



MO LE SILAFIA



Komesina o Sulufaiga

JANUARY - JUNE 2023 | ISSUE 2 | VOLUME 6

FAREWELL TO THE FIRST SAMOA FEMALE OMBUDSMAN

On May 30 2023 the Ombudsman Office (the Office) bid farewell to the Commissioner & Ombudsman Afioga Luamanuvao Katalina Sapolu who has held Office since 2021. Her leadership has played a pivotal transition since taking on the Ombudsman role from her predecessor Afioga Maiava Iulai Toma, in guiding and broadening the mandates of the Office.



The former Ombudsman Luamanuvao Katalina Sapolu giving a heartfelt farewell speech to Office Staff.

Luamanuvao brought a wealth of international and legal experience to the Office prior to her officially taking up her dual roles as the Commissioner; and the Ombudsman on April 1 2021.

From 2002-2009 she served at the Commonwealth Secretariat in London in various positions as: the Head of the Justice Section in the Legal and Constitutional Affairs Division; and from 2013-2017 as Director of the Rule of Law Division.

In 2017-2019 she worked as Senior Director of the Governance and Peace Directorate where she was responsible for the implementation of the organization's mandates on democracy, rule of law, human rights, public sector governance and countering violent terrorism.

Our prayers and best wishes for the journey ahead Luamanuvao and family. Thanks you for your invaluable service to Samoa!!



Farewell Gifts Presentation to the Ombudsman from the Acting Ombudsman



AFIOGA MAUALAIVAO PEPE SEIULI

It is my privilege to extend a warm 'talofa lava' to all our partners; stakeholders; and readers both in Samoa and abroad.

Welcome to 'Mo le SILAFIA', the official Newsletter of the Ombudsman Office (the Office) & the National Human Rights Institution (NHHRI)

Traditionally on a biannual basis the Newsletter gives a periodic update of the Office activities and any progress made on work already delivered as of January to June 2022-2023 Fiscal Year (FY). In addition, a fair preview of upcoming work is also highlighted.

To that end the final six months of the FY 2022-2023 has seen the Office carrying out its legislated services and work-plans as briefly presented in this edition.

Indeed farewellling Luamanuvao was a momentous turn of events to progress and leadership of the Office. Still we must continue to steer ahead with the timely servicing of our statutory duty to Samoa.

God Bless & Fa'afetai Tele.

IN THIS ISSUE

- **Good Governance Unit (GGU)**
 - Complaints & Analysis
 - Complaint Status & Standings
 - Nature of Complaints
 - Mode of Complaints
- **Special Investigation Unit (SIU)**
 - Key Case Highlights
 - Front Line Complaint Handling Workshop
 - Coaching for Investigators
 - Police Recruit Training
- **National Human Rights Institution (NHRI)**
 - In-service Training
 - Regional Asia Pacific Forums
 - Consultations
- **Community Awareness**
- **Social Committee Activities**

GOOD GOVERNANCE UNIT (GGU) COMPLAINTS JANUARY - JULY 2023

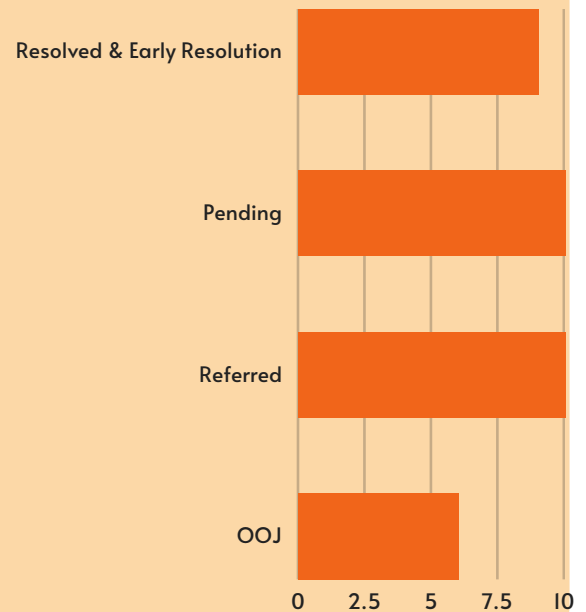
The GGU has received forty-two (42) complaints where 24 cases within our jurisdiction were against public agencies (i.e. government Ministries and Public Enterprises).

