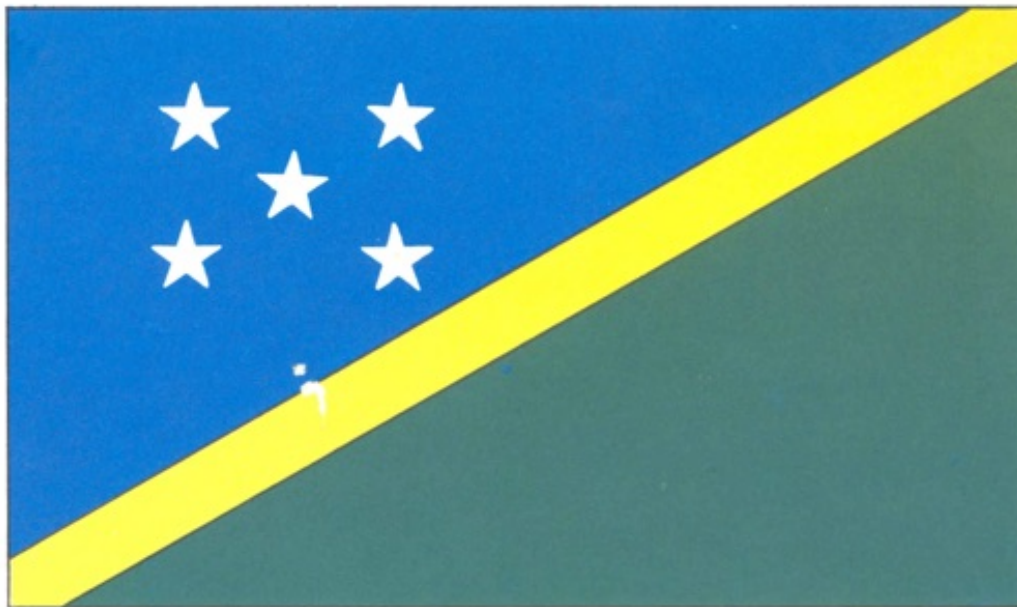




REPORT OF THE
OMBUDSMAN

FOR THE YEAR ENDED

30TH JUNE, 1997



Presented to
THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS
Pursuant to Section 98(3) of The Constitution

ANNUAL REPORT OF THE OMBUDSMAN

Mr Speaker,

Pursuant to Section 98(3) of the Constitution, it is an honour and pleasure for me Sir, to present my Report for the year ended June, 1997 to the National Parliament of Solomon Islands.



SIR PETER KENILOREA, KBE, PC
OMBUDSMAN

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1. **INTRODUCTION**

The Ombudsman's Annual Report is a Constitutional mandate under section 98(5) of our National Constitution.

It is therefore my personal obligation and privilege to present my second Annual Report since my appointment as the Ombudsman of the sovereign state of Solomon Islands in September 1996.

Our operational year ends in June each year being the date of the establishment of this important Office in 1981. This Annual Report therefore covers the period 1st July 1996 to 30th June 1997. My first Annual Report which was deliberately couched as a quarterly report covered the last quarter of 1996 only. And the principal reason for the release of that Report was to bridge the five-year period information gap (1992-1996 inclusive) when no Ombudsman Annual Report was produced.

Generally the year presented the normal challenges of an understaffed small Office of four, with officially only One(1) investigating officer. To ensure important services to the people from this Office is not unnecessarily jeopardised in the circumstance, the Ombudsman himself took on full time routine investigation duties as well.

We received two hundred and fifty-eight(258) new cases during the reporting period but dealt with a total of three hundred and thirty-seven(337) cases. This accounts for the fact that some seventy-nine(79) cases carried forward from the last reporting period was handled during the period of this report.

As you will note in the report, of the 337 cases dealt with, approximately only 30% were concluded as "justified". In other words only 30% of the cases investigated (337) were considered by the Ombudsman, after investigation, that the person who complained has been unfairly treated or has been the victim of maladministration. About 15% of the 337 cases dealt with were not justified, 10% either fell outside the Ombudsman's jurisdiction or were declined. On the other hand about 29% of the cases handled for this reporting period were uncompleted. As would be noted elsewhere in this report, the major contributing factor to the lack of completed cases was the sluggish, untimely or simply non responsiveness of the authorities/bodies complained against, to the probings of the Ombudsman and his staff.

2. **Legal Authorities**

The legal basis for the establishment, jurisdictions, functions and duties of the Solomon Islands Ombudsman are -

- a) the National Constitution - chapter ix section 96-99; and
- b) the Ombudsman (Further Provisions) Act 1980, No. 1 of 1980.

3. **The Constitution**

Section 97(1) of the Constitution states - "The functions of the Ombudsman shall be to:-

- a) enquire into the conduct of any person to whom this section applies in the exercise of his Office or authority, or abuse thereof;
- b) assist in the improvement of the practices and procedures of public bodies; and
- c) ensure the elimination of arbitrary and unfair decisions;

Section 99 of the Constitution gave Parliament to make further provisions to effect the provisions of the Constitution which are not therein specified.

4. **The Ombudsman (Further Provisions) Act 1980 - No. 1 of 1980**

The Parliament decided in 1980 and provided further legal basis for the Ombudsman's function under the Ombudsman (Further Provisions) Act 1980.

It is also to be noted that both the Constitution and the Act of Parliament are clear on what Ombudsman's jurisdiction is not.

He is not for instance, to investigate the Governor-General or his personal staff nor does his functions apply to the "Director of Public Prosecutions or any person acting in accordance with his instructions".

Too the Ombudsman has no power "to question or review any decision of any judge, magistrate or registrar in the exercise of his judicial functions", nor can he investigate government policies.

5. **Powers of Investigation**

The Ombudsman and his staff have great investigatory powers. Such that it is an offence to wilfully fail to furnish any requested information by the Ombudsman or any member of his staff in the exercise of his duties.

For the reporting period, at least four cases of this nature were reported to the Police for official investigations with the view to eventual court prosecutions, subject to the Director of Public Prosecution's consent as required under the Ombudsman's Act. The results of these cases are subjects for mention in the next Annual Report.

6. Independence of the Ombudsman

The independence of the Ombudsman and his proceeding are clearly protected by the Constitution and the Act. This is very important for the total impartiality of this institution and its responsible servants. The Office of the Ombudsman is apolitical and demands the highest and finest sense of moral and professional integrity.

Of his independence the Constitution states and quote -

“98 - (1) In the discharge of his functions the Ombudsman shall not be subject to the direction or control of any other person or and no proceedings of the Ombudsman shall be called into question in any Court of Law”. end of quote.

For the same reason any person appointed to the post of Ombudsman must vacate other Offices. The Constitution states in this specific regard:-

“96 - (3) If the person appointed as Ombudsman is a Member of Parliament, or a provincial assembly, he shall forthwith cease to be such a member”.

This is further amplified in section 3 of the Ombudsman (Further Provisions) Act 1980. Under section 3(2) of this Act the apolitical nature of this post is specifically protected in the following language of the law:-

“Section 3(2) The person appointed as Ombudsman shall, if he holds any Office in, or membership of, any political party, resign such office or membership”.

In fact the Ombudsman is constitutionally prohibited from holding any other office of financial gain.

In this regard section 96(4) of the Constitution states -

“96 - (4) The Ombudsman shall not perform the functions of any other public or provincial government office, and shall not, without the approval of the Governor-General in each particular case, hold any other office of emolument than the Office of the Ombudsman or engage in any occupation for reward outside the duties of his Office”.

While for reason of clarification of the importance of the Ombudsman's integrity, independence and impartiality it is significant to be thus restrictive, it is interestingly note worthy that other equally important Constitutional Offices referred to under section 107(5) appear to be spared of such a "wrath". Those are, (apart from the Ombudsman) Offices of Governor-General, any judge of the High Court or the Court of Appeal, Speaker, Director of Public Prosecutions, Public Solicitors, Auditor-General, Commissioner of Police, and member of any Commission established by this Constitution".

7. Office of the Ombudsman

Recognising the importance of accessibility to the Public of the Ombudsman's Office, its present location is both helpful and wise. It is situated in the ground floor of Kalala House, western end. And while the law states that Complaints to the Ombudsman must be in writing we take total cognisance of the Solomon Islands' poor literacy rate and have been administering our duties and functions so as not to pre judice or disadvantage those less able to approach our Office in writing. Personal interviews are therefore facilitated as an addition. We can otherwise be contacted by post at the address:-

Office of the Ombudsman
 Department of Justice & Legal Affairs
 Ministry of Home Affairs
 P O Box 535, Honiara
 Solomon Islands

Phone: 22049

Fax: (677) 25610

8. Some Misconceptions

It should be stated that in trying to alleviate the above ultimates, our duties have been made onerous, ironically by Senior Officers of the Government, in some instance.

Required and necessary information for a balanced opinion for Complaint resolution were not readily available on a timely basis, because in my view there still is some misconceptions by responsible Officers about the functions and duties of the Ombudsman. Others continue to project the notion that Complainants are the Ombudsman clients in the same way that lawyers have their clients. Hence the mistaken tendency to be wary of availing the Ombudsman with requested information on grievances.

He is still being regarded, apparently, as an official disciplinarian; not a mere administrative reviewer of maladministration who has no real power of determination.

As a result of this misconception there is detectable reticence amongst the investigated to avail the Ombudsman with required information. Consequently, as stated elsewhere in this report, we had to resort to court action intended to obtain simple information.

9. Rate of case disposal

In spite of the difficulties alluded to herein, the rate of case disposal for the period under reporting was satisfying. Of the total number of cases dealt with (337) the disposal rate was 71%. The remaining 29% represented the uncompleted cases which will be carried forward to 1997/1998 year.

The Government Ministry which attracted the highest number of Complaints was the Ministry of Education and Human Resources Development with 58 cases. Forty-four(44) cases of which related to the Teaching Service Office (TSO). Second highest individual Government Ministry with complaints (38 cases) handled in the reporting period is the Ministry of Police and National Security, with the Office of the Prime Minister ranking third with 32 cases. For the nature of complaints, Table VIII would be helpful.

Of these Ministries, the Ministry of Education and Human Resources, the Ministry of Lands and Housing and the Office of the Trade Dispute Panel indicated inadequate or absence of an efficient and effective office filing system. Correspondences do not appear to be reaching their schedule Officers and hence creating non responsiveness to important communications in a timely manner or at all. It is strongly suggested therefore that the MEHRD and the ML&H urgently put in place or activate an office manual aimed at minimising or eliminating the current unsatisfactory state of affairs in this regard.

10. Provincial Government

Specific complaints of maladministration against Provincial Government for the reporting period were 30 in all. This is about 44% of the number recorded for 1995-1996 year. The highest number of provincial cases on individual Province basis was recorded against Guadalcanal Province. This however, only totalled 8 cases. Makira Ulawa Province on the other hand recorded no complaint for the period.

The reduced number of complaints against Provinces may be explained by the lack of any touring programme during the reporting period. The reason for this as elsewhere stated was essentially stopping constraints. It is planned to change this and have at least three(3) Provinces visited during the next year.

11. Looking ahead

As indicated in my first Annual Report, I am planning to computerise the Office. This was not possible to achieve during the period of this Report due to the ongoing trying national economic situation, and in particular, difficult government cash flow state of affairs.

It is however being planned subject to improved economic performance, that by the year 2001 the Office would have been fully computerised and current staff level of four increased to an appropriate level of seven, including a legal advisor.

Beginning next year it is intended to have a visiting programme to provinces that would ensure visits to a minimum of three Provinces a year.

Development of our capacity in ensuring appropriate and adequate staff development will be given due emphasis. And enhanced public awareness programme for capacity utilisation of the Ombudsman's Office is one of our objective in the 1998/2001 plan period.

12. ADMINISTRATIVE NOTES

12.1 STAFFING

The Ombudsman's Office staff level remains the same as for the previous years owing to financial constraints.

Though the number of staff remains the same, the Posts have been upgraded. This is welcome incentive to boost staff morale and to be in line with the Public Service Scheme of Service.

<u>POST TITLE</u>	<u>INCUMBENT</u>	<u>LEVEL</u>
Ombudsman	Sir Peter Kenilorea	SS3 (Constitutional Post)
Principal Investigation Officer	Joe Poraiwai	9 (Promoted on 01/01/97)
Executive Personal Secretary.	Mrs Jessie Bale	8 (Promoted on 0/01/97)
Administrative Clerk	Jay Waura	4 (Promoted on 1/9/96)
Gardener (for Ombudsman's Residence)	Mrs Selina Mouruka	1 (Appointed on 1/9/96)

Administrative duties of the Office is performed by the Administrative Clerk and assisted by Executive Personal Secretary.

The Office is indebted to the Under Secretary and the Chief Accountant of the Justice and Legal Affairs Department for their vigilance over our expenses. And timely warnings lest we overspend our budget are appreciated. We are also grateful to the support staff of the Ministry of Home Affairs and the Justice and Legal Affairs Department for their useful and strong administrative back-up in a difficult economic situation.

12.2 OFFICE EQUIPMENT

The Office is fortunate to have its own Photocopy Machine, which was obtained in 1990, still functioning. We pride ourselves in the fact this CANON NP.1215 Photocopier, the oldest around, is still in use due to diligent servicing provided by the Dealers.

In the reporting period, the Office obtained a Computer set which is very helpful in its work. This is very useful especially when producing the Ombudsman's Annual Reports.

With the use of the Computer Annual Report compiling is done in-house and is only sent to the Printery for binding. This is found to be the most cost effect way.

Since the establishment of the Office in 1981 no new Furniture has been obtained, except for a set of Settees for Ombudsman's reception area. Otherwise we still make-do with old Furniture and those which were left when the National Parliament Office moved to its new premises at Vavaya Ridge.

For details of the Furniture and Equipment at hand refer to the attached ANNEX 1.

12.3 ACCOMMODATION

(i) Office Accommodation

The Office has survived numerous Office movements and relocations by successive governments. Since it moved to the Kalala House in the late Nineteen Eighties, no further relocation has affected it. It is located in the ground floor of Kalala House at the Western end.

(ii) Ombudsman's Residence

As highlighted in my Interim Report for period 1st July, 1996 to 31st October 1996 I had to reside in my own family residence under a formal tenancy arrangement with the government. This was due to the shortage of houses in the Prime Minister's Pool for Constitutional Post holders and Permanent Secretaries. The house previously occupied by my Predecessor was in total disrepair and could not be rehabilitated due to financial constraints then.

12.4 TOURS AND PUBLIC AWARENESS PROGRAMMES

One of the aim of the Office is Publicity enhancement to ensure the populace's knowledge of the Roles and Functions of the Ombudsman. In order to do this we employ the following medium:-

- (i) Provincial Tours to talk to the Public.
- (ii) Attending Short Courses on invitation of Course Organisers to talk to participants.
- (iii) Using the broadcasting and printed media

Due to financial constraints and staff shortage however, no Provincial Tours were made during this Report period.

The Office staff gave talks at some courses ran by the School of Finance and Administration of the Solomon Islands College of Higher Education for Public Servants.

The Ombudsman on three occasions during the period of reporting used the National Radio to explain the Roles and functions of his Office.

12.5 STAFF TRAINING

As part of the Office Staff Training and Development Program, the Office Executive Personal Secretary, Mrs Jessie Bale is undergoing a two years Advanced Certificate in Secretarial Studies Course at the Solomon Islands College of Higher Education. She attends formal classes two(2) afternoons a week. The Principal Investigation Officer, Mr Joe Poraiwai is similarly doing Law Courses in the Certificate in Legal Studies Course offered by the University of South Pacific Suva, on extension, at the USP Centre in Honiara.

13. FINANCIAL NOTES

13.1 SPENDING IN 1996

The Ombudsman's Budget for the financial year which ended on 31st December, 1996 was \$213,562.00. This was less than in 1995 when the Office was allocated a total of \$217,332.00.

Of the 1996 total Estimate, \$158,350.00 was allocated for Payroll which included Statutory and Civil Salaries, and Allowances; Wages and Allowances and National Provident Fund Contributions. The total actually spent by 30th June, 1996 was about \$92,415.48 of which about \$76,111.64 (82.36%) was attributed to the Payroll. By 31st December, 1996 there was no Overexpenditure in the Overall Estimate Provision. However, there was a slight overspent in the Payroll vote due to the payment of 50% of the 12% Arrears awarded to Public Servants, backdated to 1st January, 1996, which was not budgeted for.

13.2 TRANSPORT BUDGET

In 1996, the Office was allocated a budget of \$10,700.00 for Travelling and Transport. This was an increase of \$700.00 to cater for increases in air and sea fares and costs of Fuels.

Though this vote was meant for Officers' Annual Leaves and Provincial Tours it was not fully utilised. As of 30th June, 1996 only \$286.00 was spent and at 31st December, 1996 a total of \$5,472.50 was spent of passages in respect of the Office Secretary and Office Clerk when they went on Annual Leave during the year.

Had Provincial Tours been made during the year about 90% of the budget would have been used. However, due to staff shortages, no tours were made so only about 51% of the Vote was spent on passages in respect of the Staff Annual Leaves. And saving factor was that both the Ombudsman's family and the Principal Investigation Officer did not travel home for annual leave.

13.3 PRINTING BUDGET

Out of the \$5,350.00 allocated for Printing only \$918.00 was used as of 30th June, 1996. There was a saving made in this Vote due to the fact that no Annual Report was then printed in 1995/96 period. Up to 31st December, 1996 an amount of \$2,185.38 was spent this was for cost of Letter Heads and other Office Forms, etc which had been ordered from the Solomon Islands Printers. Had Annual Reports been produced at the Printer as in the past this provision would not be not adequate.

To save costs, the Ombudsman's interim Report for July to October, 1996 had to be produced internally. Only the binding was done at the Solomon Islands

Printer of which attributed to the \$2185.38 expended as at 31st December, 1996.

13.4 OTHER CHARGES

In the Other Charges Vote, the items which are traditionally quite difficult to monitor and control are Electricity, Water and Telephone Charges. Sometime relevant authorities increase their charges during the year and government Budgets allocations were normally out of balance as a result. At times, increase of costs are due simply to increase uses.

13.5 1996 EXPENDITURES

- (i) Following is the Summary of expenditure as at 30th June, 1996:-

<u>EXPENDITURE</u>	<u>1996 PROVISION</u>	<u>EXPENDITURE AS AT 30/6/96</u>
Pay Roll (Statutory, Salaries and Wages)	\$158,350.00	\$76,111.64
Other Charges	\$ <u>55,212.00</u>	<u>\$16,303.84</u>
Total	<u>\$213,562.00</u>	<u>\$92,415.48</u>

- (ii) For details of the Ombudsman's Office 1996 Budget Estimates and Expenditure as at 30/06/96 and 31/12/96, refer to ANNEX 2.
- (iii) The information on the expenditure records provided here were obtained from the Ombudsman's Office Expenditure History Print produced from the Computer Section, Ministry of Finance.

Accordingly they are slightly different from the information in the Ombudsman's Interim Report from 1st July, 1996 to 31st October, 1996, which was provided by the then Ministry of Justice and Legal Affairs Accounts Section.

14. **OMBUDSMAN'S OFFICE STATISTICS**

For the year 1st July, 1996 to 30th June, 1997

Two hundred and fifty eight new Complaints were received this year. This is about eight Complaints less than the two hundred and sixty-six Complaints received in the 1995/96 Report period.

71% of the total number of Complaints handled during the year were completely resolved.

Manner of Disposal of cases - Table II Explanatory Notes on Categories used in Tables II to VII.

"No Jurisdiction" - "bodies outside Ombudsman's Jurisdiction".

A number of Complaints made to the Ombudsman were outside his jurisdiction in terms of section 97 of the Constitution and the Ombudsman (Further Provisions) Act 1980. For instance, he cannot investigate non-government bodies or private companies whether or not the Government has a 100% shareholding, unless they are specifically incorporated by Statute. He cannot investigate public or private registered companies, associations or individuals. These are the "bodies outside Jurisdiction" and the number of complaints received under this category are appropriately indicated in Tables III and IV.

"No Jurisdiction under the Ombudsman Act" The Ombudsman Act restricts his Constitutional jurisdiction to enquire into certain types of action by Government officials, such as policy decisions or decisions made by Ministers in their deliberate judgement if certified as such by the Prime Minister. Too non administrative functions, such as Doctors' professional decisions on referral of patients cannot be investigated by the Ombudsman.

In other cases the Ombudsman Act gives him discretion whether or not to take up cases which are otherwise outside his jurisdiction according to the Act. For instance where the complainant has a right of appeal to a tribunal or a legal remedy through the courts but in the circumstances, it is not reasonable to expect him to use this right; or where complaints are, in the Ombudsman's opinion frivolous, vexatious or if there has been an unreasonable delay in bring them to him.

Figures in **Column 3 of table IV** represent cases which the Ombudsman has not taken up.

These are included in **"no Jurisdiction" in column 4 of Table II.**

However no one is sent away from the Ombudsman's Office without being heard, advised and if required referred to relevant authorities for help, such as their member of Parliament or the Public Solicitor.

"Referred" Cases in **Column 5 of Table II and Column 4 of Table IV** are, theoretically inside the Ombudsman's jurisdiction, but are better handled elsewhere. The complainant is heard, advised and referred by letter, telephone call or personal visit to the appropriate authority. Most of such referrals are of fairly minor personnel matters, which perhaps through communication breakdown, have come to this office prematurely. The complainant is advised to refer back to the Ombudsman if, after a reasonable time, his complaint is not considered.

"Not Justified" Figure in **column 3 of Table II and Column 5 of Table IV** represent cases which, after investigation, the Ombudsman considers are not real cases of unfair treatment or maladministration. The Complainant is informed and his case file is closed. For instance a person may be confused about the terms of his employment or his legal rights under the National Provident Fund Act and believes that he is being unfairly treated when this is not so.

