

QUARTERLY NEWSLETTER

Remarks of the CEO

Malō ē lelei from Tonga.

Harold McMillan in his *Winds of Change* Speech (1960), said “Fifty years from now, our differences will be only matters of historical interests. Let us remember these truths and let us remember always that weakness comes from division and the strength to build and move on comes from unity.” We wish you all well, as the borders open and work together to navigate the unknown and going completely green.”

Mrs. ‘Alisi Taumoepeau, KC.

Chief Executive Officer

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Monthly themes

July - Effective & Efficient

August - Clarity of Purpose

**September - Good Governance is good for you,
Government and Tonga**

Ombudsman highlights Good Governance and Work Ethics

“Good Governance & Work Ethics” was the theme of the official retreat of the Office held on 24th August, 2022. The program coincided with the 21st Anniversary of the Office of the Ombudsman.



The Ombudsman, Mr. ‘Aisea Taumoepeau, (*above*) in his keynote address, highlighted the importance of good governance in the context of *section 18(i) of the Ombudsman Act*. He cited four elements of good governance and the functions of the office. They include a decision that, appears to have been contrary to law; was unreasonable, unjust, oppressive or improperly discriminatory; was wholly or partly on a mistake of law or fact; or a decision that was wrong.

Milestones of the Office 2001 - 2022

Mr. Taumoepeau further elaborated on the milestones of good governance achieved by the office, to date. They included an amendment to the Constitution by the Legislative Assembly and received the consent of His Majesty in 2021. *Clause 31(b) of The Constitution stipulates that “(i) there shall be an ombudsman appointed by the speaker with the consent of the Legislative Assembly (ii) the ombudsman shall, unless otherwise provided by law, have complete discretion to exercise his legal powers and duties independently without interference whatsoever from any person or authority.”*

The Ombudsman then emphasized the second part of the theme.

“Work ethics is doing what you do and what you’re supposing to be doing properly. Give it all your heart, all your efforts, all your mind and everything that you have. In short, we’re talking about integrity,” stressed the Ombudsman.

He also acknowledged the 21 years from inception of the office. The Vicennial or 20th Anniversary was celebrated last year together with the nation, regional, global and international ombudsman institutes on the theme of V. V. V. Good Governance or Vaccinated, Victorious, Vicennial Good Governance.

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According to the Ombudsman, the office, formerly known as the Commissioner for Public Relations, was ineffective at some stage. “Like a boat that has set sail in an unknown ocean was the Commissioner for Public Relations, as the office was known then. Now the office went through different phases, after it was established by law in 2001. It was somewhat neglected, but rekindled, and now codified in The Constitution.”

Tributes to former Commissioners

Mr. Taumoepeau, also paid tribute to his predecessors including the very first Commissioner, Mr. Siaso Taimani ‘Aho, a former Attorney General and Minister of Justice, previously High Commissioner and Ambassador, and was also a teacher.

Mr. ‘Aho was succeeded by Rev. Pensimani Fonua, a former General Secretary of the Free Wesleyan Church of Tonga. For about five years, the position was not given the attention that it should have given to the office. Various officers of the Prime Minister’s Office served as officers in charge and acting commissioners for some years. During this period, two current officers served the office namely Sateki ‘Ahio and Pilimisolo Tamo’ua. The latter has served the office conscientiously while the former was made acting Commissioner.

The budget for the office before was inadequate to run an institution compared with the budget today. “We’re thankful for the more realistic budget that enables us to do what we do. Reforms and priorities are ongoing with budgetary implications,” according to Ombudsman Taumoepeau.

Key priorities & complaints

Since 2014 when Mr. Taumoepeau was appointed Ombudsman, the priorities were for the law to be reviewed and changed, to enable the office to deliver its mandate, recruit staff to assist in legislative reforms and delivery of services to the public. The Ombudsman said that legislative changes were achieved in 2016, and followed by recruitment of staff.

Additionally, the number of complaints increased from about 10 to up to 200 per year. Since then, the office has an average of more than 150 complaints annually.

“Complaint numbers are a testament to the hard work that we all do in the office, from our everyday finances and logistics at corporate services to connecting with the public at communications and media division to investigations and reporting with the investigation division. We continue to do our work to improve the public administration and promote good governance.

“Two things occurred last year when we turned Twenty ... the first was obtaining constitutional status. What this means is that good governance is now a constitutional objective and therefore, has a constitutional protection.

Good governance, advocacy and delivery have a constitutional backing. The second point is the opening of the Vava’u Office that made it easier for the residents of the outer islands to have access to our services.