Nine (9) cases were resolved and as early resolution. Six (6) have been pending matters as ten (10) complaints were referred to the relevant Agencies. Sixteen (16) cases were out of jurisdiction (OOJ) while one (1) matter was jurisdictionally referred to SIU.

As for Pending matters: two (2) were formal cases while four (4) to some extent a lapse in communication from Complainants that has delayed progress and perhaps an early resolution. Still as a GGU policy, after 3 months of no contact from the Complainants, these matters then will be suspended until further information is submitted.

Further the purpose of our Referrals is to point the Complainants to the relevant jurisdiction and public authority for help. OOJ matters were also referred to relevant entities like legal offices as another option.

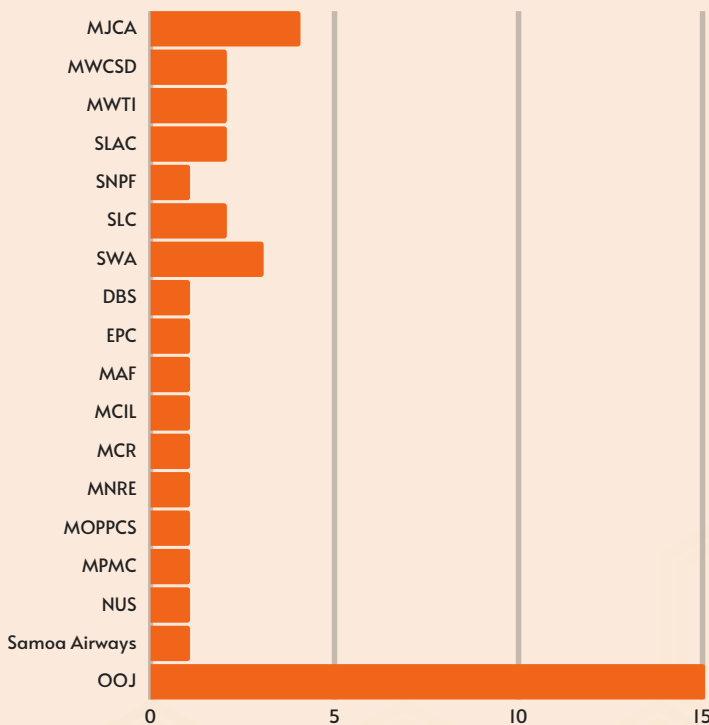
GGU Complaints Status & Standings



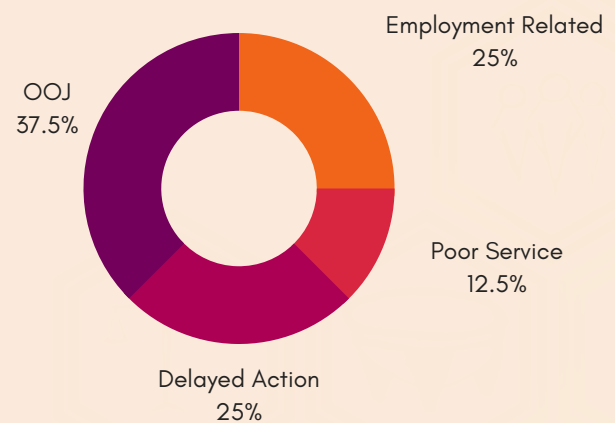
GGU - NATURE OF COMPLAINTS

On one hand, the most common administrative complaints received within January-June 2023 were mostly employment related matters. For instance: Unfair-termination; Poor-service; and Delayed-action and/or inaction. On the flip side the OOJ cases allegedly were about Employer Contribution issues with Employee entitlements against Private Companies and businesses. Still where relevant, these matters were referred to SNPF, MCIL, and other public authorities. Moreover the other OOJ complaints were Court-related to LTC matters and jurisdiction

Complaints were against these Agencies.



Nature of Complaints



MODE OF COMPLAINTS

Regarding cases received, GGU has 33 Walk-ins; 5 Online; and 2 In-writing. This may indicate so far that most Complainants preferred to bring their concerns to the Office in person.

ALL OUR SERVICES ARE FREE OF CHARGE !!

