution and impact to the promotion of integrity in governance, the protection and promotion of human rights in Samoa and fair treatment of people. Utilizing MEAL will enable the Office to;

- Demonstrate greater transparency and accountability to all stakeholders and partners and to showcase Office achievements
- Enhance our accountability to Parliament and the communities we serve
- Build stronger reputation and ability to influence
- Make better evidence and data-based decisions
- Continue to improve on our performance and outcomes by learning from information gathered
- Demonstrate competence as against the Paris Principles.

Stakeholders Validation Workshop

Validation of the Office internal review and MEAL Framework was made possible with the financial assistance of the Asia Pacific Forum for National Human Rights Institutions (APF) where the Office hosted key Stakeholders at the Lava Hotel in a validation workshop held on Monday 15 March 2021 where it provided the opportunity for stakeholders to provide feedback on areas highlighted in the review of the 2016-2020 Strategic Plan as well as the 2020/2021 - 2024/2025 Strategic Plan to strengthen outcomes mapped and most importantly to validate key priority areas highlighted for the Office for the next four years.

Part 3: Financial Statement

The total approved budget for the Office of the Ombudsman/NHRI Samoa in FY 2020-2021 was \$1,617,572, an increase of 31.79% increase from the previous financial year.

The table below depicts the approved provisions allocated to each Unit, their actual spending and remaining funds at the end of the financial year.

Financial Management for the Office of the Ombudsman for Financial year 2020 2021					
Expenditures:					
Outputs provided:	Note	Approved Estimate	Spending	(Over)/Under	
1.0 - Administrative Justice (Investigation and Resolution of Complaints about Government Ministries)		468,616	468,415	201	
2.0 - Human Rights		247,865	247,005	860	
3.0 - Special Investigation Unit		198,840	197,469	1371	
Central Services		463,332	461,942	1390	
Total Output		1,378,653	1,374,831	3822	
Transactions on Behalf of State					
Membership Fees					
D32. International Ombudsman Inst		2,500	2,424	76	
E11. Asia Pacific Forum of National Human Rights Institutions		4094	3852	242	
E16. National Human Rights Day		15000	14,576	424	
E31. Global Alliance of National Human Rights Inst		14234	14,234	0	
G23. Rents and Leases		143,736	143,736	0	
Q01. VAGST Output Tax		59,355	61,938	(2583)	
Total Transactions on Behalf of State		238,919	240,760	(1841)	
GOVERNMENT DEVELOPMENT PROJECTS		O.Bal	Receipts	Payments	C. Balance
Grants					

0568-20 - Spotlight Initiative - NHRI (UNDP)		26,899	16,263	47,107	(3948) on-going
0475-99 -National Public Inquiry on Family Violence (Various - UNDP / UNWomen /APF /SistersforChange /SPC)		37,008	80,001	38,552	78,456 on-going
0500-99 - Sexual Orientation, Gender Identification & Sex Characteristics (Asia Pacific Forum (APF))		1	0	0	1 project complete
0546-24 - Implementation of Recommendation from the National Inquiry Report (UNFPA)		387	0	6576	(6189) on-going
TOTAL GOVERNMENT DEVELOPMENT PROJECTS		64,295	96,264	92,235	68,320

Part 4: Achievements against Performance Measures for Financial Year 2020 – 2021

4.1 Good Governance

OUTPUT 1: ADMINISTRATIVE JUSTICE (Investigation and Resolution of Complaints about Government Departments)	
Objective: To investigate complaints arising from the acts, omissions, decisions and recommendations of government departments and agencies.	
Performance Measures and Achievements	Achieved/Not Achieved
Outreach and Education: 2 x Community awareness, 1x school awareness, 2 x ministries <i>2 x Community awareness (6 VFSC), 1x school awareness, 2 x ministries (SPC & MOP). Did not complete 1 x school awareness due to Covid19 SOE Restrictions</i>	Partially Achieved
Complaints Handling: A 100% achievement of all Good Governance complaints are resolved and to the clients satisfaction.	Partially Achieved

<i>Resolved 45% of complaints for this FY. Other matters pending due to complexity and receipt of information from subject agencies.</i>	
<p>Government Consultations: 5 x Practice Statement to 5 Government ministries/enterprises by 30 June 2021</p> <p><i>Completed 3 practice statement visits to government agencies and established network with respective agency Ombudsman Liaison Officers (OLO) prior to COVID-19 SOE restrictions. Action currently suspended and anticipated to resume in next financial period.</i></p>	Achieved
<p>Own Motion Investigations: 1x Own Motion investigation completed subject to serious complaints or systemic issues that are of public concern</p> <p><i>No own motion investigations for this period (subject to serious complaints received)</i></p>	Not Applicable
<p>Telephone approaches/enquiries: All ministries/SOEs have established respective complaint handling systems to address public concerns by 30 June 2021</p> <p><i>The ministries/enterprises visited (Public Service Commission, Public Trust Office) have already established complaint handling systems for the public. Assistance has also been offered if required through respective agency OLO</i></p>	Achieved

4.2 Human Rights

OUTPUT 2: HUMAN RIGHTS UNIT (NHRI)	
Objective: To promote public awareness of human rights and efforts to combat all forms of discrimination or corruption through the provision of information and education; to inquire into, and report on, alleged violations of human rights; and to monitor and promote compliance with international and domestic human rights law.	
Performance Measures/Indicators and Achievements	Achieved/Not Achieved
Outcome 1: Enhanced awareness and understanding of human rights the role of and access to the office	