"Justified" In **Tables II and IV**, Figures represent cases where the Ombudsman, after investigation, considers that the person who complained has been unfairly treated or has been the victim of maladministration, "Justified" complaints range from delays in promised allowances for manual workers to very serious matters worthy of criminal investigation. For an analysis of whether justified cases are rectified, refer to Table V.

"Unfinished" This Column in Table II represents unfinished cases which had to be carried forward for continuing attention the following year. We are concern that invariably unfinished cases are due to delays or non responsiveness by authorities complained against.

TABLE I

OMBUDSMAN'S CASES IN 1996-97 COMPARED WITH THE PREVIOUS YEARS

JULY/JUNE	NEW CASES RECEIVED	TOTAL CASES HANDLED	CASES COMPLETED	UNFINISHED CASES CARRIED FORWARD
1991-92	282	349	228	121
1992-93	176	297	194	103
1993-94	200	303	154	149
1994-95	125	274	195	79
1995-96	266	343	264	79
1996-97	258	337	240	97

TABLE II

SUMMARY OUTLINING THE MANNER OF DISPOSAL OF CASES HANDLED BY THE OMBUDSMAN BETWEEN 1ST JULY
1996 AND 30TH JUNE, 1997

YEAR	JUSTIFIED	NOT JUSTIFIED	NO JURISDICTION DECLINED	REFERRED	OTHERS	UNFINISHED	TOTAL
1991-92	49	92	45	35	7	121	349
1992-93	70	67	27	20	10	103	297
1993-94	61	54	17	17	5	149	303
1994-95	88	53	15	34	5	79	274
1995-96	79	72	27	60	21	86	345
1996-97	103	50	34	47	6	97	337

This Table shows the Ombudsman and his staff are still trying to concentrate on thorough treatment of fewer, more important complaints. The larger number of "referred" and "No Jurisdiction/Declined" cases reflects the Ombudsman's decision to avoid being involved prematurely in matters where the Complainant should have taken his grievance to the authority concerned or used other existing avenues rather than going direct to the Ombudsman. The Ombudsman is prepared to assist in the improvement of existing procedures rather than supplant or undermine them, so he advises Complainants of the right procedures and the right person or authority to help. He may follow up this advice in a letter of referral to make sure that their grievance is considered and dealt with. Making the public aware of how they can legally help themselves is seen as an important work of the Office.

TABLE III

ANALYSIS OF NEW COMPLAINTS MADE TO THE OMBUDSMAN IN 1996-97

(A) LIST OF COMPLAINTS AGAINST PROVINCES, STATUTORY AUTHORITIES EACH DIVISION UNDER RESPECTIVE MINISTRIES.

AUTHORITY	REPORT PERIOD					
	1991-92	1992-93	1993 - 94	1994-95	1995-96	1996-97
(1) MINISTRIES						
MEHRD - ADMIN	1	2	4	-	-	3
INSPECTORATE	-	-	-	-	1	3
- NTU	1	-	1	1	7	1
SCHOOL BOARDS	3	2	-	-	2	-
SECONDARY	-	-	-	-	-	2
S&G	-	1	-	2	1	1
TSO	37	16	19	12	19	30
TSC	-	2	1	-	-	1
MEHRD (TOTAL)	43	23	25	15	30	41
(2) MPNS - ADMIN	1	1	1	3	5	2
- POLICE	18	12	17	14	28	20
PRISON	30	12	14	2	7	9
PPSC	1	-	-	-	-	-
MPNS (TOTAL)	50	25	32	19	40	31

TABLE III (CONTD)

AUTHORITY		REPORT PERIOD						
		1991-92	1992-93	1993 - 94	1994-95	1995-96	1996-97	
(3)	MOF - ADMIN	1	1	1	2	-	3	
	BUDGET	-	-	-	-	2	-	
	CUSTOMS	1	-	-	-	-	1	
	INSURANCE	-	-	-	-	-	1	
	CTB	4	-	4	-	-	1	
	PENSION	5	9	1	-	2	7	
	STATISTICS	-	-	-	1	-	1	
	STORES	-	-	1	-	-	-	
	TAXES	4	1	2	1	1	4	
	TREASURY	3	2	2	2	1	6	
	MOF (TOTAL)	18	13	11	6	6	24	
	(4)	PMO - CABINET	-	-	-	-	-	1
		PSC	4	1	-	-	-	2
		PSO	11	13	16	24	19	18
PMO (TOTAL)		15	14	16	24	19	21	

TABLE III (CONTD)

AUTHORITY	REPORT PERIOD						
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	
(5) MOJLA - ADMIN	-	2	1	1	4	-	
COURTS	15	4	1	2	2	5	
DPP	-	1	-	-	-	-	
PUBLIC SOLICITORS	3	-	-	5	5	1	
REGISTRAR GENERAL	2	-	-	-	1	5	
TRADE DISPUTE PANEL	-	-	1	1	5	10	
MOJLA (TOTAL)	20	7	3	9	17	21	
(6) MLH - ADMIN	-	-	-	-	1	-	
LANDS	5	-	13	7	8	9	
HOUSING	-	-	1	-	-	2	
MLH (TOTAL)	5	-	14	7	9	11	
(7) MHMS - ADMIN	6	2	3	5	6	1	
ENV. HEALTH	2	-	-	-	-	1	
HEALTH EDUCATION	-	-	-	-	-	1	
MALARIA	2	3	-	1	1	-	
MEDICAL	-	1	-	-	-	-	
PSYCHIATRICAL	1	2	1	-	-	-	
NURSING	-	3	1	1	5	6	
MHMS (TOTAL)	11	11	5	7	12	9	

TABLE III (CONTD.)

AUTHORITY	REPORT PERIOD						
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	
(8) MCIE - ADMIN	-	-	-	-	1	-	-
COOPERATIVE	-	1	-	-	-	-	-
IMMIGRATION	1	1	-	-	-	2	2
LABOUR	-	-	2	-	-	-	3
MCIE (TOTAL)	1	2	2	-	1	5	5
(9) MTWU - ADMIN	1	-	3	2	2	4	4
MARINE	3	3	8	2	-	-	-
WORKS	2	4	1	2	-	-	-
MTWU (TOTAL)	6	7	12	6	2	4	4
(10) MPC - ADMIN	2	-	2	2	-	1	1
METEOROLOGY	-	-	1	-	1	-	-
POSTAL	1	-	-	-	2	2	2
MPC (TOTAL)	3	-	3	2	3	3	3

TABLE III (CONTD.)

AUTHORITY	REPORT PERIOD						
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	
(11) MCTA - ADMIN	-	-	-	1	-	1	
AVIATION	-	5	2	1	-	2	
TOURISM	-	-	2	-	-	-	
MCTA (TOTAL)	-	5	4	2	-	3	
(12) MPG - ADMIN	29	14	17	3	13	3	
PDU	1	-	1	1	-	-	
POLICY	-	-	-	-	1	-	
MPG (TOTAL)	30	14	18	4	14	3	
(13) MAF - ADMIN	3	5	12	1	5	1	
AGRICULTURE	5	-	-	-	2	1	
MAF (TOTAL)	8	5	12	1	7	2	

TABLE III (CONTD)

AUTHORITY	REPORT PERIOD						
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	
(14) MFEC - ADMIN FORESTRY ENVIRONMENT	10	1	1	2	-	1	
MFEC (TOTAL)	11	2	3	2	20	2	
(15) MHA - ADMIN DISASTER COUNCIL ELECTORAL COMMISSION	-	-	-	1	-	-	
MHA (TOTAL)	-	-	-	1	-	2	
(16) MEMM - ADMIN	-	-	-	-	-	1	
MEMM (TOTAL)	-	-	-	-	-	1	
(17) MYWSR - ADMIN NSC SOCIAL WELFARE	-	-	-	-	-	1	
MYWSR (TOTAL)	1	-	-	-	1	1	

TABLE III (CONTD)

AUTHORITY	REPORT PERIOD					
	1991-92	1992-3	1993-94	1994-95	1995-96	1996-97
(18) MFA - ADMIN	-	1	-	-	-	-
FOREIGN GOVTS	-	-	1	-	-	-
POLICY	-	-	-	-	1	-
MFA (TOTAL)	0	1	1	0	1	-
II. PROVINCES						
• GUADALCANAL	3	2	5	3	5	8
• MALAITA	12	15	2	2	4	6
• HTC	-	1	6	1	4	4
• WESTERN	12	1	3	-	3	3
• TEMOTU	2	4	2	2	11	3
• CENTRAL	1	2	1	1	-	3
• CHOISEUL	-	-	1	-	36	2
• ISABEL	9	1	-	-	-	1
• MAKIRA	-	1	1	1	5	-
PROVINCES (TOTAL)	39	27	21	10	68	30

TABLE III (CONTD.)

AUTHORITY	REPORT PERIOD					
	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
III. STATUTORY AUTHORITIES						
• NPF	4	2	2	1	2	7
• SIPA	1	-	-	-	-	3
• HFC	2	1	1	-	-	2
• ICSI	-	-	-	-	2	2
• SIEA	1	-	-	-	1	1
• DBSI	-	1	3	-	-	-
• CBSI	-	-	1	-	-	-
• SIBC	-	-	1	-	1	-
• CEMA	-	-	1	-	-	-
• SICHE	1	-	-	-	2	-
• SIWA	-	-	-	-	1	-
STATUTORY AUTHORITY(TOTAL)	9	4	9	1	6	15

TABLE III (CONT'D)

AUTHORITY	REPORT PERIOD					
	1991-92	1992-93	1993 - 94	1994-95	1995-96	1996-97
(IV) <u>BODIES OUTSIDE JURISDICTION</u>						
(I) UNIONS - SIWCU	-	-	-	-	-	5
SIPEU	2	-	-	1	-	5
SINTA	4	3	2	3	3	1
RSIPCU	-	-	-	-	-	1
UNION (TOTAL)	6	3	2	4	3	12
(II) PRIVATE BODIES	8	10	3	5	7	17
(V) <u>UNIDENTIFIED COMPLAINTS</u>	-	-	3	-	-	-
(B) COMPLAINTS ANALYSED IN MINISTRIES, PROVINCES, STATUTORY AUTHORITIES AND BODIES OUTSIDE JURIS- DICTION.	-	-	3	-	-	-

TABLE III (CONT'D)

	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
MINISTRIES	220	132	162	105	182	184
PROVINCES	39	27	21	10	68	30
STATUTORY AUTHORITIES	9	4	9	1	6	15
BODIES OUTSIDE JURISDICTION	14	13	5	9	10	29
UNIDENTIFIED COMPLAINTS	-	-	3	-	-	-
TOTAL	282	176	200	125	266	258

TABLE III Compares Complaints made in the last five years with those made in 1996/97.
The Table above consists of two sections:

- (a) Figures for each Province, Statutory Authorities and each Division/Section under respective Ministries are shown separately, to reflect Complaints against each one.
- (b) Grant Total of Complaints in the year analysed by Ministries, Provinces, Statutory Authorities, and Bodies outside the Ombudsman's Jurisdiction to reflect number of Complaints made against each of them.

TABLE IV

ANALYSIS OF COMPLAINTS HANDLED IN 1996/97

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED JUSTIFIED	OTHERS	UNFINISHED
1. MINISTRIES						
(1) MEHRD - ADMIN	3	-	2	-	-	1
NTU	2	-	-	1	-	1
SECONDARY	3	-	1	-	-	2
S&G	1	-	-	-	-	1
TSO	44	1	4	5	20	12
TSC	1	-	-	1	-	-
INSPECTORATE	4	-	-	-	2	2
MEHRD - TOTAL	58	1	7	7	22	19
(2) MPNS - ADMIN						
MPNS - ADMIN	2	-	1	1	-	-
POLICE	25	1	4	6	7	7
PRISON	11	-	-	1	7	3
PPSC	-	-	-	-	-	-
MPNS - TOTAL	38	1	5	8	14	10

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	JUSTIFIED	OTHERS	UNFINISHED
(3) PMO - CABINET	1	-	-	-	-	-	1
PSC	2	1	-	-	1	-	-
PSO	29	1	2	6	10	1	9
PMO - TOTAL	32	2	2	6	11	1	10
(4) MOF - ADMIN	4	-	-	-	3	-	1
CUSTOMS	1	-	-	-	-	-	1
CTB	1	1	-	-	-	-	-
INSURANCE	1	1	-	-	-	-	-
PENSION	14	-	2	3	5	1	3
STATISTICS	1	-	-	-	1	-	-
TAXES	4	-	1	2	1	-	-
TREASURY	5	-	1	2	2	-	-
MOF - TOTAL	31	2	4	7	12	1	5

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	JUSTIFIED	OTHERS	UNFINISHED
(5) MOJLA - ADMIN	1	-	-	-	1	-	-
COURTS	5	3	-	1	1	-	-
PUBLIC SOLICITORS	3	-	1	-	2	-	-
REGISTRAR GENERAL	5	-	1	-	1	-	3
TRADE DISPUTE							
PANEL	16	-	-	1	2	-	13
MOJLA-TOTAL	30	3	2	2	7	-	16
(6) MLH - ADMIN	-	-	-	-	-	-	-
LANDS	17	1	4	2	1	-	9
HOUSING	2	-	-	-	2	-	-
MLH - TOTAL	19	1	4	2	3	-	9

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
(7) MHMS - ADMIN	4	-	-	1	-	-
ENV. HEALTH	1	-	-	-	-	1
HEALTH EDUCATION	1	-	-	1	-	-
NURSING	7	1	-	-	-	3
MHMS - TOTAL	13	1	-	2	-	4
(8) MTWU - ADMIN	5	-	-	2	-	1
ARCHITECTURAL	1	-	-	1	-	-
MARINE	1	-	-	-	-	-
WORKS	-	-	-	-	-	-
MTWU - TOTAL	7	-	-	3	-	1

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
(9) MPG - ADMIN	6	-	-	1	1	2
PDU	-	-	-	-	-	-
MPG - TOTAL	6	-	-	1	1	2
(10) MPC - ADMIN	2	-	1	-	-	-
POSTAL	3	-	1	1	-	1
MPC - TOTAL	5	-	2	2	-	1

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
(11) MCIE						
IMMIGRATION	2	-	-	2	-	-
LABOUR	3	-	1	-	-	1
MCIE - TOTAL	5	-	1	2	-	1
(12) MFEC - ADMIN	2	-	-	-	-	1
FORESTRY	1	-	-	-	-	-
MFEC - TOTAL	3	-	-	-	-	1
(13) MCTA - ADMIN	1	-	-	-	-	1
AVIATION	2	-	2	-	-	-
MCTA - TOTAL	3	-	2	-	-	1

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	JUSTIFIED	OTHERS	UNFINISHED
(14) MAF - ADMIN	1	-	-	1	-	-	-
AGRICULTURE	1	-	-	-	-	-	1
MAF - TOTAL	2	-	-	1	-	-	1
(15) MHA - NDC	1	-	-	-	-	-	1
ELECTION							
COMMISSION	1	-	-	-	-	-	1
MHA - TOTAL	2	-	-	-	-	-	2
(16) MEMM - ADMIN	1	-	-	1	-	-	-
MEMM - TOTAL	1	-	-	1	-	-	-

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
(17) MFA - ADMIN	1	1	-	-	-	-
FOREIGN GOVTS	-	-	-	-	-	-
MFA - TOTAL	1	1	-	-	-	-
(18) MYWSR - ADMIN	1	-	-	-	-	1
NSC	-	-	-	-	-	-
MYWSR - TOTAL	1	-	-	-	-	1

TABLE IV (CONT'D)

TABLE IV (CONT'D)

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
2. PROVINCES						
GUADALCANAL	8	-	1	3	-	-
MALAITA	6	1	-	2	-	3
HTC	6	3	-	1	-	2
CENTRAL	4	1	2	-	-	-
TEMOTU	4	1	-	2	-	-
WESTERN	4	-	-	1	1	1
CHOISEUL (LAURU)	3	-	1	-	-	1
ISABEL	1	-	1	-	-	-
PROVINCES -TOTAL	36	6	5	8	1	7

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
NPF	7	-	1	1	-	3
SIPA	3	1	-	1	-	1
HFC	2	-	-	2	-	-
ICSI	2	-	1	-	-	1
SIEA	1	-	-	1	-	-
STATUTORY						
AUTHORITIES (TOTAL)	15	1	2	2	5	5

3. STATUTORY AUTHORITIES

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
4 BODIES OUTSIDE JURISDICTION						
(i) UNIONS						
• RSIPCU	1	-	1	-	-	-
• SINTA	1	1	-	-	-	-
• SIPEU	5	1	4	-	-	-
• SIWCU	5	3	-	-	-	-
UNION TOTAL	12	5	5	-	-	-
(ii) PRIVATE BODIES/ORGANISATIONS						
COMPANIES	8	5	3	-	-	-
CHURCHES	2	2	-	-	-	-
TOTAL C/FWD	10	7	3	-	-	-

TABLE IV (CONT'D)

AUTHORITY COMPLAINED AGAINST	TOTAL HANDLED	NO JURISDICTION AND DECLINED UNDER OMBUDSMAN'S ACT	CASES REFERRED	CASES INVESTIGATED NOT JUSTIFIED	OTHERS	UNFINISHED
TOTAL B/FWD	10	7	3	-	-	-
SOCIETIES/CLUBS	2	1	1	-	-	-
INDIVIDUALS	5	2	2	1	-	-
TOTAL	17	10	6	1	-	-

TABLE V

ANALYSIS OF JUSTIFIED COMPLAINTS HANDLED IN 1996/97. HAVE
THEY BEEN SATISFACTORILY SETTLED?

AUTHORITY	JUSTIFIED	RESULTS	
		SATISFACTORY OR PARTLY SO	UNSATISFACTORY
MEHRD	22	20	2
MPNS	12	11	1
PMO	11	5	6
MOF	12	8	4
MHMS	7	6	1
MOJLA	7	5	2
GUADALCANAL	4	4	-
MLH	3	2	1
MTWU	3	2	1
MFEC	2	1	1
MPC	2	-	2
MPG	2	1	1
HFC	2	2	-
NPF	2	2	-
HTC	2	2	-
MAF	1	1	-
MCIE	1	1	-
SIEA	1	1	-
CHOISEUL	1	1	-
CENTRAL	1	1	-
TEMOTU	1	1	-
WESTERN	1	1	-
SIWCU	2	2	-
OTHERS	1	1	-
TOTAL	103	81	22

TABLE VI

SUMMARY OF NEW COMPLAINTS AND WHERE IN THE SOLOMON DO THEY ORIGINATE

PROVINCE	1991/92	1992/3	1993/94	1994/95	1995/96	1996/97
1. Honiara	95	69	113	71	87	121
2. Malaita	26	58	23	11	19	56
3. Western	63	14	19	6	21	19
4. Temotu	12	13	11	9	24	15
5. Guadalcanal	26	6	9	7	5	15
6. Choiseul	-	2	3	4	76	10
7. Makira	9	6	8	7	22	9
8. Isabel	46	4	7	4	8	7
9. Central	5	4	6	5	1	4
10. Others	-	-	1	1	1	2
11. Rennell/Bellona	-	-	-	-	2	-
Total	282	176	200	125	266	258

TABLE VIILIST OF ORIGIN AND NATURE OF NEW COMPLAINTS RECEIVED IN 1996/97
AND WHERE IN THE SOLOMON DO THEY ORIGINATE

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
HONIARA	CN: 09/08/96	Unjust Directive in dealing with a case
	CN: 13/08/96	Refusal for reinstatement
	CN: 19/09/96	Non response to letter
	CN: 20/09/96	Non response to letter
	CN: 21/09/96	Concern about High Court decision
	CN: 22/09/96	Complaint about Redundancy
	CN: 26/09/96	Complaint about non payment of Disturbance Allowance Claim.
	CN: 27/09/96	Collection of Money by Police without explanation
	CN: 29/09/96	Active Duty Allowance Claim
	CN: 33/10/96	Complaint of being a Disadvantaged Officer in term of promotions.
	CN: 35/10/96	Unfair Termination
	CN: 41/10/96	Delay by Trade Dispute Panel to hear case
	CN: 42/10/96	Proposed Defamation
	CN: 46/10/96	Complaint about Cancellation of Scholarship Award
	CN: 47/10/96	Carelessness by Doctors
	CN: 48/10/96	Complaint about unfair sale of Home Finance Corporation house.
	CN: 50/10/96	Unfair Termination by the Public Service Commission
	CN: 51/11/96	Complaint about Refusal to pay Redundancy
	CN: 60/11/96	Complaint about Deferred promotion
	CN: 68/11/96	Non Payment of Active Duty Allowance
	CN: 70/12/96	Unfair Termination
	CN: 72/12/96	Delay by Trade Dispute Panel to hear case
	CN: 75/12/96	Biased dealing
	CN: 76/12/96	Claim for payment of Touring and Dirty Allowances
	CN: 77/12/96	Withdrawal of clients from Insurance Agent
	CN: 78/12/96	Delay to deal with a Suspension case
	CN: 80/12/96	Complaint about Non release of Constituency Development Fund.
	CN: 81/12/96	Unprocedural Allocation of Land.
	CN: 82/01/97	Delay in Confirmation and Promotion.
	CN: 85/01/97	Delay by Trade Dispute Panel to hear Trade Dispute cases.
CN: 88/01/97	Non Payment of Redundancy	
CN: 90/01/97	Request for Withdrawal of Resignation Letter	

TABLE VII (CONT)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 91/01/97	Non Payment of Student Living Allowance
	CN: 92/01/97	Unfair Selection of Standard 6 Students
	CN: 93/01/97	Ceasation of Salary Payment whilst on C
	CN: 94/01/97	Advance of Pension Money
	CN: 105/02/97	Claim for Compensation
	CN: 106/02/97	Concern over Delay in transfer of Land T
	CN: 107/02/97	Withdrawal of Shares from S.I. Workers
	CN: 109/02/97	Non Payment of Long Service Benefit
	CN: 111/02/97	Delay in dealing with a disciplinary case
	CN: 112/02/97	Complaint about continued extension of
	CN: 113/02/97	Non Payment of Charge Allowance
	CN: 114/02/97	Suppression of Promotion and Allowance
	CN: 115/02/97	Non Award of School Certificate to a ser
	CN: 119/02/97	Compensation claim
	CN: 120/02/97	Ceasation of Salaries whilst on training
	CN: 127/02/97	Compensation claim
	CN: 128/02/97	Complaint about posting arrangement
	CN: 129/02/97	Termination of a Scholarship
	CN: 131/02/97	Complaint about failure to administer Pa of a Government Quarter.
	CN: 135/02/97	Delay in attending to Complaints
	CN: 136/02/97	Delay in hearing an Appeal Case by the P
	CN: 137/02/97	Allocation of Government owned Serva
	CN: 138/02/97	Selection of a Candidate to fill a Post fo an interview
	CN: 139/02/97	Request for Review of a disciplinary cas
	CN: 140/02/97	Request for Review of a disciplinary cas
	CN: 141/02/97	Non Payment of Salary
	CN: 142/02/97	Unprocedural Treatment in dealing with
	CN: 144/03/97	Refusal to pay Gratuity Payment
	CN: 145/03/97	Use of different initial for Christian nam before Surname
	CN: 146/03/97	Complaint about Unfair dismissal witho
	CN: 148/03/97	Unjustifiable deprivation of Shelter.
	CN: 149/03/97	Claim for Payment of Per Diem Allowa
	CN: 150/03/97	Delay in Payment of Workmen's Comp
	CN: 151/03/97	Claim for Gratuity Payment
	CN: 153/04/97	Dispute of posting arrangement
	CN: 154/04/97	Complaint about Non Payment of Hous
	CN: 156/04/97	Ceasation of untrained Teachers' Salari
	CN: 158/04/97	Non Payment of Students' Book and P money Allowances.
	CN: 160/04/97	Complaint about the Effect of Chemical causes sick.