SPECIAL INVESTIGATION UNIT (SIU) COMPLAINTS JANUARY - JULY 2023

SIU within January - July 2023 has received 36 cases:

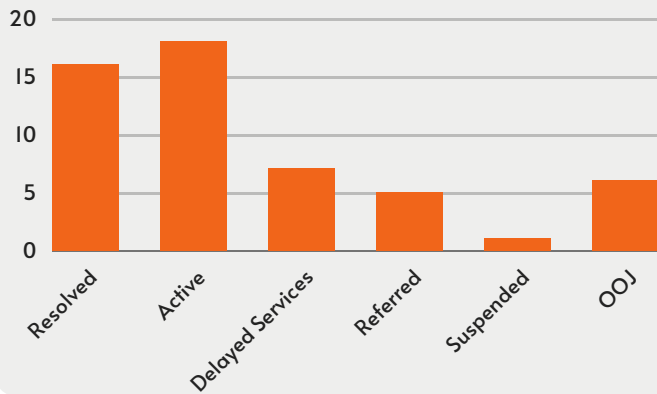
- Sixteen cases (45%) have been resolved;
- Eighteen cases (51%) remain active.

The one remaining case has been suspended as the Complainant is reconsidering whether to continue with the matter.

As of the 20 resolved complaints:

- Five (5) were referred to relevant agencies; and
- Six (6) were out of SIU jurisdiction (OOJ).

The Pending cases mostly were due to Complainants having yet to return with required documents for assessment besides Pending investigations at Prisons.



Complaints were against the following Entities.



NOTE: The majority of cases were about employment-related matters mostly involving termination; suspension; and recruitment matters. This is followed by delayed-action or a failure-to-act; and other matters found to be outside of the Ombudsman's jurisdiction (i.e. Family affairs; and Court decisions).

KEY CASE HIGHLIGHTS

[1] On 10 February 2023 Judge and Coroner Rosella V Papali'i directed the Ombudsman via an Interim Order to look into a number of administrative matters pertaining to the death of Mr. Kolani Lam that same month.

The Final Report was issued to the Coroner on 13 July 2023, with eight (8) findings and ten (10) recommendations.

[2] Successful Strike Out Application against claims from Ms. Fa'afetai Alisi on an employment related matter

OTHER WORK

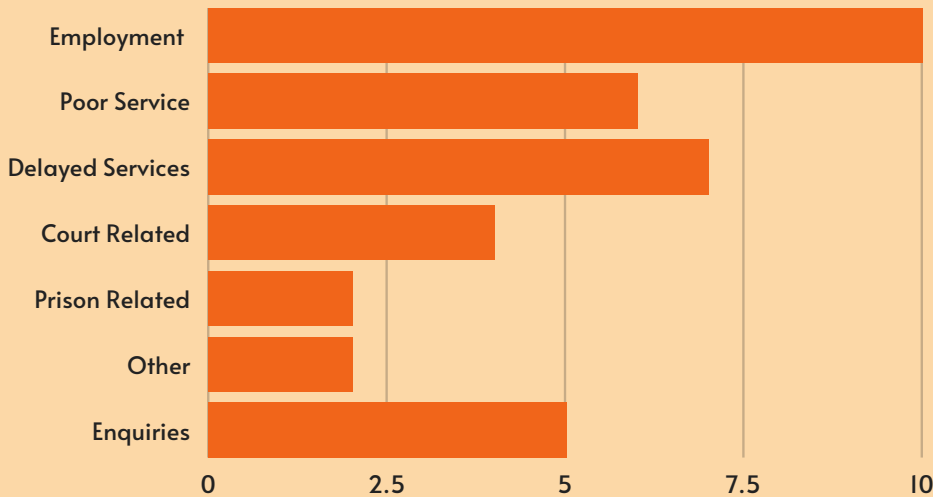
- **Complaint Handling Workshop**
February 21, 2023
- **Induction Training**
April and May 2023

UPCOMING WORK

- Induction Training Aug. 31
- New Zealand Office of the Ombudsman visit Sept 4 - 8
- Police Basic Recruit Course Sept 7 2023/2
- Community Outreach & Awareness November 28-30

SIU INVESTIGATIONS - NATURE OF COMPLAINTS

Again the majority of complaints in essence are in relation to employment-related matters (10), followed by complaints from customers for poor service (6) and those relating to delayed-services (7). SIU also received a few enquiries for assistance (5).



Of the 38 cases, SIU received 4 enquiries for the assistance of the Ombudsman. namely to support requests for parole, provide legal aid and to meet for an interview. These have all been responded to and promptly acted upon.

Most of the complaints received by SIU have been through the Ombudsman Complaint Boxes and Walk in.



