



ANNUAL REPORT

2011/2012

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December, 2013

His Excellency Dr. Ernest Bai Koroma
President of the Republic of Sierra Leone
State House
Tower Hill
Freetown

Your Excellency,


RE: PRESENTATION OF 2011/2012 ANNUAL REPORT

I have the honour to submit the third report of the Office of the Ombudsman in pursuant to Section 15 of the Ombudsman Act, 1997 for the period 1st January 2011 to 31st December 2012.

The report gives an account of the progress made in the implementation of the Ombudsman Strategic Plan 2009 -2013.

Your Excellency, on behalf of the entire staff of the Office, I once again pledge our commitment to performing our statutory function of acting as an effective watchdog of the public administration in Sierra Leone.

Yours Sincerely



Hon. Justice Edmond K. Cowan
Ombudsman

VISION AND MISSION STATEMENTS

VISION STATEMENT:

**A SIERRA LEONE, WHERE ADMINISTRATIVE ACTION BY
GOVERNMENT AND ITS AGENCIES IS FAIR, EFFECTIVE,
EFFICIENT AND ACCOUNTABLE**

MISSION STATEMENT:

**THE OFFICE OF THE OMBUDSMAN SAFEGUARDS THE
COMMUNITY IN ITS DEALINGS WITH GOVERNMENT AND
ITS
AGENCIES IN SIERRA LEONE, BY INDEPENDENT AND
IMPARTIAL
INVESTIGATIONS AND RESOLUTION OF COMPLAINTS**

OUR VALUES

In everything we do, we are committed to the values of the Sierra Leone Public Service its Code of Conduct and to the specific values of this office, which includes:-

- ✓ Accountability
- ✓ Impartiality
- ✓ Integrity
- ✓ Courage
- ✓ Effectiveness and Efficiency
- ✓ Being proactive and
- ✓ Team work

Bearing in mind the foregoing, the Office of the Ombudsman will at all times:

- ✓ Seek to promote and protect individual rights
- ✓ Promote effective public administration
- ✓ Provide an effective and efficient dispute resolution mechanism
- ✓ Provide complainants with a reliable mechanism by which their legitimate concerns are addressed and resolved
- ✓ Identify and address structural problems within the public administration

List of Abbreviations

AORC	African Ombudsman Research Centre
BKPS	Bo Kenema Power Services
CDIID	Complaint, Discipline and Internal Investigations Department
CSO	Civil Society Organization
IOA	International Ombudsman Association
IOI	International Ombudsman Institute
JSDP	Justice Sector Development Programme
MDA	Ministries Departments and Agencies
NASSIT	National Social Security and Insurance Trust
OGI	Open Government Initiative
NPA	National Power Authority
Office	Office of the Ombudsman
RSLAF	Republic of Sierra Leone Armed Force
SLBC	Sierra Leone Broadcasting Corporation
SIERRATEL	Sierra Leone Telecommunications Company
SLOIC	Sierra Leone Opportunities Industrialisation Centre
UN	United Nations
UNDP	United Nations Development Programme
USA	United States of America

FOREWORD



In 2009, together with my staff I embarked on a mission to establish an institution that would safeguard the community in its dealings with government and its agencies in Sierra Leone, by independent and impartial investigations and resolution of complaints. The vision is to have a Sierra Leone where administrative action by government and its agencies is fair, effective, efficient and accountable.

To this end, we launched a strategic plan of action that clearly defined the activities of the Office of the Ombudsman for a five year period 2009 -2013. The plan contained five thematic priorities which were: Awareness Raising and Accessibility; Capacity Building and Resource Mobilization; Independence; Networking; and Ethos.

It is our plan that by 2013, the institutional capacity of the Office is improved to an appreciable level. Our priority is to ensure a high level of awareness of the services of the Ombudsman and how these services can be accessed. The period between 2011 and 2012 marked the third and fourth years in the implementation of this five year plan.