TABLE VII (CONTD.)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 161/04/97	Letter of Concern about Conditions of employemnt.
	CN: 162/04/97	Non response by Trade Dispute Panel on decision
	CN: 163/04/97	Complaint about Unfair Dismissal from Service.
	CN: 168/04/97	Non Register of Land by the Registrar General
	CN: 169/04/97	Unfair Treatment
	CN: 170/04/97	Negligence in duties
	CN: 173/04/97	Complaint about Refusal to pay Charge Allowance.
	CN: 174/04/97	Complaint about Unfair Treatment
	CN: 175/04/97	Complaint about Deduction cost of Vehicle Repairs from Salaries.
	CN: 176/04/97	Complaint about Discriminatory and unprocedural dismissal.
	CN: 179/04/97	Complaint about Unfair Suspension from work
	CN: 180/04/97	Complaint about Non Cooperation to Sign Labour Form.
	CN: 183/04/97	Complaint about claim for Long Service Benefit Payment.
	CN: 186/04/97	Complaint about Eviction Order Notice to vacate house
	CN: 187/04/97	Complaint about Unfair Subdivision of Land
	CN: 190/04/97	Request for Withdrawal from Blueshield
	CN: 192/04/97	Complaint about Unfair Treatment by the Bible Society
	CN: 194/05/97	Concern about delay to hear High Court Appeal case.
	CN: 195/05/97	Complaint about Unfair Dismissal from employment
	CN: 196/05/97	Concern about News carried in Solomon Star News Paper.
	CN: 197/05/97	Complaint about Non Payment for Road Work
	CN: 198/05/97	Complaint about non Payment for Sign Writing
	CN: 201/05/97	Buying of own Tools
	CN: 202/05/97	Claim for Dirty Allowance
	CN: 203/05/97	Non Payment of NPF
	CN: 205/05/97	Complaint about Non Payment of Salary on Promotion
	CN: 206/05/97	Complaint about being Sacked from being a Board Member.
	CN: 209/05/97	Complaint about Unfair Dismissal from employment
	CN: 211/05/97	Complaint about Government diverting of Assets
	CN: 214/05/97	Complaint about Unfair Land Allocation
	CN: 220/05/97	Complaint about Non payment for Signwriting
	CN: 221/05/97	Complaint about Non payment for Election duties
	CN: 222/05/97	Unfair Dismissal
	CN: 223/06/97	Dismissal from Service
	CN: 230/06/97	Non payment of Retirement benefit

TABLE VII (CONTD)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 231/06/97	Delay to produce Trade Dispute Panel
	CN: 233/06/97	Application for reappointment following expiry of Fixed Term Appointment
	CN: 234/06/97	Failure to pay house rent and transfer of Land Title.
	CN: 235/06/97	Complaint about Delay in paying for
	CN: 236/06/97	Not benefited from 1996 Pay Rise
	CN: 237/06/97	Retired without notice
	CN: 244/06/97	Non payment of Overtime
	CN: 245/06/97	Request to pay Charge Allowance
	CN: 246/06/97	Complaint about Order to revoke a
	CN: 248/06/97	Request for house allocation under Rent Subsidy Scheme.
	CN: 249/06/97	Non payment of 3 months Notice pay
	CN: 250/06/97	Non payment of 3 months Notice pay
	CN: 251/06/97	Unpaid Dirty Allowance claim
	CN: 253/06/97	Withdrawal of Trade Dispute Panel
	CN: 257/06/97	Concern over non payment of with Credit Union Contributions.
MALAITA	CN: 03/07/96	Complaint about non payment of Acting Allowance.
	CN: 04/07/96	Complaint about Cancellation of Refund
	CN: 05/07/96	Claim for Refund of house rental
	CN: 06/07/96	Non Payment of Acting Allowance
	CN: 07/07/96	Non Payment of Housing Allowance
	CN: 08/07/96	Non Payment of Salaries
	CN: 11/08/96	Claim for damage
	CN: 14/08/96	Complaint about Termination of Unfair
	CN: 16/09/96	Complaint about Unfair Treatment of Authority.
	CN: 18/09/96	Pension Increase claim
	CN: 23/09/96	Delay in releasing of Trade Dispute Panel decision
	CN: 24/09/96	Pension Payment Claim
	CN: 25/09/96	Pension Payment Claim
	CN: 30/10/96	Complaint about Non Payment of Salaries Area Councillors.
	CN: 40/10/96	Cessation of Salaries since May, 1996
	CN: 52/11/96	Concern about Use of Church Collections
	CN: 56/11/96	Complain of being demoted

TABLE VII (CONTD.)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 59/11/96	Acting on Level 7 for seven years
	CN: 67/11/96	Non receipt of Inland Revenue Refund
	CN: 71/12/96	Concern about continued Adjournment of Court hearing
	CN: 84/01/97	Non Payment of Area Councillors' Salaries
	CN: 86/01/97	Claim for Housing Allowance for 1992/93.
	CN: 87/01/97	Non assessment by School Inspectors.
	CN: 96/01/97	Concern about East Area Constituency CDF allocation administration.
	CN: 99/01/97	Unfair Termination of employment
	CN: 100/01/97	Compulsory retirement without notice
	CN: 103/01/97	Delay in releasing of Trade Dispute Panel decision.
	CN: 108/02/97	Non payment of Rent of private house by a School Teacher.
	CN: 121/02/97	Complaint about delay to transfer Lot 219/Auki
	CN: 122/02/97	Complaint about Delay in valuation of Land
	CN: 126/02/97	Complaint about refusal to withdraw of deceased's money from Bank.
	CN: 130/02/97	Concern over Non payment of expenses under Constituency Development Fund.
	CN: 133/02/97	Non Payment of Compensation Claim
	CN: 134/02/97	Concern about Delay in administration of Writ of Summons.
	CN: 155/04/97	Complaint about delay in Confirmation of Probationary Appointment.
	CN: 159/04/97	Claim for National Provident Fund Credit of a deceased person.
	CN: 164/04/97	Complaint about Refusal to release documents
	CN: 165/04/97	Complaint about Refusal to pay National Provident Fund Credit.
	CN: 167/04/97	Non Payment of Housing Allowance
	CN: 177/04/97	Gratuity/Annual Allowance Claim
	CN: 178/04/97	Delay to transfer Land Title by the Registrar General.
	CN: 181/04/97	Concern about Nurse Aides to be absorbed into Public Service.
	CN: 182/04/97	Non payment of Salary Increase Arrears
	CN: 193/05/97	Complaint about Refusal to pay NPF Contribution withdrawal.
	CN: 212/05/97	Application to resign from the Public Service
	CN: 213/05/97	Complaint about Lost of Land documents
	CN: 215/05/97	Delay to deal with Fixed Term Estate Title and Caveat over land.

TABLE VII (CONTD.)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 216/05/97	Complain about non receipt of Official Confirmation Letter.
	CN: 238/06/97	Complaint about Delay to hear land case
	CN: 240/06/97	Non benefit from 1996 Payrise
	CN: 241/06/97	" " " " "
	CN: 242/06/97	Concern over the Lack of action on Criminal Case by the Police.
	CN: 247/06/97	Complaint about Refusal to withdraw NPF Credit
	CN: 254/06/97	Suspension of pay by an Education Authority
	CN: 255/06/97	Delay to release Trade Dispute Panel decision
	CN: 256/06/97	Complaint about Termination of employment
WESTERN	CN: 02/07/96	Concern Over the delay to pay out NPF withdrawal
	CN: 34/10/96	Complain about Salary Cut by the Teaching Service
	CN: 43/10/96	Unpaid Touring Allowance
	CN: 61/11/96	Request for Withdrawal of Blue Shield Premium Payment.
	CN: 62/11/96	Non payment of Income Tax Refund
	CN: 74/12/96	Complain about Acting Allowance payment and Confirmation of Appointment.
	CN: 83/01/97	Complaint about Terminating of Employment in the Public Service
	CN: 101/01/97	Claim for refund of travel and other medical expenses
	CN: 104/01/97	Complain about unfair dealing with Promotion Award
	CN: 116/02/97	1995/96 Annual Leave not awarded.
	CN: 117/02/97	Non Payment of Overtime Allowance
	CN: 125/02/97	Complaint about Non approval of National Provident Fund Housing Loan.
	CN: 171/04/97	Appeal against termination
	CN: 172/04/97	Unfair Treatment by MEHRD Officials
	CN: 210/05/97	Complaint about Unfair Treatment by the Province.
	CN: 218/05/97	Concern over Advertisement of post and unfair treatment.
	CN: 224/06/97	Complaint about Unfair dismissal of employment without notice.
	CN: 225/06/97	Claim for non payment of Acting Allowance
	CN: 226/06/97	Complaint about Unfair dismissal of employment
TEMOTU	CN: 10/08/96	Complaint about Resale of Outboard Motor Engine
	CN: 12/08/96	Non payment of Housing Allowance
	CN: 15/09/96	Under payment of Salaries
	CN: 17/09/96	Non Payment of National Provident Fund

TABLE VII (CONTD.)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
	CN: 28/09/96	Transfer from Secondary to Primary School
	CN: 30/09/96	Complaint about Wages deduction towards Imprest Recovery.
	CN: 45/10/96	Complaint about SINTA Health Society deductions
	CN: 63/11/96	Seeking Legal Challenge against Employing Authority.
	CN: 97/01/97	Request for withdrawal from Police Credit Union Fund.
	CN: 184/04/97	Request for Withdrawal from Blueshield
	CN: 189/04/97	Concern over Blueshield Benefit not paid
	CN: 200/05/97	Complain about Salary Backpay not been awarded
	CN: 207/05/97	Tender for Sale of Forestry Plantations
	CN: 217/05/97	Salaries/Allowances for Provincial Assembly Members during Caretaking period
	CN: 228/05/97	Ceasation of Allowance payment
GUADALCANAL	CN: 53/11/96	Unpaid Area Council Members' Allowances
	CN: 54/11/96	Unpaid Area Council Members' Allowances
	CN: 55/11/96	Concern over Delay in payment of Credit Union money.
	CN: 58/11/96	Concern over Delay in payment of Credit Union Money.
	CN: 65/11/96	Non payment of 3 months Notice
	CN: 66/11/96	Non payment of National Provident Fund Contributions.
	CN: 79/12/96	Non Payment of Area Council Members' Salaries
	CN: 110/02/97	Complaint about Non Payment of Overtime Allowance.
	CN: 147/03/97	Concern about Delay in transfer of Land Title by the Registrar General.
	CN: 152/03/97	Concern about Non response to letters
	CN: 166/04/97	Complaint about Payment of Credit Union Share being delayed.
	CN: 191/04/97	Request for Withdrawal from Solomon Islands Workers Credit Union.
	CN: 219/05/97	Complaint about Six Months Unpaid Leave
	CN: 227/06/97	Complaint about Refusal to withdraw NPF Credit
	CN: 239/06/97	Uniform and other Marine Allowances not paid.

TABLE VII (CONTD.)

<u>PROVINCE</u>	<u>CASE FILE NO.</u>	<u>COMPLAINTS</u>
CHOISEUL	CN: 01/07/96	Unfair Treatment by Choiseul Provincial Government
	CN: 37/10/96	Danger Allowance Claim
	CN: 39/10/96	Claim for Pension Payment
	CN: 57/11/96	Equity of Public Land by a Provincial Assembly
	CN: 95/01/97	Complaint about Underpayment of Salaries
	CN: 98/01/97	Complaint about Missing Pension Money
	CN: 157/04/97	Complaint about Claim for Lump Sum Pension
	CN: 185/04/97	Trial Promotion not paid.
	CN: 204/05/97	Termination of employment
MAKIRA	CN: 229/06/97	Non Payment of Acting Allowance
	CN: 31/09/96	Claim for Responsibility Allowance
	CN: 64/11/96	Claim for Housing Allowance
	CN: 102/01/97	Suspension of Salaries
	CN: 123/02/97	Prolonged acting on higher post
	CN: 124/02/97	Acting Allowance not paid
	CN: 132/02/97	Non Receipt of Income Tax Refund
	CN: 188/04/97	Non Receipt of Salaries for February and March, 1992.
	CN: 199/05/97	Complaint about Confirmation of trial Promotion being delayed.
ISABEL	CN: 258/06/97	Shortening of Pension Period.
	CN: 32/10/96	Non Payment of Acting Allowance
	CN: 38/10/96	Query on Salary Payments
	CN: 44/10/96	Complaint about Transfer of wife
	CN: 69/01/97	Complaint about unfair Suspension from Service
	CN: 143/03/97	Complaint about Non payment of Area Council gratuity.
CENTRAL	CN: 243/06/97	Claim for Full Service Benefit from Public Service
	CN: 73/12/96	Complaint about Withheld of Terminal Grant Payment being withheld.
	CN: 89/01/97	Complaint about Non Payment for Timbers supplied to builders.
	CN: 118/02/97	Complaint about Non repair to Provincial Quarters
	CN: 252/06/97	Complaint about Termination of employment

OTHERS

- Vanuatu CN: 208/05/97 Acquisition of Bank Account by Bank Officials.
- Australia CN: 232/06/97 Concern about Lost mails in the Post Office.

TABLE VIII

COMPLAINTS HANDLED IN 1996/97 WHICH AFTER INVESTIGATION APPEARED TO BE JUSTIFIED.

[FOR ABBREVIATIONS PLEASE REFER TO KEY AT TABLE III AND FOR DEFINITION OF "SATISFACTORY" REFER TO TABLE V].

COMPLAINT NUMBER	AUTHORITY COMPLAINED AGAINST	DETAILS OF COMPLAINT	SATISFACTORY RESULT
CN: 91/12/93	MOF (Pension)	Claim for Pension Increase Payment	NO
CN: 158/04/94	MOF (Pension)	Shortening of Pension Period.	NO
CN: 189/05/94	PMO (PSD)	Complaint about non response following interview for a Post.	NO
CN: 02/07/94	MEHRD (TSO)	Lost Salary not paid into Bank Account.	YES
CN: 15/08/94	MEHRD (TSO)	Complaint about acting too long on a higher Post.	YES
CN: 17/08/94	Temotu (Education)	Complaint about unfair termination of employment..	YES
CN: 61/02/95	HTC (Admin)	Complaint about appointment and non promotion.	YES
CN: 63/02/95	MPC (Administration)	Complaint about dismissal from employment.	YES
CN: 73/03/95	MOF (Treasury)	Complaint about recovery of unretired Imprest from Salaries.	YES
CN: 100/05/95	PMO (PSD)	Complaint about appointment at wrong level.	YES
CN: 101/05/95	MEHRD (TSO)	1993 Acting Allowance unpaid.	NO
CN: 107/06/95	MTWU (Marine)	Concern about withdrawal of Licence.	NO
CN: 118/06/95	MEHRD (TSO)	Acting Allowance unpaid.	YES
CN: 119/06/95	MEHRD (TSO)	Non payment of Disturbance Allowance for posting arrangement.	NO
CN: 16/08/95	PMO (PSD)	Claim for Pension Payment.	NO
CN: 29/10/95	PMO (PSD)	Complaint about non payment of rent for private quarter.	NO
CN: 35/11/95	Western (Education)	Claim for Seafare refund.	YES
CN: 46/11/95	MHMS (Administration)	Complaint about non payment of Allowance.	YES
CN: 48/11/95	MEHRD (TSO)	Non payment of Acting Allowance	YES
CN: 49/11/95	MEHRD (TSO)	Non payment of Salaries	YES
CN: 79/11/95	PMO (PSD)	Concern about payment of Salary on Fixed Term Appointment.	YES
CN: 80/11/95	PMO (PSD)	Claim for pension payment	YES

	COMPLAINT NUMBER	AUTHORITY COMPLAINED AGAINST	DETAILS OF COMPLAINT	SATISFACTORY RESULT
	CN 95/11/95	MEHRD (Inspectorate)	Salary Increase not awarded.	YES
	CN 98/11/95	MHMS (Administration)	Complaint about ACR Form and Special Report not being processed.	YES
	CN 99/11/95	MHMS (Nursing)	Complaint about unfair treatment by the Nursing Division.	YES
	CN 104/12/95	MEHRD (TSO)	Withdrawal of three months Salaries	YES
FACTORY RESULT	CN 162/12/95	MPNS (Police)	Complaint about not being paid for 07/07/95 Pay Period.	YES
	CN 175/01/96	MPG (Administration)	Concern about delay to be considered for promotion.	YES
NO	CN 176/01/96	JLA Dept (Admin.)	Suspension and Ceasation of Salaries	YES
	CN 182/01/96	MLH (Lands)	Complaint about land allocation	YES
NO	CN 184/01/96	PMO (PSD)	Complaint about excessive disciplinary measures.	YES
YES	CN 198/02/96	Choiseul (Admin.)	Claim for refund of expenses	YES
YES	CN 207/03/96	MPG (Administration)	Provincial funds diverted into Private Company.	Reported
	CN 213/03/96	MPNS (Prison)	Complaint about Overstay in Prison	NO
YES	CN 215/03/96	MPNS (Police)	Complaint about payment for windscreen damage from Salaries.	YES
YES	CN 239/04/96	MPNS (Police)	Complaint about lost Short Gun Licence	YES
	CN 240/04/96	MEHRD (TSO)	Delay in payment of Salaries	YES
YES	CN 246/05/96	JLA Dept (TDP)	Non release of Trade Dispute Panel decision	YES
	CN 252/05/96	MPNS (Prison)	Appeal against disciplinary transfer	YES
YES	CN 254/06/96	JLA Dept (Public Solicitor)	Complaint about Public Solicitor not filing a case with the High Court.	NO
YES	CN 255/06/96	MEHRD (TSO)	School Teacher not paid his Salaries	YES
NO	CN 256/06/96	MPC (Postal)	Complaint about lost Cassettes in the Post Office.	NO
NO	CN 259/06/96	MEHRD (TSO)	Non payment of Housing Allowance	YES
YES	CN 261/06/96	MHMS(Administration)	Non payment of Rent for accommodation	YES
NO	CN 262/06/96	JLA Dept (TDP)	Complaint about delay to hear Trade Dispute Panel Case.	YES
NO	CN 264/06/96	MPNS (Police)	Complaint about non payment of Touring Allowance.	YES
NO	CN 266/06/96	MOF (Administration)	Complaint about non promotion	YES
YES	CN 02/07/96	NPF (Administration)	Concern over the delay to pay out NPF withdrawal.	YES
YES	CN 06/07/96	MEHRD (TSO)	Non payment of Acting Allowance	YES
YES	CN 08/07/96	MEHRD (TSO)	Non payment of Salaries	YES
YES	CN 09/08/96	PMO (PSD)	Injustice directive in dealing with a Case	YES
YES	CN 12/08/96	MEHRD (TSO)	Complaint about Housing Allowance not being paid.	YES
YES	CN 13/08/96	MPNS (Prison)	Refusal for reinstatement	YES