Walk in 15



Phone 4



By Writing 4



OMB-Prison Box 12

FRONTLINE COMPLAINT HANDLING WORKSHOP 21 FEBRUARY 2023

SIU conducted an in-service workshop for the Corporate Service Unit (CSU) Team of the Office, touching on how to receive a complaint and how to look for status of complaints on the UWAZI, a web-based tool Registry. Discussions were also held on handling difficult complaints and good customer service. This is an annual refresher course for the Office.



SIU Director Ms. Lagafuaina Tavita explaining to the staff the steps of handling a complaint

COACHING FOR INVESTIGATORS

All members of SIU and GGU attended several sessions of senior coaching for investigators since November 2022. This was a workshop put together and funded by the New Zealand Ombudsman online. Senior SIU Investigation Officer Ms. Nepa Papalii, joined the last session that was hosted in the Republic of Fiji on 21 - 23 March 2023.

POLICE RECRUIT TRAINING – 13 APRIL 2023

SIU led the Ombudsman Police Recruit Training module for this year on 13 April 2023. This is 1 of 2 annual invitations to the Office to present and speak on its legislated mandates. It is a collaborative effort so the disciplinary forces adopt and implement a culture of good governance and human rights.



Samoa Police Recruits in one of the inter-active training and discussion sessions



Principal Investigation Officer Mr. Leota Ta'alo Leota presenting during the Recruit Course.

INDUCTION TRAINING APRIL & MAY 2023

SIU also joined the Office to conduct an Induction course for two (2) new staff recruits that have joined the Office.

COMMUNITY BOOTH JUNE 7 - 8, 2023.

SIU and GGU as the Investigation Arms of the Office set up the second Community Booth in the Salelologa Market aiming to: increase accessibility to the services of the Office; and actually circulating awareness of the core functions of the Office.

There were 13 lodged Complaints; with 25 Enquiries in total. Most of the complaints were the Transportation Sector; followed by the Environment Sector; and then equally, the Public Administration; Education; Health; and the Law & justice Sector.

POLICE COMPLAINT BOXES JUNE 6 - 7, 2023

SIU with a national initiative launched its new drive to distribute and establish Complaint Boxes in every Police Outpost across the country.

There are now Police Outpost Complaint Boxes in the Fagamalo and the Tuasivi Police Stations.

AWARENESS PROGRAMS REVIEW JANUARY - JUNE 2023



Radio Talks (2)



TV Shows (2)



Public Booths (2)



Facebook Posts (40)



Press Releases (3)



Info Sessions (1)

NATIONAL HUMAN RIGHTS INSTITUTION (NHRI) JANUARY - JULY 2023

PACIFIC REGIONAL FORUM FOR NHRIS, FIJI, FEBRUARY 21 -22 2023

The Director and Senior NHRI Officer were invited by a tri-partnership the Pacific Community (PC) through its Human Rights and Social Development Division (HRSD); Asia Pacific Forum of NHRIs and Office of the High Commission for Human Rights to attend a Pacific Regional Forum (PRF) on National Human Rights Institutions. The Forum was designed for members of NHRIs and related established bodies such as Ombudsman's Offices; and others responsible for Human Rights' accountability in-country. It was an opportunity for Pacific Island governments to engage in peer-to-peer dialogue learning from established Pacific NHRIs, and engage with NHRI experts on the benefits and processes of establishment.

The NHRI Director was one of the key speakers for the Forum. She shared Samoa's journey since establishment 10 years ago more-so on the NHRI Accreditation process and the important role that NHRIs can play in harmonizing Human Rights; Culture; and Christian values and experience.



(L-R) Director APF, Director Human Rights & Social Development Division, Director NHRI Samoa Ms. Loukinikini Vili, Hon. Minister of Justice; and NHRI Samoa Senior Officer Ms. Vaelei Ioasa



Participants at the PRF on National Human Rights Institutions

APF PACIFIC HUMAN RIGHTS COMMUNITY-LED FOLLOW UP WORKSHOP, SAMOA MARCH 7 - 9 2023.

NHRI hosted the 2nd Pacific Human Rights Workshop for the Asia Pacific Forum (APF) of NHRI Community-Led Development Project (the Project) as a follow-up on the first Workshop which was held in Nadi, Fiji on November 21 - 22, 2022. Colleagues from the Fiji Human Rights and Anti-Discrimination Commission and Cook Islands Ombudsman Office joined NHRI Samoa Team in discussions for three days at the Taumeasina Island Resort, on how best this approach could be delivered across the Pacific Island context; as well as deliberating on the next steps for the Project.