With support from the government and its development partners, mainly the JSDP and the UNDP, we provided redress to a number of complaints against public institutions in Sierra Leone. We undertook outreach activities to improve on our public image and educate the populace on our mandate, the most prominent was the 'Meet the People Tour' to 11 districts in August 2011. We were able to meet and discuss with many stakeholders and listen to the myriad of problems the ordinary man faces when dealing with the public administration in the country.

We are pleased to highlight in this report that despite the difficulties the Office of the Ombudsman faced, we succeeded in enhancing public confidence in our services and increased our visibility around the country. This report narrates how we went about doing that.

We have improved on good management practices within the Office by strictly following the financial and procurement regulations of the country. As such, we maintained a clean audit record during 2011 and 2012, which meant that we were part of an elite number of public institutions which were not queried in the 2011 and 2012 Auditor General's Reports.

I am required by law under Section 15 of the Ombudsman Act 1997 to submit to the President an annual report on the performance of my office. This composite annual report details all the activities undertaken in 2011 and 2012, including statistics of the complaints handled, synopsis of selected cases concluded and the audited financial statement for the financial years 2010 and 2011.

A handwritten signature in dark ink, reading "E. K. Cowan".

Hon. Justice Edmond K. Cowan
Ombudsman, Sierra Leone

INTRODUCTION

In 2011 and 2012 a number of activities were implemented that have placed the Office of the Ombudsman in a better position to effectively discharge its constitutional mandate of complaint handling and investigation. The activities included massive awareness raising campaigns, training of staff and reforms in the overall management of the institution. Our activities during this period were directed towards achieving the thematic objectives outlined in our 2009-2013 Strategic Plan. These activities are discussed in more detail throughout this report.

The mandate of the Office of the Ombudsman as provided for in the Ombudsman Act 1997 is to investigate any action taken or omitted to be taken in the exercise of the administrative functions of any government ministry, department, agency, statutory corporation or institution set up with public funds.

In line with our mandate, we recorded 910 complainants in 2011/2012. The majority of those who sought our services were the underprivileged, who would have found it extremely difficult to seek redress to their complaints through the formal justice system. With functional and equipped offices in the three provincial cities of Bo, Kenema and Makeni, we were able to reach out to many people in mostly rural communities.

The Office increased the capacity of the investigative staff by recruiting a legal officer and also giving the investigators the opportunity to attend relevant and high calibre international training abroad. The quality of our services therefore improved to an appreciable level. As such, most of the complaints we concluded were resolved through mediation, contacts and continuous engagement with MDAs. Only few of the complaints we recorded is being concluded through lengthy and formal investigative processes.

Our strategy in complaint handling has been a cooperative approach to the MDAs. In most cases, our investigators go with the complainants to the agency in question and facilitate negotiations to find a solution for the amicable resolution of complaints. As a result of this approach, only a small number of the complaints we investigated were concluded through recommendation letters or investigative reports to the principal officers of the MDAs.

Undue delays and nonpayment of salaries and retirement benefits made up the highest number of complaints recorded in 2011 and 2012

The Ombudsman Act 1997 requires the Ombudsman to forward investigation reports to the President and to the Speaker of Parliament if he is dissatisfied with the implementation of his recommendations by any agency following an investigation. The Ombudsman Act further gives the Ombudsman limited judicial powers to issue subpoenas and bring charges of contempt and obstruction against persons who refuse to cooperate with his inquiry. However, the Ombudsman did not have cause to use these powers during 2011 and 2012. This is because the Office placed premium on cooperation from the MDAs and peaceful resolution of complaints; and getting the MDAs understand the role of the Ombudsman and appreciate the services of the Office.

In August 2011, the Ombudsman conducted a nationwide public awareness campaign in a 'Meet the People Tour' in eleven of the twelve districts of Sierra Leone. The purpose of the tour was to discuss the mandate and activities of the Office of the Ombudsman with stakeholders and the general public. During the tour, Justice Cowan also visited eleven out of twelve district prisons in

the country. These activities, coupled with continuous radio and television sensitisation have considerably increased the visibility of the Ombudsman's office in the country.