COMPLAINT NUMBER	AUTHORITY COMPLAINED AGAINST	DETAILS OF COMPLAINT	SATISFACTORY RESULT	COMPLAIN NUMBER
CN: 17/09/96	MEHRD (TSO)	Non payment of NPF Contributions	YES	CN: 130/02/9
CN: 18/09/96	MOF (Pension)	Pension Increase Claim	NO	CN: 144/03/9
CN: 24/09/96	MOF (Pension)	Pension Increase Claim	NO	CN: 150/03/9
CN: 25/09/96	MOF (Pension)	Pension Increase Claim	NO	CN: 155/04/9
CN: 26/09/96	MPNS (Prison)	Complaint about non payment of Disturbance Allowance claim.	YES	CN: 159/04/9
CN: 29/09/96	MPNS (Police)	Claim for Active Duty Allowance	YES	CN: 161/04/9
CN: 33/10/96	MFCE (Forestry)	Complaint of being a disadvantaged Officer in term of Promotion.	YES	CN: 167/04/9
CN: 35/10/96	MPNS (Prison)	Complaint about termination of appointment without notice.	YES	CN: 169/04/9
CN: 38/10/96	MAF (Administration)	Query on Salaries	YES	CN: 171/04/9
CN: 40/10/96	MEHRD (TSO)	Complaint about Cessation of Salaries since May, 1996.	YES	CN: 172/04/9
CN: 46/10/96	MCIE (Labour)	Complaint about cancellation of Scholarship Award.	YES	CN: 179/04/9
CN: 48/10/96	HFC (Board)	Complaint about unfair Sale of Home Finance Corporation house	YES	CN: 187/04/9
CN: 65/11/96	Guadalcanal (Local Government)	Non payment of three months before	YES	CN: 191/04/9
CN: 66/11/96	Guadalcanal (Local Government)	Non payment of NPF Contributions	YES	CN: 212/05/9
CN: 68/11/96	MPNS (Police)	Claim for payment of Active Duty Allowance	YES	CN: 219/05/9
CN: 71/12/96	JLA Dept (Courts)	Concern about continued adjournment of Court hearing.	YES	CN: 223/06/9
CN: 73/12/96	Central (Local Govt)	Complaint about Terminal Grant	YES	CN: 229/06/9
CN: 74/12/96	MEHRD (TSO)	Complaint about Acting Allowance payment and Confirmation of Appointment.	YES	CN: 234/06/9
CN: 76/12/96	MPNS (Prison)	Claim for Touring and Dirty Allowance payment	YES	CN: 240/06/9
CN: 78/12/96	PMO (PSD)	Delay to deal with a Suspension Case.	YES	CN: 241/06/9
CN: 96/01/97	Parliamentarian	Concern about disbursement of Constituency Development Fund	YES	CN: 244/06/9
CN: 107/02/97	Guadalcanal (Admin.)	Non payment of Long Service Benefit.	YES	CN: 245/06/9
CN: 112/02/97	SIEA (Administration)	Complaint about continued extension of Suspension.	YES	CN: 248/06/9
CN: 114/02/97	MOF (Statistics)	Suppression of promotion and Allowance payment.	YES	
CN: 126/02/97	JLA Dept (RG)	Complaint about refusal to withdraw from deceased's Bank Account.	YES	
CN: 128/02/97	MHMS(Health Educa.)	Complaint about posting arrangement	YES	

COMPLAINT NUMBER	AUTHORITY COMPLAINED AGAINST	DETAILS OF COMPLAINT	SATISFACTORY RESULT
CN: 130/02/97	Parliamentarian	Concern over non payment of expenses under Constituency Development Fund.	YES
CN: 144/03/97	MOF (Treasury)	Refusal to pay gratuity Payment	YES
CN: 150/03/97	MOF (Treasury)	Delay in payment of Workmen's Compensation.	YES
CN: 155/04/97	MHMS (Nursing)	Complaint about delay in Confirmation of probationary appointment.	YES
CN: 159/04/97	NPF (Administration)	Claim for NPF Credit of a deceased person.	YES
CN: 161/04/97	MEHRD (Inspectorate)	Letter of concern about Condition of employment.	YES
CN: 167/04/97	MEHRD (TSO)	Non payment of Housing Allowance	YES
CN: 169/04/97	MPNS (Police)	Complaint about unfair treatment	YES
CN: 171/04/97	MHMS (Nursing)	Appeal against termination	YES
CN: 172/04/97	MEHRD (TSO)	Unfair treatment by MEHRD officials.	YES
CN: 179/04/97	MOF (Treasury)	Complaint about unfair suspension from work.	YES
CN: 187/04/97	HFC (Administration)	Complaint about unfair subdivision of land	YES
CN: 191/04/97	SIWCU	Request for withdrawal from Solomon Islands Workers Credit Union.	YES
CN: 212/05/97	PMO (PSD)	Application to resign from the Public Service.	YES
CN: 219/05/97	Guadalcanal (Education)	Complaint about Six months unpaid leave.	YES
CN: 223/06/97	MOF (Inland Revenue)	Complaint about unfair dismissal from Service.	YES
CN: 229/06/97	MEHRD (TSO)	Complaint about non payment of Acting Allowance.	YES
CN: 234/06/97	MLH (Housing)	Complaint about failure to pay house rent and transfer of Land Title.	YES
CN: 240/06/97	MTWU (Administration)	Non payment of 1996 Salary increase arrears.	YES
CN: 241/06/97	MTWU (Administration)	Non payment of 1996 salary increase arrears.	YES
CN: 244/06/97	MOF (Administration)	Non payment of Overtime	YES
CN: 245/06/97	MOF (Administration)	Request to pay Charge Allowance	YES
CN: 248/06/97	MLH (Housing)	Request for house allocation under government Rental Subsidy Scheme	NO

TABLE IX

LIST OF ALL COMPLAINTS HANDLED DURING THE PERIOD UNDER REVIEW - 1ST JULY, 1996 TO 30TH JUNE, 1997.

1. **MINISTRIES****MINISTRY OF AGRICULTURE & FISHERIES**

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 38/10/96	Query on Salaries	Administration	Justified/Satisfactory
CN: 70/12/96	Termination of employment	Agriculture	Pending

MINISTRY OF COMMERCE, INDUSTRIES AND EMPLOYMENT

CN: 46/10/96	Complaint about Cancellation of Scholarship Award	Labour	Justified/Satisfactory
CN: 57/11/96	Complaint against Refusal to pay Redundancy.	"	Referred
CN: 116/2/96	1995/96 Annual Leave not taken	Immigration	Not Justified
CN: 117/2/97	Non Payment of Overtime	"	Not Justified
CN: 135/2/97	Delay in attending to Complaints	Labour	Pending

MINISTRY OF CULTURE, TOURISM AND AVIATION

CN: 138/2/97	Selection of a Candidate to fill a post following an interview.	Administration	Pending
CN: 201/05/97	Complaint about buying of own Tools for official work.	Civil Aviation	Referred
CN: 202/05/97	Claim for Dirty Allowance	Civil Aviation	Referred

MINISTRY OF EDUCATION AND HUMAN RESOURCES DEVELOPMENT

CN: 02/07/94	Lost Salary not paid in Bank Account	Teaching Service Office	Justified/Satisfactory
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TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 15/08/94	Complaint about Acting too long on a higher Post.	Teaching Service Office	Justified/Satisfactory
CN: 101/05/95	1993 Acting Allowance unpaid	" " "	Justified/Unsatisfactory
CN: 111/06/95	Complaint about Scholarship Termination	National Training Unit	Not Justified
CN: 118/06/95	Acting Allowance Unpaid	Teaching Service Office	Justified/Satisfactory
CN: 119/06/95	Non payment of Disturbance Allowance for Posting Arrangement	" " "	Justified/Unsatisfactory
CN: 48/11/95	Non Payment of Acting Allowance	" " "	Justified/Satisfactory
CN: 49/11/95	Non Payment of Salaries	" " "	Justified/Satisfactory
CN: 95/11/95	Salary Increment not awarded	Inspectorate	Justified/Satisfactory
CN: 104/12/95	Withdrawal of 3 months Salary	Teaching Service Office	Justified/Satisfactory
CN: 196/02/96	Suspension of a Son from School	Secondary (KGVI)	Referred
CN: 221/03/96	Unfair Suspension from work	Teaching Service Office	Pending
CN: 240/04/96	Delay in Payment of Salaries	" " "	Justified/Satisfactory
CN: 255/06/96	School Teacher not paid his Salaries	" " "	Justified/Satisfactory
CN: 259/06/96	Non payment of Housing Allowance	" " "	Justified/Satisfactory
CN: 260/06/96	Complaint about Suspension of Pay	" " "	Referred
CN: 06/07/96	Non Payment of Acting Allow.	" " "	Justified/Satisfactory
CN: 07/07/96	Non Payment of Housing Allow.	Teaching Service Office	Pending
CN: 08/07/96	Non Payment of Salaries	" " "	Justified/Satisfactory
CN: 12/08/96	Complaint about Housing Allowance not been paid	" " "	Justified/Satisfactory
CN: 15/09/96	Underpayment of Salary	" " "	Not Justified
CN: 17/09/96	Non payment of NPF Contribution	" " "	Justified/Satisfactory
CN: 28/09/96	Transfer from Secondary to Primary School	" " "	Not Justified
CN: 32/10/96	Non payment of Acting Allowance	" " "	Pending
CN: 34/10/96	Complaint about Salary being Cut	" " "	Referred
CN: 37/10/96	Danger Allowance claim	" " "	Not Justified

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST			POSITION
CN: 40/10/96	Ceasation of Salary since May, 1996	Teaching	Service	Office	Justified/Satisfactory
CN: 56/11/96	Complaint of being demoted	"	"	"	Dropped
CN: 59/11/96	Acting on Level 7 for Seven years	"	"	"	Pending
CN: 60/11/96	Complaint about Deferred Promotion.	"	"	"	"
CN: 64/11/96	Claim for Housing Allowance	"	"	"	"
CN: 69/11/96	Suspension from employment	"	"	"	Referred
CN: 74/12/96	Complaint about Acting Allowance Payment and Confirmation of Appointment	"	"	"	Justified/Satisfactory
CN: 82/01/97	Delay in Confirmation & Promotion	"	"	"	Pending
CN: 86/01/97	Claim for Housing Allowance for 1992/93	"	"	"	No Jurisdiction
CN: 87/01/97	Non Assessment by School Inspectors	Inspectorate	Division		Pending
CN: 91/01/97	Non Payment of Student Living Allowance	Administration			"
CN: 92/01/97	Unfair Selection of Std.6 students	Selection & Guidance			"
CN: 93/01/97	Ceasation of Pay while on course	Teaching	Service	Com.	Not Justified
CN: 95/01/97	Complaint about Under Payment of Salaries	Teaching	Service	Office	Pending
CN: 99/01/97	Unfair Termination of employment	"	"	"	Dropped
CN: 100/01/97	Compulsory retirement without notice.	"	"	"	Pending
CN: 102/01/97	Suspension of Salaries	"	"	"	"
CN: 108/01/97	Non payment of Rent of Private House	"	"	"	"
CN: 115/02/97	Non award of School Certificate	Secondary			"
CN: 120/02/97	Ceasation of Salaries whilst on Training	Administration			Referred

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 123/02/97	Prolonged acting on higher Post	Teaching Service Office	Pending
CN: 129/02/97	Termination of a Scholarship	National Training Unit	Pending
CN: 156/04/97	Ceasation of Untrained Teachers' Salaries	Administration	Referred
CN: 158/04/97	Non Payment of Students' Book and Pocket Money Allowances	Secondary	Pending
CN: 161/04/97	Letter of concern about Conditions of employment	Inspectorate Division	Justified/Satisfactory
CN: 167/04/97	Non Payment of Housing Allow.	Teaching Service Office	Justified/Satisfactory
CN: 172/04/97	Unfair Treatment by MEHRD Officials	" " "	Justified/Satisfactory
CN: 185/04/97	Trial Promotion not paid	Inspectorate Division	Pending
CN: 188/04/97	Non receipt of Salaries for February & March, 1992.	Teaching Service Office	"
CN: 200/05/97	Complaint about Salary backpay	" " "	Referred
CN: 229/06/97	Complaint about non payment of Acting Allowance.	" " "	Justified/Satisfactory

MINISTRY OF ENERGY, MINES & MINERALS

CN: 153/04/97	Dispute over posting arrangement.	Administration	Not Justified
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MINISTRY OF FINANCE

CN: 200/04/92	Claim for unpaid pension	Pension	Referred
CN: 91/12/93	Claim for Pension Increase Payment.	"	Justified/Unsatisfactory
CN: 158/04/94	Shortening of Pension Period	"	Justified/Unsatisfactory
CN: 69/02/95	Claim for Cost of Living Adjustment by pensioners	"	Not Justified
CN: 73/03/95	Complaint about recovery of unretired Imprest from Salaries	Treasury	Justified/Satisfactory

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 101/11/95	Claim for Pension Increase Payment.	Pension	Pending
CN: 266/06/96	Complaint about non promotion	Administration	Justified/Satisfac
CN: 18/09/96	Pension Increase Claim	Pension	Justified/Unsatisf
CN: 24/09/96	" " "	"	"
CN: 25/09/96	" " "	"	"
CN: 39/10/96	" " "	"	Not Justified
CN: 62/11/96	Non payment of Income Tax Refund	Inland Revenue	Referred
CN: 67/11/96	Non receipt of Inland Revenue Refund	" "	Pending
CN: 77/12/96	Withdrawal of Clients from Insurance Agent	Insurance	No Jurisdiction
CN: 94/01/97	Request to advance Pension money.	Pension	Referred
CN: 98/01/97	Complaint about Missing Pension money	"	Pending
CN: 114/02/97	Suppression of Promotion and Allowance payment.	Statistics	Justified/Satisfac
CN: 132/02/97	Non receipt of Income Tax Refund	Inland Revenue	Not Justified
CN: 142/03/97	Unprocedural treatment in dealing with discipline case	Customs	Pending
CN: 144/03/97	Refusal to pay gratuity Payment	Treasury	Justified/Satisfac
CN: 150/03/97	Delay in payment of Workmen's Compensation	"	Justified/Satisfac
CN: 157/04/97	Claim for Lump Sum Pension Payment	Pension	Not Justified
CN: 175/04/97	Deduction cost of Vehicle Repairs from Salaries	Treasury	Not Justified

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 179/04/97	Complaint about Unfair Suspension from work	Treasury	Justified/Satisfactory
CN: 207/05/97	Tender for Sale of Forestry Plantations	Tender Board	No Jurisdiction
CN: 208/05/97	Acquisition of Bank Account by Bank Officials	Treasury	Referred
CN: 223/06/97	Complaint about Unfair Dismissal from Service	Inland Revenue	Justified/Satisfactory
CN: 244/06/97	Non Payment of Overtime	Administration	Justified/Satisfactory
CN: 245/06/97	Request to pay Charge Allowance	Administration	Justified/Satisfactory
CN: 246/06/97	Complaint about an Order to revoke appointment as an Election Official	Administration	Pending
CN: 258/06/97	Shortening of Pension Period	Pension	Advised

MINISTRY OF FOREIGN AFFAIRS

CN: 92/11/95	Claim for part of Compensation money paid for damages and loss of lives	Administration	No jurisdiction
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MINISTRY OF FOREST ENVIRONMENT AND CONSERVATION

CN: 137/12/95	Shortening of Redundancy Period.	Administration	Pending
CN: 33/10/96	Complaint of being a disadvantaged Officer in term of promotion	Forestry	Justified/Satisfactory
CN: 43/10/96	Unpaid Touring Allowance	Administration	Pending

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>MINISTRY OF HEALTH & MEDICAL SERVICES</u>			
CN: 46/11/95	Non Payment of Allowance	Administration	Justified/Satisfactory
CN: 98/11/95	Complaint about ACR Form & Special Report not been processed.	"	Justified/Satisfactory
CN: 99/11/95	Complaint about Unfair Treatment by the Nursing Division	Nursing	Justified/Satisfactory
CN: 47/10/96	Complaint about Carelessness by Doctors	"	No Jurisdiction
CN: 261/06/96	Non payment of Rent for accommodation	Administration	Justified/Satisfactory
CN: 90/01/97	Request for withdrawal of Resignation	"	Not Justified
CN: 111/02/97	Delay in dealing with a disciplinary case	Environment Health	Pending
CN: 128/02/97	Complaint about Posting arrangement	Health Education	Justified/Satisfactory
CN: 155/04/97	Complaint about delay in confirmation of probationary appointment.	Nursing	Justified/Satisfactory
CN: 171/04/97	Appeal against Termination	"	Justified/Satisfactory
CN: 181/04/97	Concern about Nurse Aids to be absorbed into Public Service	"	Pending
CN: 216/05/97	Complaint about Non receipt of Official Confirmation Letter	"	Pending
CN: 233/06/97	Application for reappointment following expiry of Fixed Term Appointment	"	Pending

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>JUSTICE & LEGAL AFFAIRS DEPT.</u>			
CN: 95/05/95	Maladministration of Civil Case	Public Solicitors	Pending
CN: 176/01/96	Suspension and cessation of Salaries	Administration	Justified/Satisfactory
CN: 229/04/96	Unfair Treatment by the Trade Dispute Panel	Trade Dispute Panel	Pending
CN: 224/04/96	Non release of Trade Dispute Panel decision.	Trade Dispute Panel	Pending
CN: 230/04/96	Unfair Treatment by the Trade Dispute Panel	" " "	"
CN: 246/05/96	Non release of Trade Dispute Panel Decision	Trade Dispute Panel	Justified/Satisfactory
CN: 254/06/96	Complaint about Public Solicitor not filing a case with High Court	Public Solicitor	Justified/Unsatisfactory
CN: 257/06/96	Non release of Trade Dispute Panel Decision	Trade Dispute Panel	Pending
CN: 262/06/96	Complaint about delay to hear Trade Dispute Panel Case	" " "	Justified/Satisfactory
CN: 21/09/96	Concern about High Court Decision	Courts	No Jurisdiction
CN: 23/09/96	Delay in releasing of a Trade Dispute Panel Decision	Trade Dispute Panel	Pending
CN: 41/10/96	Delay in hearing a Trade Dispute Panel Case	" " "	Pending
CN: 71/12/96	Concern about continued Adjournment of Court hearing	Courts	Justified/Satisfactory
CN: 72/12/96	Delay by Trade Dispute Panel to hear Trade Dispute Dispute Panel case.	Trade Dispute Panel	Not Justified
CN: 85/01/97	Delay by Trade Dispute Panel to hear Trade Dispute cases	" " "	Pending
CN: 103/01/97	Delay in releasing Trade Dispute Panel Decision.	" " "	"

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 126/02/97	Complaint about refusal to withdraw from Bank deceased's money.	Registrar General	Justified/Satisfactory
CN: 136/02/97	Delay in hearing an Appeal Case by the High Court.	Courts	Not Justified
CN: 147/03/97	Delay by the Registrar General to transfer Land Title.	Registrar General	Pending
CN: 162/04/97	Non response by Trade Dispute Panel on decision.	Trade Dispute Panel	Pending
CN: 168/04/97	Non Register of Land by the Registrar General.	Registrar General	Referred
CN: 178/04/97	Delay to transfer Title of Land by the Registrar General	Registrar General	Pending
CN: 186/04/97	Complaint about Eviction Order Notice to vacate house	Public Solicitor	Referred
CN: 194/05/97	Concern about delay to hear Court Appeal Case.	Courts	No Jurisdiction
CN: 213/05/97	Complaint about Loss of land documents.	Registrar General	Pending
CN: 231/06/97	Delay to produce Trade Dispute Panel Decision.	Trade Dispute Panel	Pending
CN: 238/06/97	Complaint about delay to hear Land Case.	Courts	No Jurisdiction
CN: 253/06/97	Concern about withdrawal of Trade Dispute Case	Trade Dispute Panel	Pending
CN: 255/06/97	Delay to release Trade Dispute Panel Decision.	Trade Dispute Panel	Pending

MINISTRY OF LANDS & HOUSING

CN: 129/03/94	Request for transfer of Land Titles	Lands	Referred
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TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 154/04/94	Complaint about Unfair Land Allocation	Lands	Pending
CN: 31/10/95	Complaint about unfair Land allocation to a Government Officer	"	Referred
CN: 33/11/95	Complaint about Sale of Government Quarter	"	Not Justified
CN: 172/12/95	Land Complaint about unfair land allocation	"	Referred
CN: 182/01/96	Complaint about Land allocation	"	Justified/Satisfactory
CN: 209/03/96	Complaint about Extension of land.	"	Pending
CN: 248/05/96	Complaint about Allocation of Land in Auki	"	No Jurisdiction
CN: 57/11/96	Equity of Public Land by a Provincial Assembly.	"	Not Justified
CN: 81/12/96	Unprocedural Land allocation	"	Pending
CN: 121/2/97	Complaint about delay to Transfer of plot of land in Auki.	"	Pending
CN: 122/02/97	Complaint about delay in valuation of Land.	"	Pending
CN: 131/02/97	Complaint about failure to administer purchase of govt. quarter	"	Pending
CN: 137/02/97	Allocation of government owned Servant's Quarters	"	Pending
CN: 152/03/97	Concern about non response to letters.	"	Pending
CN: 214/05/97	Complaint about unfair Land Allocation.	"	Pending

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 154/04/94	Complaint about Unfair Land Allocation .	Lands	Pending
CN: 31/10/95	Complaint about unfair Land allocation to a Government Officer	"	Referred
CN: 33/11/95	Complaint about Sale of Government Quarter	"	Not Justified
CN: 172/12/95	Land Complaint about unfair land allocation	"	Referred
CN: 182/01/96	Complaint about Land allocation	"	Justified/Satisfactory
CN: 209/03/96	Complaint about Extension of land.	"	Pending
CN: 248/05/96	Complaint about Allocation of Land in Auki	"	No Jurisdiction
CN: 57/11/96	Equity of Public Land by a Provincial Assembly.	"	Not Justified
CN: 81/12/96	Unprocedural Land allocation	"	Pending
CN: 121/2/97	Complaint about delay to Transfer of plot of land in Auki.	"	Pending
CN: 122/02/97	Complaint about delay in valuation of Land.	"	Pending
CN: 131/02/97	Complaint about failure to administer purchase of govt. quarter	"	Pending
CN: 137/02/97	Allocation of government owned Servant's Quarters	"	Pending
CN: 152/03/97	Concern about non response to letters.	"	Pending
CN: 214/05/97	Complaint about unfair Land Allocation.	"	Pending