Our colleagues from Fiji and Cook Islands also had the opportunity to witness how our NHRI carries out its Community Engagement Programme with NGOs. The community engagement actually involved the Office facilitating its State of Human Rights Report (SHRR) consultation with Samoa Fa'afafine Association. It was a fruitful activity and a great opportunity for Samoa NHRI, Fiji and Cook Islands to learn from each other's work. The Programme was funded and supported by APF and SPC.



Participants at the Taumeasina Island Resort



A Group activity on the Topic - Children's Rights

STATE OF HUMAN RIGHTS REPORT 2023, CONSULTATIONS: MARCH 3 – 31, 2023

The whole of March was quite a busy time for the NHRI Team as they carried out various pre-planned consultations to obtain views of stakeholders; and the community on the 2023 State of Human Rights Report (SHRR) on safeguarding the Rights of Children.

NON GOVERNMENTAL ORGANISATIONS (NGOS) CONSULTATIONS – MARCH 3RD 2023.

Essentially, it is important for NHRI to ensure a holistic inclusion of everyone and all voices to be heard for the compilation of the SHRR 2023. As such NGOs in Samoa were invited and consulted on their views and inputs for the SHRR 2023. Representatives from Fa'ataua le Ola; Brown Girl Woke; YWCA; Soul Talk; Goshen Trust; and others participated in the consultations at Millennia Hotel. Whilst other NGOs also submitted their written submissions for the consultations giving their relative views on the topic of Children's Rights.



NGOs at the Millennia Hotel



NGOs working on the topic of Children's Rights

SAMOA FA'AFAFINE ASSOCIATION (SFA) CONSULTATIONS - MARCH 8, 2023

More than 40 participants from the SFA were consulted to share and discuss their views focusing on the SHRR theme for 2023 which is on Children's Rights. Participants shared multiple views on various gaps and issues as well as putting forward recommendations on how to better safeguard the Rights of Children in Samoa especially the Fa'afafine children. The activity was a success with the great assistance from the Human Rights & Social Development Division, SPC.



SHRR Community Consultation with the Samoa Faafafine Association at Tanoa Conference Centre



2.9K LIKES



3.4K Followers

CONNECT WITH US



MORE YOUTH CONSULTATION – MARCH 31

Members of the Samoa National Youth Council were also consulted to share their views as young people and youth members of Samoa. More than 50 members (including youths with disabilities and fa'afafine youths) of the council participated actively during their consultations. The views that were shared assisted the Human rights team with their analysis towards the SHRR 2023, making all voices count.



Youth Consultation for Children's Rights, TATTE



Youth representatives discussion on the Rights of a Child

FINAL TALANOA SESSION: APF IGM & NHRI - CLIMATE CHANGE PROJECT MAY 10 - 11, FIJI

NHRI Director and the NHRI Senior Officer joined the Asia Pacific Forum of NHRI Intergovernmental Mechanism and NHRI Project for the final Talanoa Workshop. The Talanoa brought participants from Pacific NHRIs including Samoa; Fiji; NZ; Australia as well as regional intergovernmental bodies and NGOs. The Talanoa was for participants of the European Union Grant activity to report back and discuss the implementation of their activities. NHRI Director led the delegation in presenting on the implementation experience of Samoa from its High level dialogue and the recent workshop in April. Samoa's report was well-supported by SPREP's representative who was also part of Samoa's IGM project Mrs. Ofa Kaisamy. Also Fiji, NZ and Australia's NHRI Teams joined the discussions on the next steps for IGM project. The Project was funded by European Union through the Asia Pacific Forum of NHRIs.



HUMAN RIGHTS ADVISORY COUNCIL 3RD MEETING FOR FY 2022-2023 ON 3RD MAY 2023.

Our Human Rights Advisory Council (HRAC) met to discuss and to obtain respective inputs on Children's Rights primarily for the purposes of the State of Human Rights Report 2023. As such the HRAC discussed their views on key human rights issues of children with recommendations to be included in the final report, altogether with their submissions based on their areas of human rights expertise.