In our previous reports, we highlighted our observation that most of the MDAs saw the Ombudsman as an intruder into their administrative affairs and were therefore uncooperative. However with continuous public education and constant engagement, many are now very cooperative with the Office. In 2011/2012 we reached a situation where some agencies would consult with the Ombudsman before taking administrative actions against their employees.

The complaints level in 2011 and 2012 when compared to the previous years clearly shows that people have gained confidence in the Ombudsman services and were dependent on the Office for a resolution of their grievances against the government. Out of the 910 complaints we recorded in 2011/2012, 592 have been successfully concluded, mostly to the satisfaction of the complainants, whilst 45 were transferred to appropriate agencies.

It has been a productive but a challenging period at the Office of the Ombudsman. The Office suffered serious budget cuts during the period under review. Less than 50% of our budget was received towards our operations. It was therefore difficult for us to fully implement most of the activities that we had planned to undertake.

Adequate funding towards our activities and logistics, especially additional vehicles for our investigators remains our greatest challenge. We are appreciative for the government's commitment to enhancing the work of the Ombudsman, but however more resources need to be allocated to the Office in order for the Ombudsman to successfully implement his strategic plan. The JSDP was very helpful in financing our outreach activities.

ACTIVITIES OF THE OFFICE OF THE OMBUDSMAN

Complaints Handling and Investigations

Handling complaints and conducting investigations are the primary activities of the Office of the Ombudsman. The focus of our investigation is to examine whether an administrative action by a government agency is unlawful, unreasonable, unfair, discriminatory, factually deficient, or otherwise wrong. At the conclusion of an investigation, the Ombudsman may recommend that further consideration of the matter be made, modification or cancellation of the offending administrative or other act be effected, or a change to the relevant legislation, administrative policies or procedures be done.

Against this backdrop, the Ombudsman received 524 complaints in 2011 and 386 in 2012 totaling 910. Of these, the Office has concluded 592 (338 in 2011 and 254 in 2012) whilst 273 are still being investigated (157 in 2011 and 116 in 2012). The majority of the complaints, 50.7% related to undue delays or nonpayment of salaries, contractual fees, benefits and pensions (469), wrongful dismissals 10.2% (89), and unfair treatment or improper prejudice 22.3% (199).

A good number of the complaints relating to nonpayment of salaries and benefits were against the Accountant General's Department in the Ministry of Finance and centred on delays in paying end of service benefits and contributions to NASSIT for government employees and retirees. These delays have caused retirees and their dependants to go through undue hardships as many have waited for years for their end of service benefits.

From our investigations into the individual complaints, we observed that there is an inherent problem in the way the government system processes end of service benefits and pensions. We are of the view that the problem could better be addressed with a new government policy geared towards improving the procedures by which end of service benefits are calculated and paid.

Most of the complaints on nonpayment of benefits were also against NASSIT. Retirees and survivors complained that NASSIT had refused to process their pensions because of gaps in their contributions. The Ombudsman raised the issue with the Board of Trustees and Management of NASSIT at a meeting in February 2011 and pointed out that it was wrong to withhold people's pensions for gaps in their contribution. The Ombudsman argued that the NASSIT Act places the onus of collecting social security contributions on the Trust and not the employees.

We observed that NASSIT had adopted a practice of withholding payment of pensions to former employees or survivors as a penalty to employers who had failed to contribute constantly to the NASSIT scheme. This practice was meant to force employers to comply with the NASSIT Act. However, it had the opposite effect in that it put employees and survivors at a position of disadvantage and not the employer.

In most of the complaints we received, we engaged the MDAs in meetings to resolve the issues and advise them on how they could improve their administrative systems and practices. It is worth reporting that with the exception of a very few, we have received the cooperation of majority of the MDAs.