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 215/05/97	Complaint about delay to deal with Fixed Term Estate Title & Caveat over Land.	Lands	Referred
CN: 234/06/97	Complaint about failure to pay house rent and transfer of Land Title	Housing	Justified/Satisfactory
CN: 248/06/97	Request for house allocation under Government Rent Subsidy Scheme.	Housing	Justified/Unsatisfactory

OFFICE OF THE PRIME MINISTER

CN: 189/05/94	Complaint about Non response following interview for a Post.	Public Service Division	Justified/Unsatisfactory
CN: 97/05/95	Complaint about Appointment at wrong Level.	"	Pending
CN: 100/05/95	Complaint about Appointment at wrong Level.	"	Justified/Satisfactory
CN: 12/08/95	Non Payment of Per Diem Allowance	"	Pending
CN: 16/08/95	Claim for Pension Payment	"	Justified/Unsatisfactory
CN: 29/10/95	Complaint about Non Payment of Rent of private quarter.	"	Justified/Unsatisfactory
CN: 79/11/95	Concern about payment of Salary on Fixed Term Appointment	"	Justified/Satisfactory
CN: 80/11/95	Claim for Pension Payment	"	Justified/Satisfactory
CN: 184/01/96	Complaint about Excessive Disciplinary Measures.	"	Justified/Unsatisfactory
CN: 204/03/96	Concern about Notice of retirement	"	Not Justified
CN: 258/06/96	Claim for damage defamation of character	"	Referred
CN: 05/08/96	Claim for Refund of House Rental	"	No Jurisdiction
CN: 09/08/96	Injustice Directive in dealing with a case	Public Service Comm.	Justified/Satisfactory
CN: 11/08/96	Damage Claim for defamation of character	Public Service Div.	Referred

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 19/09/96	Concern about No response to letter.	Public Service Division	Not Justified
CN: 20/09/96	" " " "	"	"
CN: 50/10/96	Complaint Unfair Termination by the Public Service Commission	Public Service Commission	No Jurisdiction
CN: 75/12/96	Complaint about Biased dealing with a case.	Public Service Division	Dropped
CN: 78/12/96	Delay to deal with a Suspension case.	" " "	Justified/Satisfactory
CN: 145/03/97	Use of different Initial for christian name before surname.	" " "	Pending
CN: 148/03/97	Unjustifiable deprivation of shelter.	" " "	Not Justified
CN: 151/03/97	Claim for Payment of Gratuity	" " "	Not Justified
CN: 174/04/97	Complaint about Unfair Treatment	" " "	Pending
CN: 177/04/97	Gratuity/Annual Allowance claim	" " "	Pending
CN: 197/05/97	Complaint about Non Payment for Roadwork.	Prime Minister	Pending
CN: 205/05/97	Complaint about Non Payment of Salary on Promotion	Public Service Division	Pending
CN: 212/05/97	Application to resign from the Public Service.	"	Justified/Satisfactory
CN: 230/06/97	Non Payment of Retirement benefit	"	Pending
CN: 235/06/97	Complaint about Delay in Paying Frozen Pension	"	Pending
CN: 236/06/97	Not benefited from 1996 Salary Revision	"	Pending
CN: 237/06/97	Not benefited from 1996 Salary Revision.	"	Pending
CN: 243/06/97	Claim for Full Service Benefit from Public Service.	"	Not Justified

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>POLICE AND NATIONAL SECURITY DEPARTMENT</u>			
CN: 162/12/95	Complaint about Not been paid for 07/09/95 pay period.	Police	Justified/Satisfactory
CN: 191/02/96	Complaint about Non payment of Nine days Per Diem Allowance.	"	Pending
CN: 213/03/96	Complaint about overstaying in Prison.	Prisons	Justified/Unsatisfactory
CN: 215/03/96	Complaint about Payment for Windscreen Damage from Salaries	Police	Justified/Satisfactory
CN: 239/04/96	Complaint about Lost Short gun Licence	"	Justified/Satisfactory
CN: 252/05/96	Appeal against Disciplinary Transfer	Prison	Justified/Satisfactory
CN: 264/06/96	Complaint about Non Payment of Touring Allowance.	Police	Justified/Satisfactory
CN: 03/07/96	Complaint about non payment of Active Duty Allowance.	"	Not Justified
CN: 04/07/96	Complaint about Cancellation of Retirement.	"	Not Justified
CN: 13/08/96	Refusal for reinstatement	Prison	Justified/Satisfactory
CN: 22/09/96	Complaint about Redundancy	Police	Not Justified
CN: 26/09/96	Complaint about non payment of Disturbance Allowance claim.	Prison	Justified/Satisfactory
CN: 27/09/96	Collection of Money by Police	"	Justified/Satisfactory
CN: 29/09/96	Claim for Active Duty Allowance	Police	Justified/Satisfactory
CN: 35/10/96	Complaint about Termination of Appointment without Notice.	Prison	Justified/Satisfactory
CN: 42/10/96	Concern about Defamation of character	Police	Referred
CN: 44/10/96	Complaint about Transfer of Wife	"	Referred
CN: 68/11/96	Claim for Payment of Active Duty Allowance.	Police	Justified/Satisfactory

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 76/12/96	Claim for Touring/Dirty Allowance payment.	Prison	Justified/Satisfactory
CN: 83/01/97	Complaint about Termination of employment in the Public Service	Police	Not Justified
CN: 113/02/97	Non Payment of Allowance	"	Pending
CN: 119/02/97	Compensation Claim	"	Pending
CN: 127/02/97	" "	"	Referred
CN: 134/2/97	Cocern about Delay in administration of writ of Summon.	"	Pending
CN: 139/02/97	Request for Review of Discipline Case	Prison	Pending
CN: 140/02/97	" " " " "	"	Pending
CN: 141/02/97	Complaint about Non payment of Salary	Police	Not Justified
CN: 146/03/97	Complaint about Unfair dismissal without Notice.	Prison	Pending
CN: 149/03/97	Payment of Per Diem Allowance claim	Police	Pending
CN: 154/4/97	Complaint about non Payment of Housing Allowance.	"	Not Justified
CN: 160/4/97	Concern about the Effect of chemical Bombs which causes sick.	"	Pending
CN: 169/04/97	Complaint about Unfair Treatment	"	Justified/Satisfactory
CN: 173/04/97	Complaint about Refusal to pay Charge Allowance.	Administration	Not Justified
CN: 176/04/97	Complaint about Discriminatory and Unprocedural dismissal.	Prison	Not Justified
CN: 220/05/97	Complaint about Non payment for sign writing.	Administration	Referred
CN: 224/06/97	Complaint about Unfair Dismissal from employment without notice	Police	Referred
CN: 225/06/97	Claim for payment of Acting Allowance	Police	Pending
CN: 242/06/97	Concern over the Lack of action on Criminal Cases by the Police.	Police	No Jurisdiction

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>MINISTRY OF POSTS AND COMMUNICATION</u>			
CN: 63/02/95	Complaint about Dismissal from employment.	Administration	Justified/Not Satisfactor
CN: 256/06/96	Complaint about Lost Cassettes in the Post Office.	Postal	Justified/Not Satisfactor
CN: 31/09/96	Responsibility Allowance claim	"	Referred
CN: 222/06/97	Complaint about Unfair Dismissal without notice.	Administration	Referred
CN: 232/06/97	Complaint about lost mails in the post.	Postal	Pending

MINISTRY OF PROVINCIAL GOVERNMENT

CN: 165/12/95	Concern about Termination of Fixed Term Appointment.	Administration	Not Justified
CN: 175/01/96	Concern about delay to be considered for promotion.	"	Justified/Satisfactory
CN: 207/03/96	Provincial funds diverted into Private Company.	"	Justified/Reported
CN: 198/05/97	Complaint about non Payment for Sign writing.	"	Pending
CN: 199/05/97	Concern about Confirmation of trial promotion being delayed.	"	Pending
CN: 217/05/97	Concern about Salaries/Allowances for Provincial Assembly Members during Caretaking period.	Administration	Advised

MINISTRY OF TRANSPORT, WORK & UTILITIES

CN: 70/03/95	Concern about Redundancy Payment not being made.	Administration	Not Justified
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TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 107/06/95	Concern about Withdrawal of Licence.	Marine	Justified/Unsatisfactory
CN: 112/06/95	Concern about Sale of Defect government quarter.	Architectural	Not Justified
CN: 88/01/97	Non Payment of Redundancy	Administration	Not Justified
CN: 203/05/97	Non Payment of NPF Contribution	Administration	Pending
CN: 240/06/97	Non Payment of 1996 Salary Rise Arrears.	Administration	Justified/Satisfactory
CN: 241/06/97	Non Payment of 1996 Salary Rise Arrears.	Administration	Justified/Satisfactory

MINISTRY OF YOUTH, SPORTS, WOMEN & RECREATION

124/2/97	Complaint about non payment of Acting Allowance	Administration	Pending
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2. **PROVINCES**

CENTRAL

CN: 96/05/95	Complaint about administration of VHA Allowance Payment	Local Government	Referred
CN: 73/12/96	Complaint about Terminal Grant payments being withheld.	" "	Justified/Satisfactory
CN: 118/2/97	Complaint about non Repair to Provincial Quarters.	Administration	Referred
CN: 252/06/97	Complaint about Termination of employment.	Administration	No Jurisdiction

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>CHOISEUL</u>			
CN: 198/02/96	Claim for Refund of expenses	Administration	Justified/Satisfactory
CN: 01/07/96	Complaint about Unfair Treatment by the Province Govt.	"	Pending
CN: 204/05/97	Complaint about Termination of Employment.	Provincial Executive	No Jurisdiction
<u>GUADALCANAL</u>			
CN: 53/11/96	Unpaid Area Council Allowance	Local Govt.	Not Justified
CN: 54/11/96	" " " "	" "	Not Justified
CN: 65/11/96	Non payment of 3 months Notice	" "	Justified/Satisfactory
CN: 66/11/96	Non Payment of NPF Contribution	Local Govt.	Justified/Satisfactory
CN: 79/12/96	Non Payment of Salaries	" "	Not Justified
CN: 109/02/97	Non Payment of Long Service Benefit	Administration	Justified/Satisfactory
CN: 219/05/97	Complaint about Six Months Unpaid Leave.	Education	Justified/Satisfactory
CN: 239/06/97	Complaint about Non Payment of Uniform and other Marine Allowances.	Administration	Referred
<u>HONIARA TOWN COUNCIL</u>			
CN: 61/02/95	Complaint about Appointment and Non Promotion.	Administration	Justified/Satisfactory
CN: 178/01/96	Complaint about Unfair deduction of Basic Rates.	Administration	Pending
CN: 170/4/97	Concern about Negligence in duties	"	"

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
CN: 249/06/97	Claim for Three months Notice Pay not being paid	Administration	No Jurisdiction
CN: 250/06/97	Claim for three months Notice Pay not being paid.	"	No Jurisdiction
CN: 251/06/97	Unpaid Allowances claim	"	No Jurisdiction
<u>ISABEL</u>			
CN: 143/3/97	Complaint about Non Payment of Area Councillors' Gratuity.	Local Govt.	Referred
<u>MALAITA</u>			
CN: 263/06/96	Non Payment of Area Council Members' Salaries	Local Govt.	Pending
CN: 14/08/96	Complaint about Termination of Untrained Teacher	Education	No Jurisdiction/Too old
CN: 36/10/96	Complaint about non payment of Salaries to Area Councillors.	Local Govt.	Pending
CN: 84/01/97	"	" "	Not Justified
CN: 133/02/97	Non Payment of Compensation Claim.	Administration	Not Justified
CN: 182/04/97	Complaint about Non Payment of Salary Increase	Executive	Pending
CN: 254/06/97	Complaint about Suspension of pay by the Education Authority.	Education	Pending

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>TEMOTU</u>			
CN: 17/08/94	Complaint about unfair termination of employment	Education	Justified/Satisfactory
CN: 30/09/96	Complaint about Wages deduction towards Imprest recovery.	Treasury	Not Justified
CN: 63/11/96	Seeking Legal Clearance against employing Authority.	Education	Not Justified
CN: 228/06/97	Concern over cessation of Allowance Payment	Administration	No Jurisdiction
<u>WESTERN</u>			
CN: 35/11/95	Claim for seafares refund	Education	Justified/Satisfactory
CN: 104/01/97	Complaint about unfair dealing with Promotion Award	Administration	Not Justified
CN: 210/05/97	Complaint about unfair Treatment by the Province.	"	Pending
CN: 218/05/97	Concern over Advertisement of Post and Unfair Treatment.	Administration	Cancelled

3. **STATUTORY AUTHORITIES**

HOME FINANCE CORPORATION

CN: 48/10/96	Complaint about Unfair Sale of Home Finance Corporation House	HFC Board	Justified/Satisfactory
CN: 187/04/97	Complaint about Unfair Sub-division of Land	Administration	Justified/Satisfactory

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
<u>NATIONAL PROVIDENT FUND</u>			
CN: 02/07/96	Concern Over the delay to pay out NPF withdrawal	Administration	Justified/Satisfactory
CN: 125/02/97	Complaint about non approval of NPF Housing Loan.	Loans Section	Pending
CN: 159/04/97	Claim for NPF Credit of a deceased person.	Administration	Justified/Satisfactory
CN: 165/04/97	Complaint about Refusal to pay National Provident Fund Credit.	"	Referred
CN: 193/05/97	Complaint about Refusal to pay NPF Contribution withdrawal.	"	Not Justified
CN: 227/06/97	Complaint about Refusal to withdraw NPF Credit.	"	Pending
CN: 247/06/97	Complaint about Refusal to withdraw NPF Credit.	"	Pending

SOLOMON ISLANDS PORTS AUTHORITY

CN: 105/02/97	Claim for Compensation	Management	Outside of Jurisdiction
CN: 183/4/97	Claim for Long Service Benefit Payment.	"	Not Justified
CN: 226/06/97	Complaint about Unfair Dismissal of employment.	"	Pending

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	DIVISION COMPLAINED AGAINST	POSITION
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INVESTMENT CORPORATION OF SOLOMON ISLANDS

CN: 206/05/97	Complaint about being Sacked from being a Board Member.	Board	Referred
CN: 211/05/97	Concern about Government diverting of Assets.	Management	Pending

SOLOMON ISLANDS ELECTRICITY AUTHORITY

CN: 112/02/97	Complaint about Continued extension of Suspension.	Administration	Justified/Satisfactory
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TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	AUTHORITY/BODY COMPLAINED AGAINST	POSITION
(3) <u>BODIES OUTSIDE OMBUDSMAN'S JURISDICTION</u>			
(1) <u>CREDIT AND TRADE UNIONS</u>			
CN: 45/10/97	Complaint about SINTA Health Society deduction.	SINTA Credit Union	No Jurisdiction
CN: 55/11/96	Concern over delay in payment of Credit Union Money	S.I. Works Credit Union	No Jurisdiction
CN: 58/11/96	Concern over Delay in payment of Credit Union Money	" " " "	No Jurisdiction
CN: 61/11/96	Withdrawal of Bluesheild Premium Payment	SIPEU Credit Union	No Jurisdiction
CN: 97/01/97	Request for Withdrawal from Police Credit Union.	Police Credit Union	Referred
CN: 184/04/97	Request for withdrawal from Blue Shield Insurance	SIPEU Credit Union	Referred
CN: 189/04/97	Concern over Benefits from Blue Shield Insurance	SIPEU Credit Union	Referred
CN: 190/04/97	Request for not being paid withdrawal from Blue Shield Insur.	" " "	Referred
CN: 191/04/97	Request for withdrawal from S.I. Workers Credit Union Ltd.	S.I. Workers Credit Union	Justified/ Satisfactory
CN: 257/06/97	Concern over non payment of withdrawal of Credit Union Contributions.	SIPEU Credit Union	Referred

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	AUTHORITY/BODY COMPLAINED AGAINST	POSITION
(3) <u>BODIES OUTSIDE OMBUDSMAN'S JURISDICTION</u>			
(I) <u>CREDIT AND TRADE UNIONS</u>			
CN: 45/10/97	Complaint about SINTA Health Society deduction.	SINTA Credit Union	No Jurisdiction
CN: 55/11/96	Concern over delay in payment of Credit Union Money	S.I. Works Credit Union	No Jurisdiction
CN: 58/11/96	Concern over Delay in payment of Credit Union Money	" " " "	No Jurisdiction
CN: 61/11/96	Withdrawal of Bluesheild Premium Payment	SIPEU Credit Union	No Jurisdiction
CN: 97/01/97	Request for Withdrawal from Police Credit Union.	Police Credit Union	Referred
CN: 184/04/97	Request for withdrawal from Blue Shield Insurance	SIPEU Credit Union	Referred
CN: 189/04/97	Concern over Benefits from Blue Shield Insurance	SIPEU Credit Union	Referred
CN: 190/04/97	Request for not being paid withdrawal from Blue Shield Insur.	" " "	Referred
CN: 191/04/97	Request for withdrawal from S.I. Workers Credit Union Ltd.	S.I. Workers Credit Union	Justified/ Satisfactory
CN: 257/06/97	Concern over non payment of withdrawal of Credit Union Contributions.	SIPEU Credit Union	Referred

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	AUTHORITY/BODY COMPLAINED AGAINST	POSITION
(II) PRIVATE BODIES AND INDIVIDUALS			
CN: 10/08/96	Complaint about Resale of Outboard Motor Engine	Private Person	No Jurisdiction
CN: 16/09/96	Complaint about Unfair Treat- ment by Employing Authority	SDA Church	"
CN: 52/11/96	Concern about Use of Church College Property.	SSE Church	"
CN: 80/12/96	Concern about Non release of constituency Development Fund	Parliamentarian	No Jurisdiction
CN: 89/01/97	Complaint about non Payment for Timbers supplied to builders.	Honiara Homes	No Jurisdiction
CN: 96/01/97	Concern about Disbursement of Constituency Development Fund	Parliamentarian	Justified/Satisfactory
CN: 101/01/97	Claim for Refund of Travel and other Medical expenses.	Allardyce Lumber Company Ltd.	No Jurisdiction
CN: 106/02/97	Concern over Delay in Land Title Transfer.	Private Person	No Jurisdiction
CN: 130/02/97	Concern over Non Payment of expenses under Constituency Development Fund.	Parliamentarian	Justified/Satisfactory
CN: 163/04/97	Complaint about Unfair Dismissal.	Concrete Industries Company Ltd.	No Jurisdiction
CN: 164/04/97	Complaint about Refusal to release Document.	Bowman's Ltd	No Jurisdiction
CN: 180/04/97	Complaint about Non Cooper- ation to Sign Labour Form.	John Lee Company	No Jurisdiction
CN: 192/04/97	Complaint about Unfair treatment Bible Society.	S.I. Bible Society	No Jurisdiction
CN: 195/05/97	Complaint about Unfair Dismissal from employment.	S.I. Plantations Ltd.	Referred

TABLE IX (CONT'D)

FILE NO.	SUBJECT MATTER	AUTHORITY/BODY COMPLAINED AGAINST	POSITION
CN: 196/05/97	Concern about Damaging news carried in Solomon Star Newspaper.	Solomon Star	Referred
CN: 209/05/97	Complaint about Unfair Dismissal from employment.	S.I. Golf Club	Referred
CN: 256/06/97	Complaint about Termination of employment.	S.I. Printers Ltd.	Referred

TABLE X

As no Annual Reports were produced since 1st July 1991, it is produced here for record the number of Reports and Investigation Reports produced during that period. Though most of these Reports did not go as far as Parliament, they were sent to the Ministries and officials concerned.

With the amount of Reports produced, it was evident that even in the absence of Annual Reports the Office Staff continued to perform their duties as required of them.

- (1) Ombudsman's Annual Report for 1st July, 1991 to 30th June, 1992, (10th Annual Report) presented to Parliament on 05/12/91.
- (2) The following Special and Investigation Reports were produced and sent to Ministries and Officers concern on the mentioned dates as follow:-

<u>DATE SENT</u>	<u>REPORT/COMPLAINT NUMBER</u>	<u>SUBJECT MATTER</u>
1991	CN: 44/10/91	Complaint about unfair disciplinary action for unauthorised transfer to a Provincial Prison.
1991	CN: 25/08/90 (Report OMB: 2/91)	Complaint about unfair disciplinary action accusation of Inciting Prison Officers to Mutiny.
27/1/92	CN: 39/8/90	Complaint about Unprocedural Administration of Staff Appointment.
21/4/92	CN: 134/3/92	Complaint about Non Issue of NPF Membership Card.
22/4/92	CN: 121/3/92	Concern about Level 4 Trial not Confirmed.
23/4/92	CN: 117/3/92	Complaint about Non Issue of NPF Membership card.
23/4/92	CN: 118/3/92	Complaint about Non Issue of NPF Membership Card.
23/4/92	CN: 119/3/92	Complaint about Temporary Appointment not Confirmed.

TABLE X (CONT'D)

<u>DATE SENT</u>	<u>REPORT/COMPLAINT NUMBER</u>	<u>SUBJECT MATTER</u>
29/04/92	CN: 133/03/92	Complaint about the Ministry's failure to follow up lost salary cheques.
12/5/92	CN: 161/3/92	Complaint about Performing tasks Two(2) Levels above Substantive Post without been considered for promotion.
9/6/92	CN: 194/3/92	Complaint about Acting Too Long on One Post.
9/6/92	CN: 195/3/92	Complaint about non Confirmation of appointment.
9/6/92	CN: 196/4/92	Complaint about being deprived of Promotion.
9/6/92	CN: 197/4/92	Complaint about non confirmation of appointment.
15/6/92	CN: 204/4/92	Complaint about Non Confirmation, Acting/Charge Allowance and Promotion.
1992	CN: 205/04/92 (Report OMB: 1/92)	Complaint about Unfair revocation of Fire Arms Licence.
1992	CN: 49/10/92 (Report OMB: 2/92)	Complaint about Wrongful arrest by the Police.
10/02/93	CN: 02/07/92	Complaint about being threatened to evict from government-own quarter.
01/03/94	CN: 84/01/93	Complaint about unfair disciplinary action for Over staying Annual Leave.
01/04/9	CN: 46/09/93 (Report OMB: 1/94)	Complaint about Delay to process Pension payment application.