CONNECT WITH US



info@ombudsman.gov.ws NHRIOmbudsmanSAMOA SamoaOMBNHRI Samoa Office of the Ombudsman NHRI www.ombudsman.gov.ws

WWW.OMBUDSMAN.GOV.WS

HIGH-LEVEL DIALOGUE, WORKSHOP FOR GOVERNMENT AGENCIES ON THE RIGHTS TO A HEALTHY ENVIRONMENT, 12-14 APRIL

NHRI Samoa in partnership with inter-governmental body SPREP and Pacific Climate Change Centre and Ministry of Natural Resources and Environment hosted a high level dialogue and workshop for Government agencies on the right to a healthy environment and climate change.

The aim was to raise awareness and increase understanding on:

- the link between climate and human rights; the right to a healthy environment; and
- the importance of having a human rights based approach to climate change actions.

The high level dialogue hosted at the executive levels for Samoa government. This was followed by the workshop for the operational mid-management level from the relevant agencies. In total there were 72 participants with 48 females; 18 males; 2 fa'afafine; and 4 persons with disabilities (PWDs).

An Outcome Statement was developed at the end of the dialogue and activity to capture the deliberations and identify areas for continued support between NHRI and partners. A guide was also developed to assist government agencies on how to incorporate a human rights based approach in climate change actions.

Acknowledging the support of the European Union through APF and SPREP and Pacific Climate Change Centre.



Group Photo of the High Level Dialogue with Government Ministries hosted by SPREP



Q & A as participants shared their views.



Ms. Tracy Mikaele (former Director ECU) on functions of the Office.



Ms. Audrey N. Lee Hang Youth Rep shares her Research findings.



Working group of various Government Ministries Staff in discussion



Vaia'ata Prison Management in blue with our NHRI Inspectors in vests

INSPECTING VAIA'ATA PRISON - JUNE 7, 2023

Another highlight so far for this year was our NHRI inspection to Vaia'ata prison in Savai'i. Inspecting places of detention is one of the key functions of the Commissioner and NHRI. The purpose is to assess the compliance of detention facilities mindful of human rights standards as to the treatment of detainees. For the Office, they see this process as assisting and supporting detention facilities on identifying how they can improve on their human rights compliance. NHRI Director with a Team of 3 visited and had carried the inspection of Vaia'ata prison.



Director Mrs. Loukinikini Vili Lewaravu during Inspection Planning

The areas inspected included amongst others the: hygiene and sanitation of the facilities, food and water supply, rehabilitation programs, record keep and file management.

The visit was a valuable experience and an ongoing learning for staff as well as recording evidence of the many improvements of some areas at Vaia'ata prison notably in previous Inspection Reports. The Report of the outcome of this inspection will be published soon. The Office is appreciative for the commendable support from the Commissioner of Police and the Assistant Commissioner of Vaia'ata prison.

DIRECTOR JOINED ASSESSORS FOR HUMAN RIGHTS COMMISSION OF THE REPUBLIC OF KAZAKHSTAN: JUNE 15 - JULY 2, 2023

NHRI Director for Human Rights was invited by Asia Pacific Forum of NHRI to join the Capacity Assessment Team to carry out a capacity assessment for the Human Rights Commission of Kazakhstan. It was an opportunity for the Samoa NHRI to assist the team given it's a status as well as similar model with Kazakhstan office. The experience was invaluable and the Office is thankful to APF for the opportunity and experience.



Meeting with Regional Representative of the Karaganda Regional Office



Team Kazakhstan Ombudsman & Human Rights Commissioner and Director



Call us: 25394



Submit an online form through our website: www.ombudsman.gov.ws

Lodging a Complaint



Come see us: Level 2, SNPF Plaza



Email us: complaints@ombudsman.gov.ws

APPOINTMENT - PRINCIPAL HUMAN RIGHTS ADVISOR

CSU successfully facilitated and completed the recruitment and selection of the newly appointed Principal HR Advisor Mrs. Ellenlina Moala Tumua in the Human Rights Unit. Well wishes from all of us !!

STAFF MOVEMENT

The Office bid farewell to some of the Ombudsman family members.

- Mr l'uogafa So'oialo GGU Senior Investigation Officer in March 2023;
- Ms. Mulipola Tracey Mikaele ECU Director in April 2023; *and the*
- Ombudsman Luamanuvao Katalaina Sapolu in May 2023.

The Office takes this opportunity to wish you and the very best in your future endeavours.

ECU DIRECTOR TRACEY MIKAELE - FAREWELL!!