<p>Increase understanding and acceptance of value of Human Rights in Samoa.</p> <p><i>5 x Community Public Education, 3 x Friendly Schools (not completed due to COVID19 SOE restrictions) , 8 workplace awareness, 1 HR Day, 1 x Human Rights Tool Kit, 3 x Office Newsletter, 1 x Community discussions to develop Samoan vocabulary on FV (not completed due to COVID19 SOE restrictions), 3 x International days Activities</i></p>	Partially Achieved
Outcome 2: Violations of human rights are investigated and reported on effectively and efficiently	
<p>Critical human rights issues are investigated and reported on effectively and efficiently.</p> <p>Ad-hoc thematic issue</p>	Achieved
<p>Informative yearly reporting on human rights</p> <p>1 SHRR</p>	Achieved
Outcome 3: Improved compliance of domestic legislation, policy and practice with international human rights standards	
<p>Improved compliance of domestic legislation and policy with international human rights standards</p> <p><i>3 x pieces of legislation/bills for review</i></p>	Achieved
<p>Informative timely reports submitted to international treaty bodies and mechanisms</p> <p><i>CRPD and NHRI Accreditation</i></p>	Achieved
<p>Increased partnerships cooperation and information sharing with regional and international bodies</p> <p><i>4 x partnerships in human rights projects/activities/trainings</i></p>	Achieved
<p>Improved coordination of human rights across government, civil society and the private sector</p> <p><i>3 x human rights Advisory council held, 4 x law enforcement trainings, 1 x partnership with civil society/private sector</i></p>	Achieved
<p>Standards of detention facilities are improved in line with human rights standards</p> <p><i>1 x place of detention inspection, 1 x place of detention report</i></p>	Achieved

4.3 Special Investigations Unit

OUTPUT 3: SPECIAL INVESTIGATIONS UNIT (SIU)

Objective: To investigate and determine any complaints about a police, prison officer or officer of other prescribed disciplined forces.	
Performance Measures/Indicators and Achievements	Achieved/Not Achieved
Independent, credible and effective discharge of the functions of the Special Investigations Unit <i>Evidence of recommendations accepted by Police or Corrections as a result of review report conducted</i>	Achieved
Independent, credible and effective discharge of the functions of the Special Investigations Unit <i>1x Own Motion Investigation subject to serious complaints received</i>	Achieved
Independent, credible and effective discharge of the functions of the Special Investigations Unit 3x Reviews of complaint mechanisms continuing (2 Police, 1 SPCS) MOP & SPC now merged therefore 2x reviews completed	Achieved
Independent, credible and effective discharge of the functions of the Special Investigations Unit <i>Achieved 100% rate in addressing matters referred to the office in a timely manner</i>	Achieved
Effective engagement with the public on the functions of the SIU <i>2x public awareness programs for SIU</i>	Achieved
An adequately resourced SIU with capable staff able to adequately deliver all SIU <i>1x position to be advertised, 2x capacity building training for SIU officers</i>	Achieved

Appendices: Unaudited Financial Statements

SCHEDULE 2.16						
STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY AND EXPENDITURE BY OUTPUT APPROPRIATION ACCOUNT for the financial year ended 30 June 2021						
	Notes	2021 \$	Original Estimate \$	Final Estimate \$	(Over)/Under \$	2020 \$
OMBUDSMAN'S OFFICE						
PAYMENTS						
Outputs						
1.0 Administrative Justice (Investigation and Resolution of Complaints about Government Ministries)		629,706	619,347	630,782	1,075	242,688
2.0 Human Rights		500,373	516,772	502,698	2,325	429,824
3.0 Special Investigation Unit		243,095	251,843	245,173	2,078	352,786
Total Outputs		1,373,175	1,387,962	1,378,653	5,478	1,025,299
Transactions on Behalf of State						
Membership Fees						
International Ombudsman Institute		2,424	2,500	2,500	76	2,358
Global Alliance of National Human Rights Institutions		14,234	14,234	14,234	0	14,000
Asia Pacific Forum of National Human Rights Institutions		3,852	4,094	4,094	242	4,000
Government Policies and Initiatives						
National Human Rights Day		14,576	15,000	15,000	424	14,997
Rents and Leases		143,736	97,336	143,736	0	97,095
VAGST Output Tax		61,938	62,235	59,355	(2,583)	33,149
Total Transactions on Behalf of State		240,760	195,399	238,919	(1,841)	165,600
TOTAL PAYMENTS - OMBUDSMAN'S OFFICE		1,613,935	1,583,361	1,617,572	3,637	1,190,899
GOVERNMENT DEVELOPMENT PROJECTS						
		2021 \$	Original Estimate \$	Receipts \$	Payments \$	Opening Balance \$
Grants - GDP						
National Public Inquiry on Family Violence Project (Other)		78,456	0	80,001	38,552	37,008
National Public Inquiry Report (SRH/Support Implementation of Recommendation) (UNFPA)		(6,188)	36,460	0	6,576	387
Spotlight Initiative (UNDP)		(3,948)	36,521	16,263	47,107	26,899
Sexual Orientation, Gender Identity and Sex Characteristics Project (SOGISC) (Other)		1	0	0	0	1
TOTAL GOVERNMENT DEVELOPMENT PROJECTS		68,320	72,981	96,263	92,235	64,294