TABLE X (CONT'D)

<u>DATE SENT</u>	<u>REPORT/COMPLAINT NUMBER</u>	<u>SUBJECT MATTER</u>
26/10/94	CN: 20/09/94	Complaint about Non payment of Per Diem Allowance whilst on Overseas course.
13/01/95	CN: 87/12/93	Complaint about double allocation of Land.
29/05/95	CN: 282/03/93	Complaint about the government's failure to evict illegal occupant from a government quarter.
29/11/95	CN: 29/10/95	Complaint about Non payment of Rental for use of a private quarter.
06/12/95	CN: 03/08/95 (Report OMB: 2/95)	Complaint about Non payment of Per Diem Allowance whilst on Overseas course.
16/01/96	CN: 154/04/94	Complaint about Unfair and unprocedural land allocation.
01/05/96	CN: 34/11/95 (Report OMB: 1/96)	Complaint about Being on one Level too long.
13/06/96	CN: 253/05/96 (Report OMB: 2/96)	Complaint about Refusal the government's refusal to pay for job done for the government.
20/08/96	CN: 207/03/96	Complaint about the Ministry's Diversion of Provincial Funds to a Private Company.
1996	CN: 88/11/95 (Report OMB: 3/95)	Complaint about Non payment of Salary at the current Level and Charge Allowance.

The above list consists of the Investigation Reports which were produced on some of the Complaints which involved intensive investigation by the Office. A lot of the Complaints which were concluded within good time did not have Investigation Report for produced on then.

15. **Allocation of Complaints**

The situation reported on in the July/October 1996 Quarterly Report has continued over the period of this Report. With only one official investigating officer at post, the Ombudsman also took on full time routine case investigation work.

16. **Conferences and Workshops**

It was a privilege for me to have been able to participate at Darwin, Australia's Australasian and Pacific Ombudsman Conference (APOC) in August 1997 for the first time.

In May that year I attended the Commonwealth Public Administration International's two-week workshop in London on "when the citizens complain - the role of the Ombudsman". This was found to be useful to the Ombudsman in terms of the history, the recent and encouraging trend of world acceptance of this institution of good governance, and providing a better understand of conflict resolution by the Ombudsman.

17. **Office Equipment/Furniture**

The best thing to do here is to refer readers to the relevant inventory which is annexed to this Report. Other relevant comments under this subheading is made earlier in relation to the office furniture.

18. **Proposed Amendments to the Ombudsman Legislation**

The Ombudsman (Further Provisions) Act 1980 is intended to be reviewed in light of changing circumstance to ensure smooth, effective and efficient complaint administration. This review is now a proposed activity under the 1998/2001 plan period.

19. **NOTE ON THE PROVINCES FOR OVERSEAS READERS**

The Provincial Government Act 1981 provides for setting up of a system of Provincial Governments. Each Province has its own administration headed by a Provincial Secretary and governed by a locally elected Provincial Assembly, headed by the Premier.

Previously certain functions such as Agriculture Extension and Medical Services were devolved to the Provinces to be controlled and administered by the Ministry of Provincial Government. Other functions such as Malaria Control were retained by the Ministries of Central Government which seconded their own Officers to the Provinces and paid them directly. However, recently these functions were recentralised.

The Salaries of Members of Provincial Assemblies are included in the Central Payroll and are paid directly by the Central Government. This is coordinated by the Ministry of Provincial Government.

Provinces receive most of their income in the form of grants from the Central Government, from which they pay their own direct employees. Difficulties have arisen in deciding how far this grant should pay for incidental requirements of seconded staff - such as having repairs and for non-devolved functions. These Seconded Staff working in the Provinces may be caught between the Provincial and Central Government in such disputes.

The present nine Provinces of Solomon Islands are:-

- | | | | |
|-----|--------------------------------------|---|----------------------------------------------------------------------------|
| (1) | Central Islands Province | - | Including the islands of Savo, the Russells and Florida groups. |
| (2) | Choiseul (Lauru) Province | - | The island of Choiseul. |
| (3) | Guadalcanal Province | - | Guadalcanal Island excluding Honiara City. |
| (4) | Isabel Province | - | Island of Isabel. |
| (5) | Malaita Province | - | The island of Malaita and the Outlying Atolls of Ontong Java and Sikaiana. |
| (6) | Makira/Ulawa Province | - | The islands of Makira, Ulawa and adjacent islands. |
| (7) | Rennell and Bellona Province- | | The islands of Rennell and Bellona. |
| (8) | Temotu Province | - | The Eastern Outer Islands |

including Santa Cruz, Reefs,
Duffs, Vanikoro, Tutupua,
Tikopia and Outliers.

- (9) **Western Province** - Islands of New Georgia group, Vella
La Vella, Gizo, Shortlands, Treasury,
Simbo, Ranogga, Rendova, etc.

The Honiara city is governed by the Honiara Town Council which is operated under the Local Government Act. The Council has its own administration headed by a Chief Executive known as the Clerk and governed by locally elected Councillors, headed by the President who was elected by the Councillors from amongst themselves.

Refer to the Map at ANNEX 6 for details of Provincial Boundaries, etc.

20. KEY TO ABBREVIATIONS AND ACRONYMS

For the benefit of those who are unfamiliar with Abbreviations in this Text, the information is provided here below:-

- (1) **MEHRD** - **Ministry of Education and Human Resources Development.** This Ministry houses:-
- (i) **National Training Unit** - the Secretariat of the Training Committee responsible for all In-Service and Pre-Service Trainings.
 - (ii) **Secondary/Primary Divisions** responsible for the administration of both Secondary and Primary Education.
 - (iii) **Selection and Guidance (S&G).** At the time of this Report, changed to be called **NESU** or **National Examination and Standards Unit.** Responsible for setting Secondary Entrance Exams and for selection of students into Secondary Schools.
 - (iv) **Teaching Service Office (TSO)** - the Secretariat of the Teaching Service Commission and other Condition of Service of Primary and Secondary School Teachers.
 - (v) **Inspectorate Unit** - Responsible for the professional aspect of Teachers.
- (2) **MPNS** - **Ministry of Police and National Security.** This Ministry is responsible for the Police and Prison and the Security in general. The two main branches of the Ministry are:-
- (i) **Police** which houses the Bomb Disposal, Fire Service Units and the National Reconnaissance and Surveillance Force.
 - (ii) **Prison** which is responsible for the National and Provincial Prisons and the maintenance of Prison Inmates.

- (3) **PMO** - **Prime Minister's Office.** This Office houses the:-
- (i) **Cabinet Office** which is headed by the Secretary to Prime Minister.
 - (ii) **Public Service Division** which is headed by a Permanent Secretary, the Post which was later abolished and redesignated Under Secretary who is then answerable to the Secretary to Prime Minister and Cabinet.

The Public Service Division is also the Secretariat of the following Commissions:-

- **Police and Prison Service Commission (PPSC)**, an independent Commission under Section 119 of the National Constitution to control appointments, discipline, dismissal and Pensions of Members of the Police and Prison Services.
- **Public Service Commission (PSC)**, an independent tribunal under Section 115 of the National Constitution which controls appointment, dismissal, discipline and Pensions of Public Officers.
- **Judicial and Legal Service Commission (JLSC)**, an independent Commission under Section 117 of the National Constitution which is responsible for the appointment, dismissal and discipline of the Judicial and Legal Officers.

- (4) **MOF** - **Ministry of Finance.** This Ministry houses:-
- (i) **Customs & Excise** responsible for Collection of Revenue from Imports & Exports Tariffs for the government.
 - (ii) **Inland Revenue** which is responsible for all Taxations.
 - (iii) **Statistics Division** which is responsible for data collection for planning purposes.

- (iv) **Insurance** is responsible for the control of the Insurance Industry.
- (v) **Treasury Division** responsible for payments of Pensions emoluments and other government payments.
- (vi) **Budget Section** which controls the government Budgets.

(5) **MOJLA**

- **Ministry of Justice and Legal Affairs.** During most of the year covered by this Report, this Ministry was down graded to become a Department of the Ministry of Home Affairs. It was then the Department of Justice and Legal Affairs and was responsible for:-

- (i) **Courts**, the administrative functions of the High Court, Magistrates and Local Courts.
- (ii) **Public Solicitor**, a Constitutional Office set up under Section 92 of the National Constitution vested with the responsibility of providing legal aid to those in need.
- (iii) **Registrar General's Office**, responsible for custody and administration of Land and Company Registries and deceased's' Estates, etc.
- (iv) **Trade Dispute Panel (TDP)**, a tribunal responsible for dealing with conciliating disputes between Employees and Employers.

The Department also provides Administrative back up for the Leadership Code Commission, Director of Public Prosecution, and the Ombudsman's Office.

(6) **MLH**

- **Ministry of Lands and Housing** which houses the:-

- (i) **Lands Division** responsible for administration of land matters pursuant to the Lands and Titles Act.

- (ii) **Housing Division** responsible for the government housing Policy and implementation. Administers rental of houses from the Open Market for government employees and offices on behalf of the government.
- (7) **MHMS** - **Ministry of Health and Medical Services** - responsible for doctors, nurses and health workers in government-ran hospitals and clinics and their accommodation. The Ministry houses:-
- (i) **Environmental Health** responsible for Rural Watersupply and Sanitation and Public Health matters.
- (ii) **Health Education** responsible for the educating of the populace on health matters especially on how to prevent diseases and sickness.
- (iii) **Nursing Division** responsible for the discipline and professional conduct of Nurses.
- (iv) **The National Psychiatric Unit** which is responsible for the Psychiatric patients is also under this Ministry.
- (8) **MTWU (MWCA)** - **Ministry of Transport, Works and Utilities** houses the:-
- (i) **Works Division** responsible for Roads and Utilities, repairs to government quarters, offices and vehicles.
- (ii) **Marine Division** responsible for licensing, Navaid, Search and Rescue. The Shipping Fleet has been taken over by a Corporate Entity, the National Shipping Services Ltd.
- (iii) **The Spectrum and Communication Divisions** of the Ministry of Post and Communication and Aviation Division of Ministry of Culture, Tourism and Aviation transferred to this Ministry when these Ministries disbanded.
- (iv) Due to (iii) above the Ministry was renamed **Ministry of Works, Communication and Aviation (MWCA)**.

- (9) **MPG** - **Ministry of Provincial Government** responsible for coordinating of Central Government Officers seconded to the Provinces.
- (10) **MPC** - **Ministry of Post and Communication.** This Ministry was abolished during the latter part of this Report period when the Postal Section was corporatised. The Aviation, Spectrum and Communication Divisions transferred to MTWU.
- (11) **MCIE (MCET)** - **Ministry of Commerce, Industry and Employment** houses the:-
- (i) **Immigration Division** responsible for Residence Permits and Passport issues, etc.
 - (ii) **Labour Division** responsible for issues of Work Permits and administration of the various Employment Acts and the Health and Safety at Work Act.
 - (iii) **Business and Commerce Division** responsible for the Business and Commerce Advisory Services.
 - (iv) **Tourism Division** of Ministry of Culture, Tourism and Aviation transferred to this Ministry on abolishing of the MCTA.
 - (v) Due to (iv) above the Ministry was renamed the **Ministry of Commerce, Employment and Tourism.**
- (12) **MFEC** - **Ministry of Forest, Environment and Conservation.** The old Ministry of Natural Resources (MNR) has been split. One part forming the Ministry of Energy, Mines and Minerals while this Ministry is responsible for:-
- (i) Forestry deals with Forestry, Policy and Monitoring and administering the Forestry Act and the Forest and Timber Utilisation Act.

- (ii) A small Section responsible for Environmental Conservation called the Environment and Conservation Section.

(13) **MCTA** - **Ministry of Culture, Tourism and Aviation.** The Ministry was abolished and have its various Divisions transferred as follow:-

- (i) Culture to MHA
- (ii) Tourism to MCIE
- (iii) Aviation to MTWU
- (iv) Archives to MEHRD

(14) **MAF** - **Ministry of Agriculture and Fisheries.** This Ministry was formed after "remarriage" of Agriculture with Fisheries Divisions following the rearrangement which have separated the then Ministry of Natural Resources and the then Ministry of Agriculture and Lands.

The Ministry houses:-

- (i) **Agriculture Division** responsible for Agriculture matters and Extension.
- (ii) **Fisheries Division** responsible for Fisheries and Policies and the administration of the Fisheries Act.

(15) **MHA (MHCA)** - **Ministry of Home Affairs** houses the:

- (i) **National Disaster Council** responsible for Natural Disasters.
- (ii) **Electoral and Citizenship Commissions** responsible for National Elections and the Citizenship matters.

During the later part of the Report period with the abolishing of the MCTA, the Cultural Division transferred to this Ministry and renamed **Ministry of Home and Cultural Affairs (MHCA)** hence is now responsible for the Cultural matters which includes the National Museum and the Arts Gallery.

This Ministry is also responsible for HITC and the Justice and Legal Affairs Department.

- (16) **MEMM** - **Ministry of Energy, Mines and Minerals.** This Ministry houses the:-
- (i) **Energy Division** responsible for Water and all forms of Energy.
 - (ii) **Mines and Minerals Division** responsible for Policing and Coordination of Mineral Mining.
- (17) **MFA** - **Ministry of Foreign Affairs.** A Ministry which deals with Foreign Relations and Protocol matters.
- (18) **MYWSR** - **Ministry of Youth, Women and Sports and Recreation.** This Ministry houses the:-
- (i) **Youth and Sports Divisions** responsible for development and coordination of Youth and Sports.
 - (ii) **Women Affairs Division** responsible for Women matters and Women Development.

The National Youth Congress and the National Council of Women are under this Ministry.

- (19) **Provinces** - One of the Provincial Governments set up under the Provincial Government Act, 1981. The nine Provinces are Central, Choiseul, Guadalcanal, Isabel, Malaita, Makira, Rennell/Bellona, Temotu and Western.
- (20) **HTC** - **Honiara Town Council**, which is set up and operated under the Local Government Act. MHA(MHCA) is responsible for the administration and deployment of Seconded staff to the Council which looks after the Honiara City.
- (21) **NPF** - **The Solomon Islands National Provident Fund**, a Statutory Authority set up to provide retirement gratuities from Contributions made by Employers and Employees. It provides Social Security for its members.

- (22) **SIPA** - **Solomon Islands Ports Authority**, a Statutory Authority responsible for Ports and Wharves in the country.
- (23) **HFC** - **Home Finance Corporation** formerly known as **SIHA** or **Solomon Islands Housing Authority**. This is responsible for housing with aims to provide fundings for people wanting to purchase or build their own homes.
- (24) **ICSI** - **Investment Corporation of Solomon Islands**, the economic arm of the government which deals with the Companies which the government holds shares in, which are its port folio Companies.
- (25) **SIEA** - **Solomon Islands Electricity Authority**, a Statutory body responsible for and monopolise the electricity supply and power generation.
- (26) **Bodies Outside Jurisdiction** - These are the bodies the Ombudsman has no power to investigate into their affairs as required by the Ombudsman (Further Provision Act, 1980).

These bodies include

(i) **The Unions** such as

- **RSIPCU** - **Royal Solomon Islands Police Credit Union** which belongs to the Police Force.
- **SINTA** - **Solomon Islands National Teachers Association** belonging to the Teachers.
- **SIPEU** - **Solomon Islands Public Employees Union** covers all Public Employees.

- **SIWCU** - **Solomon Islands Workers Credit Union**, an umbrella Credit Union for all Company Workers who are members of the National Union of Workers.

- (ii) **Private Bodies and Organisations** include all Companies, etc Clubs, Societies and other bodies dealing including private individuals.

21. SUMMARISED EXAMPLES OF SOME CASE HISTORY

(1) MINISTRY OF PROVINCIAL GOVERNMENT

- Delay to confirm Trial Appointment

The Ombudsman received numerous Complaints from Public Officers who are on secondment to Provinces. These Complaints ranged from delay in confirmation of appointments, promotions and other Conditions of employment.

The administration of this system is such that there are times Officers on Secondment to Provinces appeared to have been either neglected or forgotten about.

CN: 199/05/97: Concern about Confirmation of trial appointment being delayed.

An Officer on secondment to a Province complained to the Ombudsman about non Confirmation of his trial appointment.

According to him he was appointed with the Public Service on twelve month trial in 1984. By 1997 his appointment has not yet been confirmed.

The Ombudsman investigated the Complaint and it was evident that the Complainant was victimised by a maladministration in the Ministry concerned. Due to unknown reasons the Complainant's Annual Confidential Report Forms never reached the Public Service Division. Although he had completed his ACR Forms, his Supervisor or the Provincial Secretary of that particular Province did not bother to process these. The Provincial Administration and the Ministry responsible had forgotten about this matter, having it unattended this far.

The Ombudsman investigated the Complaint as alluded to above and during the course of the investigation it was revealed that the Authority complained of has been blaming the Complainant.

As quoted in one of the correspondences from his Responsible Officer,**"the Complainant has failed on many occasions to produce ACR forms to his Supervisor to fill in during reporting Periods"**.

In such a situation it is the view of the Ombudsman that even if the Complainant fails to provide the necessary documents which was not the case here, it is the duty of his Supervisor or the Responsible Officer to see that things are done to ensure that an Appointment which is due for Confirmation, as is the case here, is duly attended to in the normal way.

The Ombudsman is concerned about such failures of Responsible Officers resulting in maladministration, to the detriment of affected Officers and desirable productivity generally.

This case is still under investigation. However, as is evident so far the fault appears to rest with the responsible Authority and not the Complainant.

(2) **MINISTRY OF FINANCE**

Pension - No Increase since 1986

As last reported in the 1990/1991 Annual Report, following a number of Complaints received from Pensioners, the Ombudsman made representations to the Minister of Finance through his Permanent Secretary to ensure a Pension Increase following salaries increase awarded to the Civil Servant since 1986.

During this year of reporting a similar complaint was pursued further with the Secretary to Prime Minister so that Pensioners could be given Pension Increases.

In March, 1992 the Governor General, under powers conferred by Sec.11A(1) of the Pensions (Increase) Act caused a review to be made to the Pension for the period 1st April 1987 to 31st March, 1992.

The gazetting of this Act has shown progress made by the Ombudsman on behalf of the Pensioners.

After 1992 relevant payments of the Arrears were made following the Pension Rules made by the Minister of Finance in 1993, which covered the period up to 31/03/90 only.

Pensioners were accordingly paid the increase. However, after sometimes, Complaints were received from Pensioners that they were under paid by twoyears.

Summarised below is a Complaint registered by a Pensioner.

CN: 158/04/94 - Shortening of Pension Period

A Pensioner registered a Complaint with the Ombudsman on why the government paid Pension Arrears only up to 31/03/90. The Complainant raised the Complaint as follow:-

.....recently there was an increase in pension to be effective from 01/04/87 - 31/03/92. When payment was implemented

it was only up to 1990. I wonder why the two years from 1991 to 31/3/92 were not paid. I feel that the government still owes the Pensioners the increase for 1991 - 31/3/92 which were not paid. I tried to get in touch with the Treasury officials but nothing definite was told to me. I want your Office to assist me with this Complaint.

The Ombudsman then dealt with this Complaint by directing it to the Accountant General, Ministry of Finance. Following is the response -

“the only review period of the Pensions for the Pensioners is from 1st April, 1987 to 31/03/90 and that’s the only period been gazetted under Legal Notice No. 40 for Pension Increase Act (Cap. 111) Rules 1993. The Complainant had been paid his Pension plus Arrears for the period. The period from 01/04/91 - 31/03/92 for Pension Increase has not yet been awarded by the Governor General.

The Ombudsman proceeded with his investigation since 1994 and the case is yet alive at the time of this Report.

The Attorney General was consulted and he has given his opinion as follow:-

.....”by section 11A(1) of the Pensions (Increase) Act H.E The Governor-General, though the Ministry of Finance, is responsible or the annual review of the rates of pensions.

The rates of pensions are to be reviewed against any rise that there may have been in the Salary Increase index during the review period.

If the review finds that in the review period, the Salary Increase index has risen by four per cent or more, then the Minister of Finance may make Rules providing for an increase in the rates of pensions. This means that -

- (a) even if a review is done, the Minister of Finance can only lawfully increase the rates of pensions where there has been arise of four per cent or more in the Salary Increase index.

- (b) if there is no such increase in the Salary Increase index, the Minister cannot lawfully increase the rates of pensions.
- (c) even if there is such an increase in the Salary Increase index (ie 4% or more) the Minister of Finance is not obliged in law to increase the rates of pensions. This is because s.11A(1) of the Act provides.... "the Minister.... may make Rules.....". This is not mandatory.

The "Salary Increase index" is defined in the Act as meaning the "index of salaries in Government service prepared from time to time by the Government Statistician" and the "review period" for this purposes means "each year ending on 31st March".

Having an annual review and having an increase in the rates of pensions are two separate things. Although HE The Governor-General is responsible for causing a review each year, the Minister of Finance is the only one who can lawfully, by Rules, increase the rates of pensions. Therefore, unless the Minister has increased the rates of pensions for 1991 and 1992, the pensioners' claim that they were underpaid by two years has no basis in law".

What is now left is for the Honourable Minister of Finance to confirm to the Ombudsman that he had deliberately decided not to award pension increase for 1992 despite the fact that public officers salaries increases for those years were more than 4%. The Public Service Salaries increases for 1991 and 1992 were respectively 16% and 5%.