Tracey Mikaele served the Office office for 9 wonderful years. We miss your passion and dedication to your work. Fa'afetai manuia ou faiva Tausala!!

TALOFA LAVA MRS. ELLENLINA MOALA TUMUA



Introducing our new Team Staff member Mrs. Ellenlina Moala Tumua who joined the Office in May as our Principal Human Rights Advisor. We welcome Ellenlina and wish her well on his journey with us!

UPCOMING WORK

- Human Rights Advisory Council Meeting
- Human Rights Day Dec. 10, 2023
- Training Participated in Office of the Ombudsman NZ trainings on HR Resources Essentials for non HR Managers June – August 2023
- NZ Ombudsman Visit Sept. 3-10

MEETINGS

- CSU attended Record Keeping Taskforce Workshop on Transferring to Archives Jan 19, 2023
- Frontline Complaints Handling Training hosted by SIU Feb 21, 2023
- Workshop on Record Keeping Awareness Training Feb 28 - March 1, 2023
- Budget Screening Office took part in the final screening for the Fiscal Year 2023-2024 Budget -26 April 2023
- Conducted Induction Program for two new Staff Apr 20 - May 17, 2023
- Public Accounts Fiscal Year 2023 2024
- CSU End of Fiscal Year Budget Consolidations - June 2023

CHECK OUT OUR CORPORATE AD FOR INFORMATION ON OUR SERVICES.



WANT TO REPORT A HUMAN RIGHTS ISSUE / VIOLATION?

PLEASE USE OUR HUMAN RIGHTS ISSUE REPORTING TEMPLATE FOUND ON OUR WEBSITE

Go to www.ombudsman.gov.ws > click the 'Resources & Publications tab' > hover over the 'Human Rights documents tab' and wait for the drop down bar > click the last option which is the 'Human Rights Issue Reporting Template'

COMPLETE FORM AND SUBMIT TO US VIA EMAIL PROVIDED IN THE TEMPLATE



OFFICE SURVEYS

LET US KNOW WHAT YOU THINK - TAKE PART IN OUR STAKEHOLDER AND CUSTOMAER SATISFACTION SURVEYS USING THE LINK:

[HTTPS://OMBUDSMAN.GOV.WS/CORPORATE-DOCUMENTS/](https://ombudsman.gov.ws/corporate-documents/) > GO TO "OFFICE SURVEYS"

Lodging a Complaint



Call us: 25394



Come see us:
Level 2, SNPF Plaza



Submit an online form through our website:
www.ombudsman.gov.ws



Email us:
complaints@ombudsman.gov.ws

CONTACT



Level 2, SNPF Plaza, Savalalo



PO BOX 3036, APIA, Samoa



(+685) 25394 & 23317



(+685) 21862



info@ombudsman.gov.ws

COMMUNITY AWARENESS IN UPOLU & SAVAII

Collaboration between the Corporate Service Unit (CSU) and the Engagement & Communication Unit (ECU) really assisted GGU and SIU carried out awareness programs which rolled for two days in Savaii from June 6 - 7. More-so the continuous collaboration with Radio 2AP is invaluable in our efforts to serve and create awareness of our services across Samoa and abroad. The following photo narrative perhaps tells the cheerful spirit of these major assignments by the Office. Enjoy!!



Community Awareness in action (L-R) Principal Investigator Leota T Leota, SIU Director Lagafuaina Tavita, GGU Director Fuimaono V Eteuati



Mr. R Sitivi of OMB sharing with a curious member of the public at Salelologa

Radio 2AP Live Show in May 2023



Community Info Booth at Salelologa Market June 2023

Afioga Leota T Leota and Pauli T Tuia of Team Awareness Savaii



Radio 2AP Live Show in May 2023

Sharing information with the public on the 2nd floor of Salelologa Market.

The majority of complaints received by SIU have been through the Ombudsman Complaint Boxes; and Walk in.



Walk in 15



By Writing 4



By Phone 4



OMB-Prison Box 12

SOCIAL COMMITTEE EVENTS ...



Office Walkathon April 2023



Farewell Luamanuvao Katalaina Sapolu May 2023



Office Ombudsman Wall May 2023



SOCIAL COMMITTEE EVENTS ...



Former Director ECU Ms. Tracey Mikaele Farewell April 2023



Office Mother's Day Breakfast May 2023



Office participation in the Independence march celebrations June 2023