“In going forward, our constitutional and legislative foundation allows us to provide administrative justice to the people of Tonga. It puts us in a good space looking to the future with good hope that good governance and integrity in the public sector is an achievable goal. There are ongoing discussions in expanding our current mandate from being a classical ombudsman to be the national human rights institution for Tonga. It nevertheless presents a window of opportunity for this institution to widen its mandate. There are legislative developments in the incoming personal health information protection bill which is being processed by government. If passed, we will be the oversight body for all personal health information and the way information is kept and distributed. This may pave the way for other oversight duties to other bodies such as police and the other relevant agencies of government,” according to the Ombudsman.

He wished everyone a fruitful retreat and acknowledged with gratitude the guest speakers for joining the retreat to share their experiences with the staff. “To the staff, work harder and achieve more in this financial year. That is the challenge that we have,” concluded the Ombudsman. @OMBTonga

CEO of Ministry of Finance – Mrs. Kilisitina Tuamei’api

The new CEO of the Ministry of Finance, Kilisitina Tuamei’api (*right*), spoke on the theme “Good Governance and Ethics in Budget Formulation.”



“Making ethical decisions in budget formulation should be guided by good governance based on the key functions of a government ministry. Corporate plan and budget processing are keys to determining the allocation of funds which involved eight components. This is the essence of good governance and ethical decisions,” Mrs. Tuamei’api emphasized.

The core functions of a ministry are being highlighted in its legislation. The allocation of budgets of ministries is based on laws that mandate their key functions in order to deliver the desired outcomes and outputs effectively. According to the CEO of the Ministry of Finance, every ministry should understand and deliver key outputs according to their corporate plan and relevant legislations.

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“The outputs and their key performance indicators (KPIs) should determine the level and quality of performance of each ministry in a financial year. Processes involved should be well understood by the top management down to the cleaner. Failure to perform according to the corporate plan and the allocations in the budget would result in performance gaps. There are risks and challenges when unplanned changes are made and unbudgeted for which are unethical,” stressed Mrs. Tuamei’api.

She also said that the Ministry and the MDAs would find a solution to address any performance gap and the risks and challenges involved and in compliance with the requirements under the Tonga Strategic Development Framework II. @OMBTonga.



Tonga’s Consul in New Zealand – Mr. Sitafooti ‘Aho

Mr. Sitafooti ‘Aho, Tonga’s Consul to New Zealand and a veteran civil servant, encouraged full commitment to one’s job in the spirit of love. He said that one should serve with humility and obedience to the leadership.

Mr. ‘Aho (right) was in Nuku’alofa in August on official duties. He was invited to speak on the topic “Ethics and the Public Service.” He is based in ‘Atalanga in Auckland for three (3) consecutive terms.



“I attribute my dedication and long service to constant prayers for God’s help and guidance in my duties and I still trust in Him. It’s important to place our trust in God when we face difficulties and need assistance in our work,” encouraged Mr. ‘Aho. @OMBTonga.

21st Anniversary Thanksgiving prayer – Rev. Dr. Feke Mafi

A special thanksgiving prayer was offered on the 21st Anniversary of the Office of the Ombudsman, led by former President of the Church of Tonga, Rev. Dr. Feke Mafi (right). His words of encouragement focused on Galatians 2:20 – “I have been crucified with Christ; it is no longer I who live, but Christ lives in me; and the life which I now live in the flesh I live by faith in the Son of God who loved me and gave Himself for me.”

Rev. Dr. Feke Mafi stressed the importance of good governance and work ethics, to work harder and diligently. He made reference to the Apostle Paul in saying that the “Son of God who loved me and gave himself for me.”

“That is the essence of good governance and serving to the best of one’s ability where love and sacrifices dwell within. The practice of good governance should begin with us individually, in our work and life, in our family and home. As a source of energy to practice good governance and work ethics, it all comes from Jesus Christ.

“It is not easy to uphold good governance and work ethics as there are many challenges. But once you dwell in Christ, good governance and proper work ethics are automatically within you and transpires through your work attitude.



Looking ahead and as stressed by the Ombudsman for the staff to be more committed, Rev. Mafi urged staff to ensure Christ lives within their hearts and that good governance and ethics should be effectively practiced instead of mere talking about them.

He then offered a thanksgiving prayer for this milestone and the wellbeing of the Ombudsman, Chief Executive Officer, management and all staff.

“We hope that this program would help guide what this office does and what you have planned for Tonga through the works of the Ombudsman,” Rev. Mafi prayed. @OMBTonga

Monthly Devotions – July, August & September – Rev. Hiueni Nuku & Staff

All staff devotions were held to mark every new month during the quarter both led by staff members and guests. Wellington-based, Rev. Hiueni Nuku, (*right*) led the staff devotion for August while briefly visiting Tonga, accompanied by his wife. Staff members were encouraged based on Luke 12:13 and the importance of performing our best effort before God can complete the rest of the work.



“The crux of the works of the Office of the Ombudsman is being enlightened by God and to be holistically performed,” encourages Rev. Nuku. He chairs the Wellington Tongan Leaders Council – a Pasifika Futures partner. Rev. Nuku was one of the recipients of the Queen’s Birthday Honours’ List for 2022 in recognition of their contributions to the Pacific Community in New Zealand.



