

**Information Notes for the  
Legislative Council Members' Meeting with The Ombudsman  
on 5 December 2000**

**(II) Briefing by The Ombudsman on the Work of The Ombudsman Office**

*Workload*

Following introduction of the direct access system and expansion in the powers and jurisdiction of The Ombudsman in June 1994, the numbers of enquiries and complaints lodged with the Office have increased sharply and are now staying at a steady level.

2. In the 1999/2000 reporting year, the Office of The Ombudsman received 9,323 enquiries and 3,101 complaints. A total of 3,411 complaints were concluded in the year, of which 45% were concluded in less than three months after receipt while 45.5% were concluded between three and six months.

3. For the first half of the current reporting year 2000/2001 (i.e. as at mid-November), this Office has already received 6,399 enquiries and 1,864 complaints.

*Investigations*

4. A total of 194 complaints were investigated in the reporting year 1999/2000, of which 122 (62.9%) were substantiated or partially substantiated. Three direct investigations were completed.

5. For the 1999/2000 reporting year, a total of 138 recommendations resulted from these investigations, including 30 made in connection with direct investigations. The Administration tabled a Government Minute on 8 November 2000 to inform Members of its response to The Ombudsman's recommendations. Over 99% of the recommendations made in connection with complaints and all recommendations made in connection with direct investigations have either been implemented or accepted for implementation by the Administration.

6. Since May 2000, three direct investigations have been completed and four are still in progress. They are listed below -

	<i>Subject</i>	<i>Date of Announcement</i>	<i>Date of completion</i>
(1)	Direct Investigation into the Regulatory Mechanism for Local Travel Agents for Inbound Tours.	16.8.1999	3.8.2000
(2)	Direct Investigation on Selected Issues Concerning the Provision of Retraining Courses by the Employees Retraining Board.	11.11.1999	27.9.2000
(3)	Direct Investigation into the Clearance of Provisional Urban Council Tenants and Licence Holders affected by Land Development Corporation's Development Projects.	11.11.1999	16.11.2000
(4)	Direct Investigation into the Procedures for Handling Travellers Suspected of Using False or Otherwise Suspect Travel Documents.	29.2.2000	<i>Investigation underway</i>
(5)	Direct Investigation into the Management of Construction Projects by the Housing Authority and the Housing Department.	31.5.2000	"
(6)	Direct Investigation into the Management of Government Crematoria.	21.6.2000	"
(7)	Direct Investigation into the Procedures for Immigration Control of Persons who present themselves, are found or returned to Immigration Check Points without Proof of Identity.	1.9.2000	"

### *Public Education & Publicity*

7. Reaching out to the community to promote the concept of ombudsmanship remains an important objective of the Office. Apart from regular publicity and promotion programmes, which include press briefings, outreach talks, visits and seminars, the Office has embarked upon a series of new publicity and community relations initiatives. These include:

- a. a new API on the work on the Office was commissioned and was first broadcast in May. Repeat broadcast will shortly be arranged through local TV stations;
- b. a new series of publicity posters and leaflets ;
- c. a revamped home page on the internet.

8. To make services more readily accessible to the public, the Office has been accepting since early 2000 complaints lodged by electronic mail. The Office has also explored the feasibility of receiving telephone complaints which are simple in nature or when complainants have difficulties in expressing themselves in writing. A trial scheme was conducted in April/May this year and the results were positive. Complaint Assistants are being recruited to formalizing this new service in the New Year with a view to deciding whether telephone complaints should become a permanent complaint channel.

9. To educate the public on the appropriate attitude and technique on lodging complaints, this Office has just published a booklet entitled "Tips for Making a Proper Complaint". The booklet will be distributed to the public during a series of roving exhibitions on the work of this Office to be held from mid-November 2000 to mid-January 2001. These exhibitions will be staged in six government office buildings that are frequented by large number of service users.

#### *Delinking*

10. The Administration and The Ombudsman have agreed on the following broad principles for the "delinking" of the Office of The Ombudsman from the civil service -

- (a) Financial provision for the Office of The Ombudsman will take the form of "subvention" through a one-line vote. Provisions for personal emoluments will be calculated on the basis of mid-point salaries and weighted oncost.
- (b) Support services that have hitherto been provided centrally by the Administration will generally be identified, and cost included in the "subvention".
- (c) Commissioning expenses, for example, for the provision of a commissioning team to conduct the recruitment programme and to oversee the change-over to the new administrative and financial management system will be further discussed.
- (d) The Office of the Ombudsman will be able to accumulate savings and manage the reserve thus accumulated.

- (e) The feasibility of acquiring permanent accommodation for the Office will be explored.
- (f) The Ombudsman will formulate proposed employment terms for all ranks of staff in her Office. Proposed terms and conditions of appointment for The Ombudsman's staff will be considered and approved by the Director of Administration under delegated authority from the Chief Executive under section 6 of The Ombudsman Ordinance.
- (g) A Memorandum of Administrative Arrangements will be drawn up between the Office of the Ombudsman and the Administration to set out the working relationship.