This Complaint is still open. As soon as the Honourable Minister of Finance responds to the Ombudsman's requested information on this he would decide the appropriate fate of the Complaint.

(3) STATUTORY AUTHORITIES

HOME FINANCE CORPORATION

A couple of Complaints received the Home Finance Corporation were about unfair eviction of an occupant and unfair subdivision of Land.

- (i) CN: 48/10/96 - Unfair Sale of HFC House

The Complainant, a female Public Servant was allocated one of the HFC houses which were on lease to the government. According to the Corporation Policy it has to sell its houses. The procedure is that these be offered to the Sitting Tenants or otherwise put on Tender if the Sitting Tenants do not intend to buy the houses.

The Corporation instead of giving the first option to buy to this occupant, the Board went ahead and offered the house to one of its Board Members.

The Complainant was made aware of the deal when she was issued with an eviction notice to vacate the house. She feels this is not fair on her since she has been in the house for more than ten years and was hopeful that eventually she would buy it whenever it is put on sale.

The case was reported to the Ombudsman, who investigated the deal. The Ombudsman dealt with the Complaint and recommended to the Board to revert its decision and cancel the offer to the Board Member and have the house offered to the Complainant (Occupant). If she could not afford the price offered, then the house must be disposed of through a Public Tender and not to offer it directly to one of its Board Members. Such would amount to a conflict of interest in our opinion.

It was strongly emphasised in the recommendation that the house should not be put on Tender without first of all giving the first option to the occupant to buy it. It is felt that if tendered she would be disadvantaged, being a junior Public Officer competing with a lot of people of substance. At any rate the Corporation policy in this matter is to give the first option to sitting tenants.

The Complaint was dealt with and at last the Ombudsman's recommendation was carried and the Complainant was offered to buy the house. She then secured funding for the purchase. This Complaint was accordingly satisfactorily settled.

(ii) CN: 187/04/97 - Unfair Subdivision of Land

A Complainant registered a Complaint about unfair subdivision of Land he was offered by the Home Finance Corporation. The Land was offered to the Complainant and he spent more than three thousand dollars paying for the Premium, Land rent and other related fees. With this offer, the Offerer emphasised a Condition as quoted "**One Condition that needs to be observed and complied with is that the site must not be assigned to any third party until current house construction is completed and the Leasehold registered in your name**".

Later the Complainant made several follow up calls at the Lands Division and the Registrar General's Office for any application from the Corporation for registration of the Land offered but could not find any record.

Whilst the Complainant was awaiting the Land to be registered in his name, he discovered that the same parcel of land was subdivided into two separate parcels and offered the other parcel to another person.

He reported the action to the Ombudsman who investigated the Complaint and recommended to the Home Finance Corporation Management to deal with the matter fairly for the Complainant.

The Ombudsman pointed out that HFC Management appeared to have breached their contractual understanding with the Complainant on the issue and that the Commissioner of Lands should assist the Complainant to have the whole parcel instead of subdividing it.

Following the Ombudsman's intervention, the HFC Management found that the other parcel has already been offered, purchased and registered in the name of the other person. Though an error has been made as confirmed by the Corporation, to be fair on all parties concerned, the Complainant had to accept the parcel allocated to him following the erroneous subdivision with a significantly reduced premium.

The Complainant then accepted this amended offer and the case was satisfactorily settled for him.

22. SPECIFIC ISSUES ARISING

(1) Provincial Direct Employees Acting in Public Service Posts

There are two Groups of Public Officers. The Provincial and Central Government Officers.

While the Provinces recruit their own Direct Employees, the Central Government has Officers from Public Service on Secondment to Provinces. The two groups of workers perform the same jobs for the same Authority. In terms of their Conditions of Service the Provincial Direct Employees are subjected to their own Provincial Staff Instructions and Conditions of Service while the Government Public Servants are subjected to the General Orders and the Public Service Regulations. But they are both immediately answerable to the Provincial Secretary.

The Public Service Pool deploys its manpower to all Ministries and Provinces. Due to the limited manpower available, the Provinces tend to place their own Direct Employees to fill the Public Service Posts which are vacant. Agreements for payment are such that Province pay seconded workers at the Public Service Grade Level and the Central Government reimburses the Province.

When seconded Public Servants go on leave the Direct Employees hold their posts on acting basis.

The difficulty in this arrangement which are causing concern to the Provinces is the delay in reimbursement of monies and different ways of acting allowances.

(2) Annual Confidential Reports

When investigating complaints on non confirmation, promotion, extensions etc, it was revealed that one contributing factor to these Complaints is the inadequate or lack of processing of the Annual Confidential Reports.

For Officers in Ministries based in Honiara it is quite straight forward. The difficulty is with Officers posted to Provinces.

In 1990 the Public Service Division of the Prime Minister's Office has demonstrated in Flow Charts the process of Annual Confidential Report for both Administration and Professional/Technical cadres in the Province. The flow charts and Notes are at ANNEX A, A1 - B, B1

It is important that this be emphasized in this Report to have Officers responsible acquaint themselves with the procedure.

There has been cases which, as revealed in the Ombudsman's investigations, ACR Forms have not been properly completed or even did not reach their destinations and resulted in victimising certain Officers.

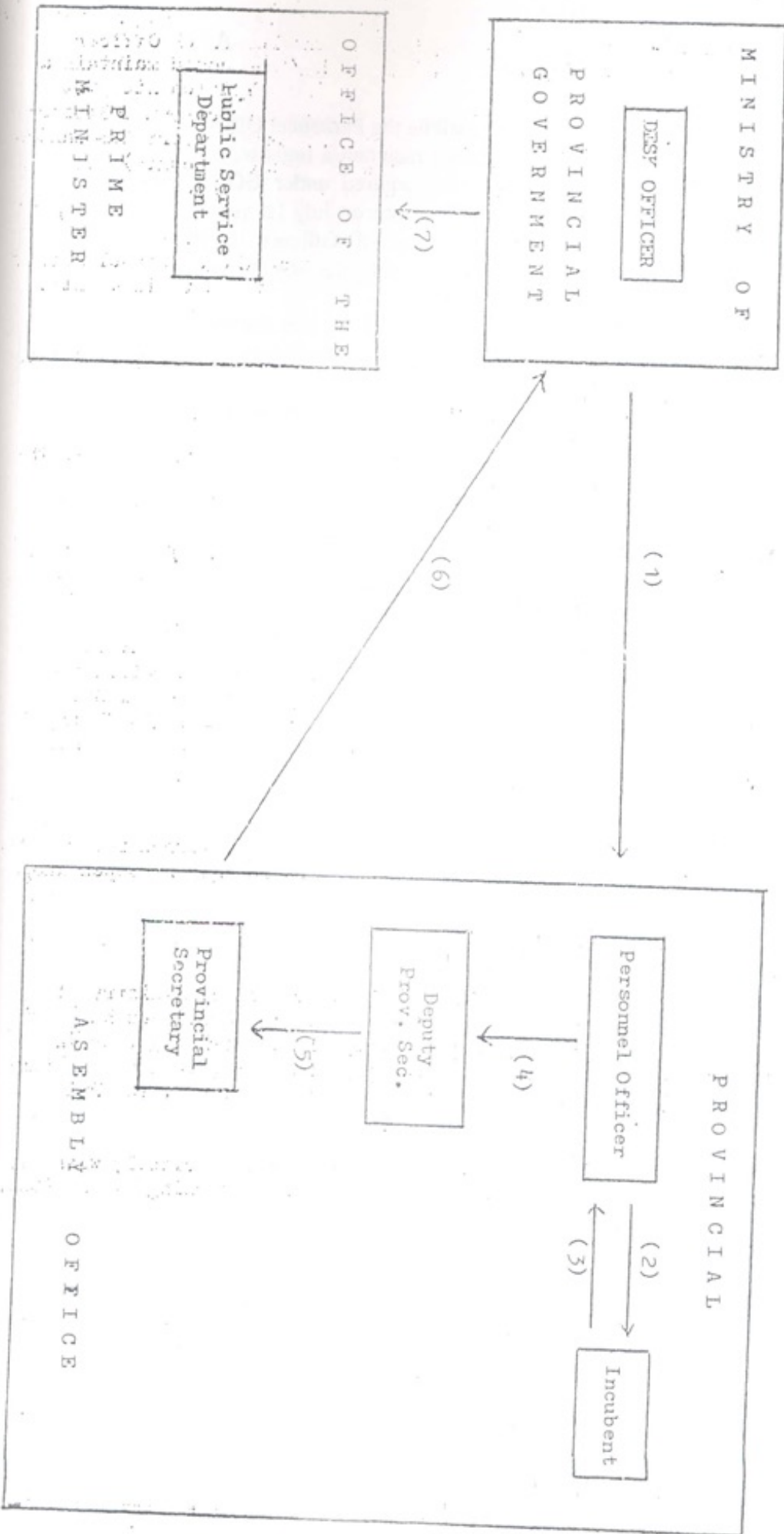
For information, the Flow Charts are exhibited here, showing the process involved.

PRIME
MINISTER

ASSEMBLY
OFFICE

FLOW DIAGRAM DEMONSTRATING STAFF REPORT
PROCESS FOR THE ADMINISTRATION CADRE
IN THE PROVINCE

ANNEX A



ANNEX A1

- (1) The Issuing Officer in this case shall be the Personnel Officer responsible for each Provincial Affairs. He/she should maintain a register, recording all ACR issued and having completed his part required under GO. B5, despatch all forms to the Personnel Officer in the Province on July 1st year. A copy of staff report memorandum bearing the names of Officers to be reported on (incumbents) should be forwarded to the Public Service Division.
- (2) The Reporting Officer in this instance shall be the Personnel Officer in the Province. He/she should distribute all forms to incumbents.
- (3) The incumbents having completed Part I of the report forms, return it to his Personnel Officer.
- (4) The Personnel Officer, completed Part II and forward the form to the Deputy Provincial Secretary.
- (5) The Deputy Provincial Secretary completes Part IV and forward the form to the Provincial Secretary.
- (6) The Provincial Secretary endorsed Part V, put in sealed envelope with appropriate label as requirement under GO. B504 and return the same to the Personnel Officer in the Ministry of Provincial Government. These reports must be returned to the Personnel Officer in MPG by 30th September as required under GO. B509(b). But before that the Personnel Officer should reconcile his register.
- (7) The Personnel Officers in MPG, on receipt of the returned report forms immediately endorse his/her register and forward the envelopes unopened to the Public Service Office.

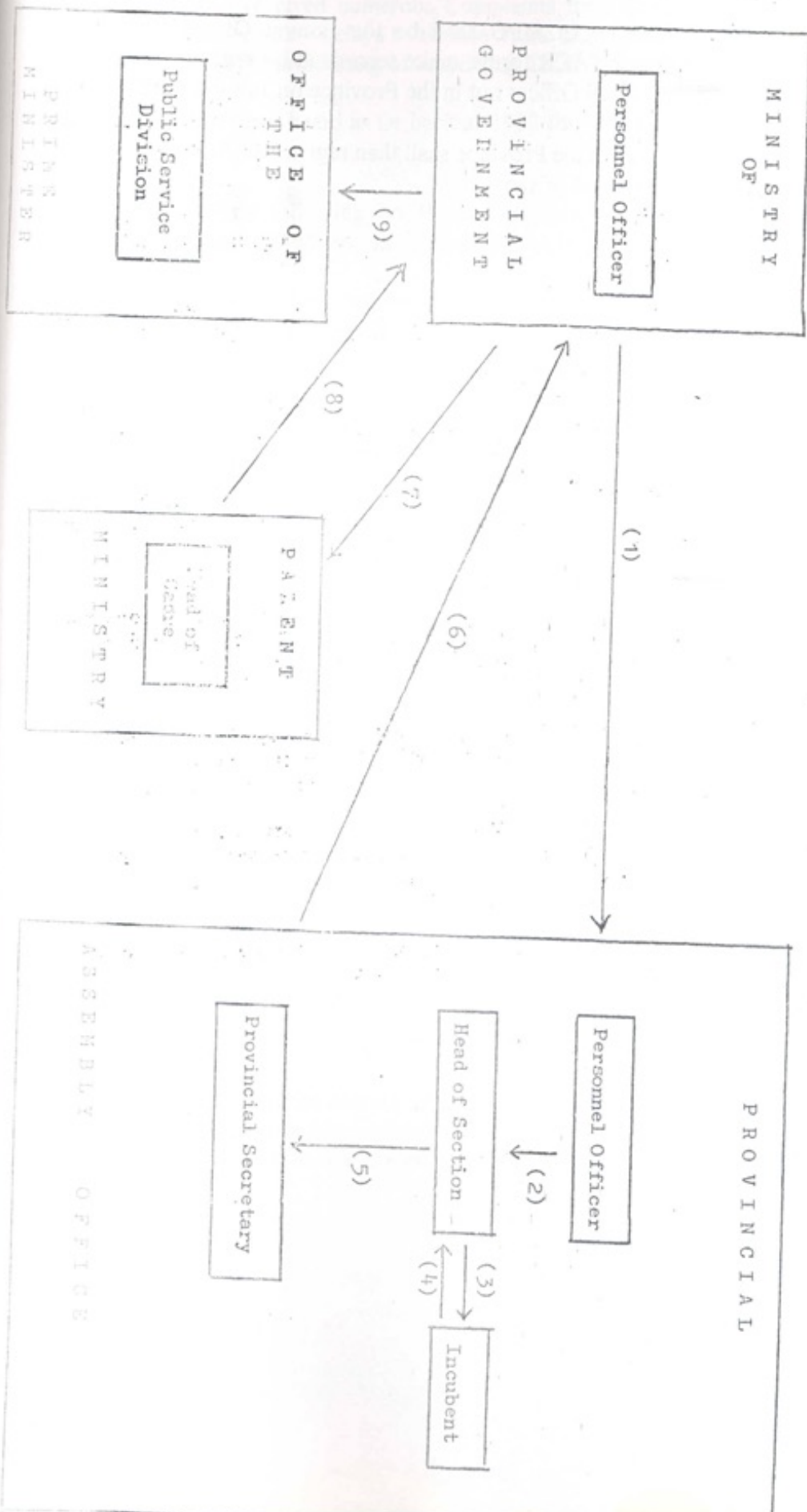
IMPORTANT NOTE

The Personnel Officers responsible for each Province in the Ministry of Provincial Government and the Personnel Officers in the Provinces have very important roles to play in this exercise. They should work together in coordinating staff reporting in both these organisations, as from the time ACRs are issued to the time they are returned to the Office of the Prime Minister.

The Personnel Officer out in the Province should work very closely with his Provincial Secretary in coordinating, completing and returning of the ACRs.

FLOW DIAGRAM DEMONSTRATING THE PROCESS IN STAFF REPORTING FOR PROFESSIONAL AND TECHNICAL CADRE IN THE PROVINCE

ANNEX B



ANNEX B1

- (1) The Personnel Officer in MPG shall be the Issuing Officer, and having completed his part in the ACR forms, make records in his register and despatch all forms to the Personnel Officer out in the Province on July 1st each year.
- (2) The Personnel Officer in the Province shall then register all ACRs received and distribute the same to head of section.
- (3) The head of section, in turn distributes the ACRs to incumbents to fill in the appropriate sections.
- (4) The incumbents, having completed part I of the report, return it to the head of section.
- (5) The head of section completed part II and III and forward the same to the Provincial Secretary.
- (6) The Provincial Secretary completed his part (part V), in collaboration with the Personnel Officer, put the forms in sealed envelope and return to the Personnel Officer in MPG.
- (7) The Personnel Officer in MPG reconcile his register with the records received and send the same to the Parent Ministry for the Head of Cadre to comment on part III & IV on the report as appropriate.
- (8) Having completed the appropriate parts of the report, the Head of Cadre, returns the forms to the Personnel Officer in MPG.
- (9) The Personnel Officer in MPG on receipt of the returned report forms immediately endorse his records and forward the envelope to the Public Service Office.

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3. Public concern about Trade Dispute Panel

The Ombudsman received numerous Complaints from Complainants against the Trade Dispute Panel about unnecessary delays to release Trade Dispute Panel decisions on cases deliberated on by the Panel, and the prolonging of scheduling Trade Dispute Panel hearings.

There have been cases heard as far back as 1992 for instance, the decisions of which have not been released to date.

We found, when following up these Complaints with the Trade Dispute Panel, that the Chairperson's attitude is normally uncooperative.

According to records therefore the current administration of the Trade Dispute Panel Office has much to be desired. This has also been a concern for the Chamber of Commerce, Trade Unions, Private Lawyers, the Public Solicitor's Office and the Public in general.

Produced at ANNEX 3 is for instance a list of all the Complaints registered with the Ombudsman about the Trade Dispute Panel Office administration, and the Chairperson.

To substantiate the fact that there has been mounting concern about the current administration of the Trade Dispute Panel Office, from the Chamber of Commerce, Trade Unions and the Public at large as stated above produced at ANNEXURES 4 and 5 are submissions from the Solomon Islands National Union of Workers and the General Secretary, S.I. Chamber of Commerce and Employers.

4. National Provident Fund

In this Report period my Office received fifteen Complaints about Statutory Authorities. Seven of these were about the National Provident Fund most of which were about requests for Withdrawal of Credits. This has come about following the recent amendment to the NPF Act which now bars terminated workers from withdrawing their NPF Credit, except redundant workers. Other terminated workers may withdraw credits subject to other specific conditions.

Most of the Complaints were from untrained teachers whose term of employment is governed under the Teaching Service Handbook. When they were terminated by the relevant Education Authorities, they requested withdrawal of their NPF Credit but could not do so for reason only of termination from employment as such termination were not redundancy in terms of "Redundancy" as defined in Section 4 of the Employment Act 1981.

In this regard NPF has the correct view that the change of policy did not satisfy the requirements of section 4(1)(b) of the Employment Act 1981, as the teaching posts still exist; only that the untrained teachers have been replaced by trained teachers.

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23. LEGAL NOTES

23.1 Ombudsman's Powers

In carrying out his legal duties especially when investigating into Complaints and requesting to get required information from relevant authorities, some authorities have been very reluctant to provide information and appear to be unaware of the Ombudsman's powers and duties. Since it is often very hard to obtain copies of Solomon Islands laws, the relevant parts of Part IX of the National Constitution and the Ombudsman Act 1980 are quoted here. We hope this will assist and remind all concerned.

**Extracts from Part IX of the National Constitution
of Solomon Islands**

- | | | |
|--------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Functions of
Ombudsman. | 97. | (1) The functions of the Ombudsman shall be to:-
(a) enquire into the conduct of any person to whom this section applies in the exercise of his Office or authority, or abuse thereof;
(b) assist in the improvement of the practices and procedures of public bodies; and
(c) ensure the elimination of arbitrary and unfair decisions.
(2) Parliament may confer additional functions on the Ombudsman.
(3) This section applies to members of the public service, the Police Force, the Prisons Service, the government of Honiara City, provincial governments, and such other offices, commissions, corporate bodies or public agencies as may be prescribed by Parliament.
Provided that it shall not apply to the Governor-General or his personal staff or to the Director of Public Prosecutions or any person acting in accordance with his instructions.
(4) Nothing in this section or in any Act of Parliament enacted for the purposes of this Chapter shall confer on the Ombudsman any power to question or review any decision of any judge, magistrate or registrar in the exercise of his judicial functions. |
| Discharge of
functions of
Ombudsman. | 98. | (1) In the discharge of his functions the Ombudsman shall not be subject to the direction or control of any other person or authority and no proceedings of the Ombudsman shall be called in question in any court of law.
(2) The Ombudsman shall not conduct an investigation in respect of any matter if he has been given notice by the Prime Minister that the investigation of that matter would not be in the interests of the security of Solomon Islands. |

(3) The Ombudsman shall make an annual report and may make such additional reports to Parliament as he deems appropriate concerning the discharge of his functions, and may draw attention to any defects which appear to him to exist in the administration or any law.

Further provisions.

99. Parliament may make provisions for such supplementary and ancillary matters as may appear necessary or expedient to give effect to the provisions of this Chapter.

Extracts from The Ombudsman (Further Provisions) Act 1980 - No. 1 of 1980

Conduct of investigations

10. (1) Subject to the provisions of this Act, the Ombudsman may obtain information from such persons and in such manner and make such inquiries as he thinks fit and may determine whether any person may be represented by a legal representative or otherwise in an investigation.

(2) Every investigation shall be conducted in private and subject to the provisions of section 8 and this section, the procedure for conducting an investigation shall be such as the Ombudsman considers appropriate in the circumstances of the case.

(3) It shall not be necessary for the Ombudsman to hold a hearing during the course of an investigation nor shall any person be entitled as of right to be heard by him:

Provided that if any time during the course of an investigation it appears to the Ombudsman that there may be sufficient grounds for his making any report or recommendation that may adversely affect any person, officer or authority, he shall afford such person, officer or authority an opportunity to be heard; and no comment that is adverse to any person, officer or authority shall be contained in a report to Parliament, to a Minister or to a department or authority unless such person, officer or authority has been given an opportunity to be heard.

Disclosure of information.

11. (1) Subject to the provisions of this Act, the Ombudsman may require any Minister, officer or member of any department or authority concerned or any other person who in his opinion is able to furnish information or produce documents or things relevant to the investigation to furnish any such information or produce any such document or thing.

(2) No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in the public service imposed by any law in force in Solomon Islands or any rule or law shall apply to the disclosure of information for the purposes of any such investigation; and the Crown shall not be entitled in relation to

any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

(3) No person shall be required or authorised by virtue of this section to furnish any information or answer any question or produce any document relating to proceedings of the Cabinet or any Committee thereof, and of for the purpose of this subsection a certificate issued by the Secretary to the Cabinet with the approval of the Prime Minister and certifying that any information, question or document so relates shall be conclusive.

