

“Ombudsman: Diverse in Role. United in Service.”



For the second year running the Office of the Ombudsman of Seychelles joins fellow ombudsman and mediator institutions across the globe to dedicate this second Thursday of October to reflection on our unique watchdog function.

This year's theme invites us to reflect on the diverse role of the Ombudsman and how institutions like ours stand united in our service delivery.

Created by the 1993 Constitution of Seychelles, the Ombudsman turned 30 this year. Yet it remains relatively unknown, largely unrecognised and misunderstood by both the general public it serves and the public authorities it oversees. Poorly financed, the Ombudsman's budget allocation is one of the smallest in the public administration, and despite the constitutional guarantee of autonomy and independence, it is treated like just another MDA (ministry, department or agency) when it comes to its annual budgetary needs.

Despite the setbacks, the Ombudsman continues to do its job. Vested with the constitutional responsibility of curbing and correcting all forms of bad and mal-practices which directly or indirectly affect public service delivery and administration, the Ombudsman offers a simple, accessible, cost-free, fuss-free conflict-handling alternative to protect the people's rights as enshrined in the Constitution and in other laws and regulations.

The Ombudsman's diverse programmes are an essential supplement to formal conflict management procedures that protect legal rights or address allegations of inappropriate or

wrongful conduct. It provides an avenue in which unfairness, abuse or misconduct in the actions and excesses of public officers and authorities are checked. By resolving problems in the administration of public service, it helps develop better options, and reduces the human and organizational costs of conflict. In addition to investigating actions of maladministration, it can investigate fraud and corruption and violations of human rights by public officers and authorities. It can challenge the constitutionality of laws passed by the Executive and the Legislature, and it can even accompany aggrieved citizens before the constitutional court.

As a confidential, impartial, independent and versatile conflict management constitutional office, the Ombudsman operates in the space between politics and the judicial process, working outside formal litigation and grievances channels of courts and tribunals to informally address or resolve controversial issues that others cannot or will not discuss.

Through its ability to bring its recommendations to the political leadership in a 'softer' form and manner, the Ombudsman is uniquely qualified and empowered to serve as a conduit for effective change. The Ombudsman's feedback on systemic issues provides useful background information and a blueprint to improve public service delivery by helping public authorities enhance their image, legitimacy, and commitment to accountability for their operations.

The Ombudsman is a creature of the future – a concept that fits in perfectly with the needs of a modern democracy and awaits replication on a much wider scale. Although unknown in Seychelles, other ombudsman can be set up in a wide range of national bodies to control the quality of their service delivery. Government ministries and departments at all levels, educational and health-care institutions, corporations, financial institutions, non-governmental organizations and the media, can all have their in-house "ombudsman".

Ombudsmen share, at their core, three professional standards of confidentiality, impartiality, and independence, as well as three definitional characteristics of informality, credible review process, and fairness. These standards and characteristics unite the practice of Ombudsmen and enable them to provide distinct value to the institutions and constituents they serve.

The observation that the Ombudsman is a toothless watchdog because it cannot enforce its recommendations is misguided. The Ombudsman takes pride in its function as an early-warning system, focussing on its ability to show where and how things have gone wrong and how best to fix them.

The Ombudsman is like the fire alarm system in a building. At the first sign of smoke, the alarm will go off, warning everyone that there is a fire in the building. To ignore the signal will allow the fire to burn down the house. Responding with the best firefighting equipment will save it. No one will think to do away with the alarm system because it does not put out the fire!

Happy Ombudsman's Day!

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