TABLE 1: 2011 COMPLAINTS ANALYSES

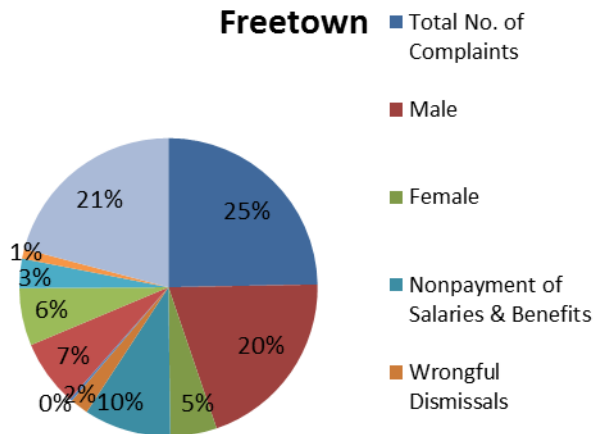
Complaint Category	Freetown	Bo	Kenema	Makeni	Total	Percentage %
Total No. of Complaints	186	130	107	98	524	100
Male	151	118	94	89	453	86.45
Female	38	12	13	9	71	13.55
Nonpayment of Salaries & benefits	71	93	54	70	289	55.2
Wrongful Dismissals	15	9	05	12	40	7.6
Harassment	2	0	0	0	2	0.4
Bias & Unfair Treatment	54	18	15	12	99	18.8
Others	47	10	33	4	94	18.0
Under Investigation	24	46	58	29	157	30
Referred to Appropriate Agencies	8	12	7	2	29	5.5
Concluded	157	72	42	67	338	64.5

TABLE 2: 2012 COMPLAINTS ANALYSES

Complaint Category	Freetown	Bo	Kenema	Makeni	Total	Percentage %
Total No. of Complaints	149	84	55	98	386	100
Male	123	75	48	90	340	88
Female	26	9	7	8	46	12
Nonpayment of Salaries & benefits	52	47	25	57	178	46.1
Wrongful Dismissals	19	1	9	21	49	12.7
Harassment	0	0	3	0	3	0.8
Bias & Unfair Treatment	52	27	10	11	100	25.9
Others	26	9	8	10	56	14.5
Under Investigation	27	15	9	33	116	30
Referred to Appropriate Agencies	0	9	5	2	16	4.2
Concluded	122	60	41	63	254	65.8