(4) The Attorney-General may give notice to the Ombudsman with respect to any document or information specified in the notice, or any class of documents or information so specified, that in his opinion the disclosure of that document or information of that class, would be contrary to the public interest in relation to defence, external relations or internal security; and where such notice is given nothing in this section shall be construed as authorising or requiring the Ombudsman or any member of his staff to communicate to any person for any purpose any document or information specified in the notice or any document or information of a class so specified.

Attendance
of witnesses.

12. (1) Subject to the provisions of this Act, the Ombudsman may by order require any person who in his opinion is able to furnish information or produce any document, paper or thing relevant to an investigation to attend before him at a time and place specified in such order and be examined on oath or produce such document, paper or thing.

(2) Where the Ombudsman orders any person to be examined on oath, he may administer such oath.

(3) An order made under this section shall be served on the person to whom it is directed by a member of the staff of the Ombudsman or by a police officer in the manner prescribed for the service of a summons on a witness on a witness in civil proceedings before a court of law.

(4) If a person to whom an order under this section is directed does not attend at the time and place mentioned therein the Ombudsman may, upon being satisfied that the order was duly served or that the person to whom the order was directed wilfully avoided service, issue a warrant to apprehend such person and to bring such person before him at a time and place specified therein. Every warrant issued this section shall be executed by a police officer.

(5) Where a person is arrested in pursuance of a warrant issued under this section and is not brought before the Ombudsman within twenty-four hours of his arrest or is earlier released by order of the Ombudsman on his undertaking to

attend a time and place specified therein, such person shall forthwith be taken before a Magistrate who shall -

- (a) if such person enters into a suitable recognisance for his appearance before the Ombudsman, release him from custody; or
- (b) order such person to be detained in custody until time as he can be brought before the Ombudsman.

(6) When any person is required by the Ombudsman to attend before him for the purposes of this section, such person shall be entitled to the same fees, allowances and expenses as he were a witness before a court of law and for the purposes of this subsection, the Ombudsman shall have the powers of a court to fix or disallow the amount of any such fee, allowance or expenses.

(7) For the avoidance of doubt it is hereby declared that this section shall apply whether or not the person or witness concerned is a person in respect of whose conduct the Ombudsman has jurisdiction to inquire.

Privilege of witnesses.

13. (1) Subject to section 11(2) every person required to give any information or ordered to attend to give evidence or to produce any document, paper or thing before the Ombudsman shall be entitled in respect of such information evidence, document, paper or thing to the same rights and privileges as a witness in any court of law.

(2) An answer given by a person to a question put by the Ombudsman or a statement made by a person to the Ombudsman shall not be admissible in evidence against him in any civil or criminal proceedings except in the case of criminal proceedings for an offence against this Act or for perjury, subornation of perjury or defeating or obstructing the course of justice, and no evidence in respect of proceedings at a hearing before the Ombudsman shall be given against any person other than in further proceedings before the Ombudsman.

(3) When a person gives evidence or produces any document, paper or thing at a hearing before the Ombudsman in pursuance of this act the proceedings shall be deemed to be judicial proceedings for the purposes of a prosecution for perjury, subornation of perjury or defeating or obstructing course of justice.

(4) The Ombudsman may hear and obtain information whether or not the same be evidence within the meaning of the law for the time being regulating the admissibility of evidence in courts of law.

- Period of entry. 14. (1) For the purposes of this Act the Ombudsman or any person specifically authorised by him may at any time enter upon any premises occupied by any person, department or authority in respect of which he may carry out an investigation and inspect the premises and thereon make such inquiries as he think fit.
- (2) Before entering upon any premises pursuant to the above subsection, the Ombudsman shall give at least 24 hours notice to the appropriate person, department or authority.
- Investigation not to affect departmental action. 15. The conduct of an investigation by the Ombudsman shall not affect any action taken by the department or authority concerned or any power or duty of that department or authority to take further action in respect of any matter which is the subject of the investigation.
- Offences 20. (1) Any person who, otherwise than in the course of his duty, directly or indirectly, by himself or by any other person, in any manner whatsoever including giving undue publicity to his complaint wilfully influences or attempts to influence the decision of the Ombudsman with regard to any complaint made to him or to any investigation made by him, shall be guilty of an offence.
- (2) Subject to the provisions of this Act, any person who is requested by the Ombudsman or by any member of the staff of the Ombudsman acting in the exercise of his duties, to furnish any information or to produce any document, paper or thing and who wilfully fails to furnish such information or to produce such document, paper or thing, shall be guilty of an offence.
- (3) Any person who, in connection with any matter which lies within the jurisdiction of Ombudsman, wilfully gives him any information which is false or misleading by reason of the falsity of, or the omission of, a material particular, shall be guilty of an offence.
- (4) Any person guilty of an offence under the provisions of this section shall be liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.
- (5) No prosecution for an offence against this section shall be instituted except with the consent of the Director of Public Prosecutions.

Ombudsman
determine
not to invest-
gate complaint
where undue
publicity given.

21. The Ombudsman may determine not to make an investigation in the case of any complaint where the complainant or any person acting in his behalf (whether or not the complainant has authorised or consented to his doing so) has given undue publicity to the complaint, on the ground that such undue publicity may prejudice the impartial investigation of the complaint.

23.2 The Ombudsman Act 1980

Neither the present Ombudsman nor his predecessors have been entirely happy with the Ombudsman Act 1980. While it is extremely helpful in giving effect to the Ombudsman's investigating and reporting functions, it does not assist in the improvement of practices or elimination of unfair decisions.

Some of the earlier sections even appear to conflict with and try to limit his Constitutional jurisdiction. A good example of this section is 8(1):

"Any complaint or invitation made to the Ombudsman shall be in writing and shall be submitted direct to the Ombudsman".

This provision appears to discriminate against illiterate people who have difficulty in expressing themselves in writing. They are the people most in need of assistance. According to government statistics nearly 40 percent of the population has had no formal education at all and a further 23 percent has had only basic Primary Education and would have difficulty in expressing themselves in written English or Pijin. The Ombudsman's practice is to put all oral complaints into writing in the presence of the person complaining and this then forms part of the investigation record as alluded to earlier.

This practice may have to be formalised in planned review of the Act.

ANNEX 1

24. ANNEXURES

INVENTORY OF OFFICE FURNITURE & EQUIPMENT

(List of items in stock as at 30th June, 1997.)

<u>ITEM</u>	<u>NO. IN STOCK</u>	<u>NOTE</u>
1. Wooden Executive Tables with 8 drawers.	2 only	1 with drawers all broken.
2. Metal Executive Tables with 5 drawers.	2 only	Too old. Need replacement.
3. Metal Executive chairs with arms	1 only	
4. Wooden Arm chair with cushion top	1 only	
5. Wooden stand (Bench)	1 only	For Duplicating machine.
6. Wooden/Desk with 3 drawers Formica Top.	1 only	On Loan from Marine Division.
7. Office Desk with Metal Frames & Legs with 3 drawer.	2 only	
8. Office Desk with Metal Frame and Legs - Drawers removed.	1 only	Obtained from National Parliament Office.
9. Chest type Table with Metal Frame & legs - 3 drawers.	1 only	
10. Wooden Office chairs with cushion seats.	6 only	

11. Set of Wooden Cushion Settees consisting of	4 pieces	
• 1 x 3 Seater		
• 1 x 2 Seater		
• 1 x 1 Seater		
12. Coffee Table	1 only	
13. Wooden office chairs without cushion seats.	3 only	
14. Typist Chairs	2 only	
15. Metal Filing Cabinets	5 only	4 with keys and 1 without key recently obtained from National Parliament Office.
16. Wooden cupboard	1 only	Given by Foreign Affairs.
17. Wooden Bookcases (6 Partitions)	2 only	
18. Strong Safe	1 only	From Prime Minister's Office.
19. Electric Typewriter (KOVAC.E.1700)	1 only	Not functioning properly. Need replacement.
20. Photocopy machine CANON NP.1215 (S/No. DN.S11138)	1 only	
21. 1 x A3 cassette and 1 x A4 Cassette	2 only	For the canon, photo copy machine.
22. Battery Wall Clock (FUJI TIME)	1 only	
23. Brief Case	1 only	
24. Rucksack with Frames	1 only	
25. Coastal Life Jacket (Hutch wilco)	2 only	

26. Vacuum Cleaner	1 only	For Office Car Cleaning (In Omb's Residence).
27. Metal Mop Bucket	1 only	In Ombudsmän's Residence.
28. Plastic bucket-20 litres (Green)	1 only	
29. Electric Kettle	1 only	
30. One Door 40 litres Refrigerator - WESTING HOUSE 141	1 only	
31. Metal Paper Dispenser	1 only	For Roll of Brown wrapping paper.
32. Tape Recorder National RQ.2102 S/NO.DU 2LE 45185	1 only	
33. Microphone	1 only	For Tape recorder.
34. Computer Set Screen IPC Value Magic Printer - Epson EPL.5200 Key Board	1 Set	
35. Guillotine	1 only	
36. Sellotape Dispenser	1 only	
37. Heavy Duty Stapling Machine (ELM ES.324)	1 only	
38. High Wooden Stood (Formica top)	1 only	
39. Dictionaries (2 only) Collins English Oxford Advanced Learners	1 copy 1 copy	
40. Stores Instructions	1 copy	Items 40 and 41 bound together.
41. Financial Instructions (1 x 196 Version + 1 x 1994 Version)	2 copies	
42. General Orders (1986 Version)	2 copies	

DETAILS OF EXPENDITURE AS AT 30TH JUNE, 1996

ACCOUNTING CODE	EXPENDITURE ITEMS	1996 PROVISION	EXPENDITURE AS AT 30/06/96	EXPENDITURE AS AT 31/12/96
228-0091-1000	Statutory Salary	\$ 59,225.00	\$ 29,612.44	\$ 59,224.88
228-0091-1001	Housing Allowance	8,885.00	-	-
228-0091-1004	Other Allowances	0	\$ 796.00	\$ 1,405.35
228-0091-1005	NPF (7.5%)	\$ 5,195.00	\$ 2,262.91	3,071.09
228-0091-1006	COLA	1,120.00	559.00	758.65
	Sub-Total:	\$ 74,425.00	\$ 33,230.35	\$ 64,459.97
228-0091-1010	Civil Salaries	\$ 35,770.00	\$ 22,211.49	\$ 62,435.65
228-0091-1011	Housing Allowance	6,225.00	2,985.57	6,666.78
228-0091-1013	Overtime Allowance	0	6,631.01	8,977.27
228-0091-1014	Other Allowances	\$ 15,050.00	3,049.99	9,914.87
228-0091-1015	NPF (7.5%)	\$ 7,870.00	2,741.64	6,297.57
228-0091-1016	COLA	5,590.00	1,677.00	3,483.00
	Sub Total:	\$ 70,505.00	\$ 39,296.64	\$ 97,775.14
228-0091-1020	Wages	\$ 9,400.00	\$ 2,273.83	\$ 3,736.47
228-0091-1021	Housing Allowance	840.00	457.66	686.49
228-0091-1023	Overtime Allowance	0	-	21.79
228-0091-1024	Other Allowances	0	-	-
228-0091-1025	NPF (7.5%)	940.00	251.16	378.37
228-0091-1026	COLA	2,240.00	602.00	903.00
	Sub Total:	\$ 13,420.00	\$ 3,584.65	\$ 5,726.12
	Pay Roll Total:	\$158,350.00	\$ 76,111.64	\$167,961.23
228-0091-2010	Office Expenses/ Incidentals	\$ 9,630.00	\$ 6,067.55	\$ 9,333.45
228-0091-2011	Electricity and Gas	\$ 5,350.00	1,127.49	2,705.39
228-0091-2012	Water	642.00	180.75	480.05
228-0091-2013	Telephones and Telegrams	10,700.00	6,101.45	12,839.54
228-0091-2017	Printing	5,350.00	918.00	2,185.38
228-0091-2050	Fuel	2,140.00	45.00	61.80
228-0091-2070	Travel & Transport	10,700.00	286.00	5,472.50
228-0091-2150	Maintenance of Vehicles	0	-	-
228-0091-2190	Special Expenditure	0	-	3,400.00
228-0091-2191	Office Equipment	10,700.00	1,577.60	3,069.25
228-0091-2197	Contingencies	0	-	-
	Sub Total	\$ 55,212.00	\$16,303.84	\$ 39,547.36

ANNEX 2 (CONT'D)

DETAILS OF EXPENDITURE AS AT 30TH JUNE, 1996 (CONT'D)

SERVICE SUMMARY	1996 PROVISION	EXPENDITURE AS AT 30/06/96	EXPENDITURE AS AT 31/12/96
INCOME TOTAL	0	0	0
EXPENDITURE TOTAL			
Pay roll charges	\$158,350.00	\$76,111.64	\$167,961.23
- Salaries	144,930.00	72,526.99	742,235.11
- Wages	13,420.00	3,584.65	5,726.12
Other Charges	55,212.00	16,303.84	39,547.36
NET TOTAL	\$213,562.00	\$92,415.48	\$207,508.59

ANNEX 3

LIST OF COMPLAINTS REGISTERED WITH THE OMBUDSMAN

SHOWING NO. OF FOLLOW UP LETTERS UNATTENDED TO BY THE CHAIRPERSON, TRADE DISPUTE PANEL AS AT 30/06/97

<u>CASE NO.</u>	<u>NATURE OF COMPLAINT</u>	<u>DATE OF TDP HEARING</u>	<u>TDP REF.</u>	<u>DATE REGISTERED WITH OMBUDSMAN</u>	<u>FOLLOW UP LETTERS</u>
CN: 179/05/94	Delay by TDP to release decision	1991/92	UD 88/93	11/05/94	OMBUDSMAN 21/4/95; 31/05/95; 07/01/97; 07/04/97; 23/04/91. <u>COMPLAINANT:</u> 11/11/96; 17/12/96 <u>RESPONDENT:</u> 27/02/97.
CN: 224/04/96	Delay by TDP to release decision	11/03/93	UD.306/91	12/04/96	<u>OMBUDSMAN:</u> 01/04/96; 29/11/96; 12/02/97; 10/04/97
CN: 229/04/96	Delay by TDP to release decision	18/04/96	UD.56/95	09/04/96	<u>OMBUDSMAN:</u> 11/09/96; 18/10/96; 26/11/96; 29/11/96; 10/01/97; 06/03/97. <u>SINUW:</u> 30/01/97; 04/04/97.
CN: 230/04/96	Delay by TDP to release decision.	13/12/94	UD. 179/93	12/04/96	<u>OMBUDSMAN:</u> 01/04/96; 14/4/96;
		15/11/94	UD. 10/94	"	29/11/96; 23/12/96; 12/02/97; 10/04/97
		26/10/94	UD.167/92	"	16/04/97.
		08/09/95	-		
		11/03/93	UD.306/91		
CN: 85/01/97	Delay by TDP to hear case	Not provided	-	02/01/97	<u>OMBUDSMAN:</u> 28/01/97; 28/02/97; 07/03/97; 23/04/97; 09/05/97.

CASE NO

CN: 103/01

CN: 162/04

<u>CASE NO.</u>	<u>NATURE OF COMPLAINT</u>	<u>DATE OF TDP HEARING</u>	<u>TDP REF.</u>	<u>DATE REGISTERED WITH OMBUDSMAN</u>	<u>FOLLOW UP LETTERS</u>
X 103/01/97	Delay by TDP to hear case	Not provided	-	29/01/97	<u>OMBUDSMAN:</u> 10/04/97
X 162/04/97	Delay by TDP to release TDP decision.	16/09/93	UDF.305/93	18/03/97	<u>SINUW:</u> 28/04/94 <u>OMBUDSMAN:</u> 09/04/97



SOLOMON ISLANDS NATIONAL UNION OF WORKERS

CABLE: SINUW

P.O. BOX 14
HONIARA
SOLOMON ISLANDS.

6 September, 1995.

The Honourable Minister
Ministry of Justice
P.O. Box 404
HONIARA.

Dear Sir

RE: DELAY OF AWARDS BY THE TRADE DISPUTES PANEL

The National Council of the Solomon Islands National Union of Workers had directed the undersigned, an officer of the above-mentioned Union, to make this appeal to your office to direct the Trade Disputes Panel to release to this Union certain awards and unfair dismissal decision still pending with the Trade Disputes Panel.

Sir, the said awards and decisions had been pending with the Trade Disputes Panel for some considerable length of time which only served to frustrate the parties concerned. The Solomon Islands National Union of Workers (SINUW) now seek that the following awards and decisions be released by the Trade Disputes Panel.

A. TRADE DISPUTES

1. Name of Case : SINUW v. Dalsol Limited.
Reference No. : L9/10/90.
Issue : Housing Allowance.
Date heard : 14th July 1992.
Status : Award pending from Trade Disputes Panel.
2. Name of Case : SINUW v. Malaita Province.
Reference No. : L9/5/92
Issue : Long Service Benefit.
Date heard : Tuesday 31st May 1994.
Status : Decision still pending from Trade Disputes Panel.
3. Name of Case : SINUW v. Pacific Timbers - Re Baddley Fakani.
Reference No. : L9/7/94.
Issue : Unfair transfer/demotion.
Date heard : 23rd August 1994/8th September 1994.
Status : Decision still pending from Trade Disputes Panel.

4. Name of Case : Kalena Timber Company Limited and Eastern Development Enterprises Limited v. SI National Union of Workers.
 Reference No. : L9/10/95.
 Issues : Overtime rates/sick leave entitlements ect.
 Date heard : 12 May 1995.
 Status : Decision still pending from Trade Disputes Panel.

5. Name of Case : SINUW v. Melanesian Holdings Limited.
 Reference No. : L9/9/94.
 Issue : Wage Increase and Recognition.
 Date heard : 8th December, 1994.
 Status : Decision still pending from Trade Disputes Panel.

6. Name of Case : SINUW v. Guadalcanal Province.
 Reference No. : L9/15/94.
 Issue : Wage Increase.
 Date heard : 15th February, 1995.
 Status : Decision still pending from Trade Disputes Panel.

7. Name of Case : SINUW v. Russell Islands Plantations Estates Ltd.
 Reference No. : L9/14/95.
 Issue : Copra Cutting and Cocoa Harvesting Targets Increase.
 Date heard : 11th August 1995.
 Status : Decision pending from Trade Disputes Panel.

B. UNFAIR DISMISSALS

1. : George Kili v. Sylvania Products (SI) Ltd UD 68/94.
 Date heard : 1st November, 1994.
 : Corina Rechenberg v. Sylvania Products (SI) Ltd UD71/94.
 Date heard : 1st November, 1994.
 : Aubrey Tohuika v. Tahua Trading Co. Ltd UD27/94.
 Date heard : 16th May 1995.
 : Kenneth Lolo v. Shorncliffe (SI) Ltd UD50/94.
 Date heard : 30th May 1995.

: Kevin Laena v. Integrated Forest Industries (SI) Ltd
UD 62/94.

Date heard : 9th June 1995.

: Derick Fraser v. Integrated Forest Industries
(SI) Limited UD 70/94.

Date heard : 9th June 1995.

: Rex Hou v. National fisheries Development Limited.

Sir, the above list is not exhaustive. There are many cases which decisions are still pending from the Panel for up to three years at the latest. As such, the Union had no choice but to seek direction from your office that the Trade Disputes Panel to release the written decisions.

Moreover Sir, it is now time that the Trade Disputes Panel put into effect the provisions under section 8 of the Trade Disputes Act 1981. The provisions of section 8 provides that the Trade Disputes Panel to submit a draft of their award to the Minister within the period of twenty-one days beginning with the date on which they entered on enquiry. Moreover, when the draft relates to the pay of any employees, the Minister had seven days to vary or confirm the Panel's decision before releasing the award to the parties concerned. As you are now aware, the Trade Disputes Panel has not abide by the stipulation of the above provisions. This is evident in the cases of SINUW v. Melanesian Holdings Limited (L9/9/94) and SINUW v. Guadalcanal Province (L9/15/94). The Trade Disputes Panel had failed to release the awards since the date of the full hearing of the said matters and this leads to the parties concerned to lose confidence, in the tribunal.

Therefore Sir, we seek that the awards requested be released to this union to maintain the confidence and trust the parties had in the Trade Disputes Panel.

Yours faithfully
SI NATIONAL UNION OF WORKERS

Ilifanoa

James S. Ilifanoa
Legal Officer

cc: The Honourable Chief Justice
cc: The Attorney General
cc: The Chairman, Public Service Commission
cc: The Ombudsman Office
cc: The Chairman, Trade Disputes Panel
cc: The Chairman, Guadalcanal Province Workers Committee
cc: The Chairman, Melanesian Holdings Workers Committee
cc: The Chairman, Malaita Province Workers Committee
cc: The Chairman, Kalena Timber Workers Committee



Ilifanoa



**Solomon Islands Chamber of
Commerce and Employers**

P.O. Box 650,
Honiara,
Solomon Islands.

Telephone: (677)22907 Fax: (677)22907

The Chairman
Trade Disputes Panel
P O Box 404
Honiara

11 April 1997

Dear Sir/Madam

RE: TRADE DISPUTES PANEL

As you are aware, it has been brought to our attention our members concern regarding the disrupted proceedings of the Trade Disputes Panel.

From our understanding the major concern is the non availability of a panel quorum which causes hearings to be deferred continuously, thereby causing even further delays for those whose cases are remaining in the backlog.

Your advice as to corrective action being taken to resolve this situation would be appreciated.

Yours sincerely

Mrs Gill Old
General Secretary

cc: The Ombudsman
P O Box 535, Honiara

MAP SHOWING PROVINCES
OF SOLOMON ISLANDS