Staff members who led the devotions for July were the Chief Executive Officer, Mrs. ‘Alisi Taumoepeau and the Director of Investigation, Roman Vaihu. Mr. Vaihū and Mo’onia Taufa led the devotion for September. @OMBTonga.

Staff seminars

Seminars as part of in-house training programs of staff were carried out during the quarters featuring key topics.

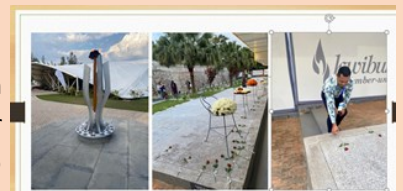
The Corporate Division led a seminar in July focusing on (i) the oath required by law and sworn by each ombudsman officer to maintain official secrecy on all matters that come to the knowledge in the exercise of their functions; and (ii) the reciprocal rights of employer and employee in giving notice before termination of employment. The Investigation Division (ID) also gave a seminar on a number of complaints where high level government officials have been implicated. The aim is to allay misconception often raised in various media outlets that the office cannot investigate complaints involving cabinet ministers, chief executive officers and high level government officials. The presentations, conducted by the Acting D/CEO, Nanise Fifita, for the Corporate Division. The Acting Director of Investigation, Pilimisolo Tamo’ua, and Investigation Officer, Mosese Uili, conducted the ID seminar and also outlined several investigations involving some of the high level government officials.

“Human Rights For All At The Heart of Recovery Efforts During and After COVID-19” Training

The Chief Executive Officer, Mrs. ‘Alisi Taumoepeau, KC., and the Director of Investigation, Mr. Roman Vaihu, led the seminar for August. They focused on the theme of the recent Commonwealth Forum of National Human Rights Institutions (CFNHRI) conference held in Kigali, Rwanda, from 16-17th June. The theme was “*Human Rights For All At The Heart of Recovery Efforts During and After COVID-19.*” The conference looked at the role of the Commonwealth Forum in addressing COVID-19 challenges to civil, political and socio-economic rights of citizens; the role of national human rights institutes in effective promotion and protection of human rights and the endorsement of the Kigali Declaration.

This was contextualized to Tonga’s Constitution focusing on human rights including, but not limited to, the declaration of freedom, prohibition of slavery, the use of same laws for all classes of people, freedom of worship, freedom of the press, freedom to petition, accused cannot be tried twice, trial to be fair, court to be unbiased, government to be impartial, qualification for jurors and naturalization.

The Paris Principles were also highlighted on the advisory basis concerning the promotion and protection of human rights, examine legislation and administrative provisions for human rights, drawing attention to government where there are violations, contribute to reports at the UN level and in raising public awareness.



The genocide in Rwanda between the majority Hutu and Tutsi ethnic groups dominated the international headlines in the early 1990’s that killed an estimated 800,000 people. The CFNHRI meets every two years.

Cybersecurity

In September, the IT Officer, Latu Vehikite, (*right*) conducted the seminar on the topic of Cybersecurity. He emphasized the importance for the staff for be vigilant at all times not to open emails and attachments that may undermine the security of the IT system of the Office. @OMBTonga



Staff of the Months



Above L-R: July – Ms. Tepola Fonongaloa, Assistant Secretary & OIC of Vava’u Office

August – Mrs. Sisilia Tokai, Senior Assistant Secretary

September – Mr. Fotu’aika ‘Ataveifoa, VIP Driver

Mobile Outreach

A new initiative to better facilitate easier public access to the services of the Office of the Ombudsman began in August. Six mobile outreach programs (MOPs) covered the smaller villages of Tongatapu not commonly present in previous district outreaches.

About 25 villages on all districts of Tongatapu have received the weekly mobile drives and engaged with various members of the public including women while making tapa or weaving, primary and secondary school students, youth, construction workers and those working in their plantations.

There was no gathering in halls or in groups. Instead, the 4-member outreach team used an office shuttle as the hub for recording complaints, meeting and explaining to visitors about our services and attend to other queries. The shuttle OMB-4 parks along the road side at various points and waited for people to come forward. The office cooperates with district and town officers as well as village church leaders who accepted our brochures to be distributed to their members.

Public notices specifically to villages covered every week are sent out over the radios notifying the people the date and time for each village. Favourable responses with queries were received during the mobile outreach programs.

A total of 14 outreaches were carried out during the quarter – six mobile OPs, three radio talk-back programs/felafoaki and five OPs as part of the REACH Mission in ‘Eua (*pictures below*). Several complaints and queries were filed from ‘Eua, an indication that community outreach programs facilitate easier access of the public to file complaints.

Various activities of the office were updated on Facebook especially mobile outreach programs, staff of the months and good governance information.



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