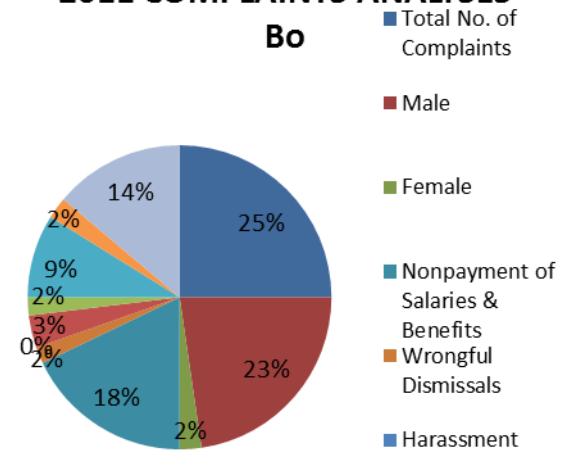
2011 COMPLAINTS ANALYSES

Freetown



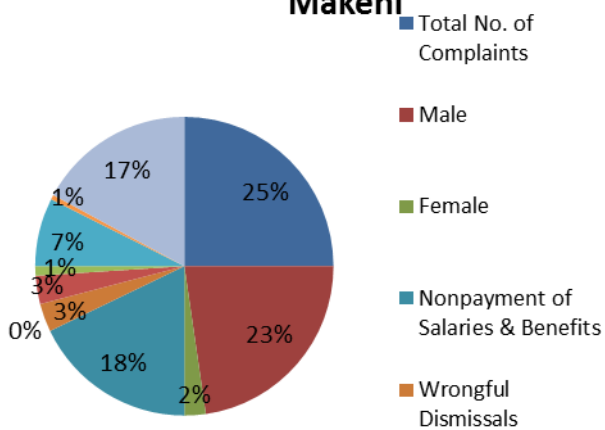
2011 COMPLAINTS ANALYSES

Bo



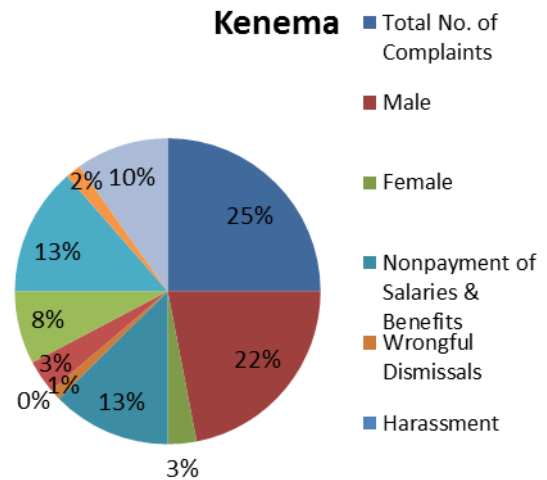
2011 COMPLAINTS ANALYSES

Makeni

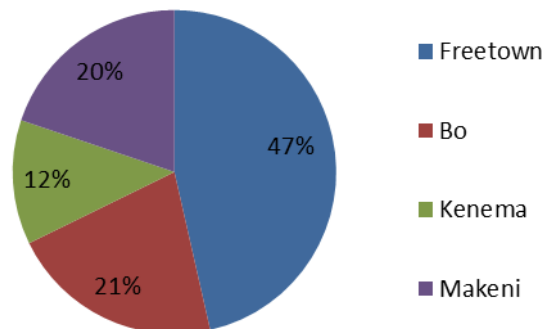


2011 COMPLAINTS ANALYSES

Kenema

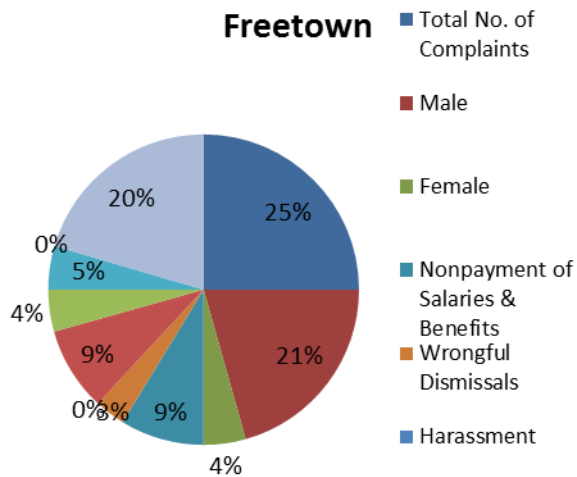


2011 COMPLAINTS ANALYSES National



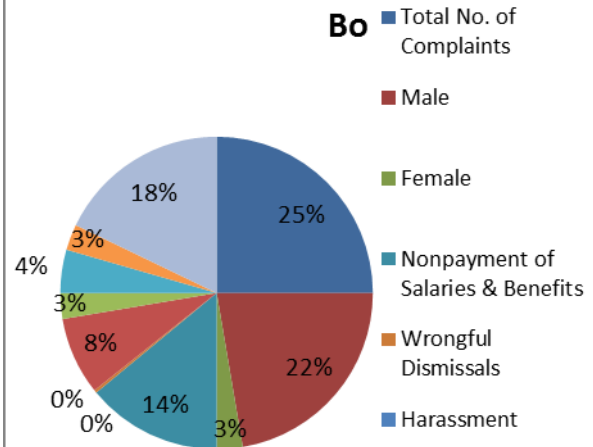
2012 COMPLAINTS ANALYSES

Freetown



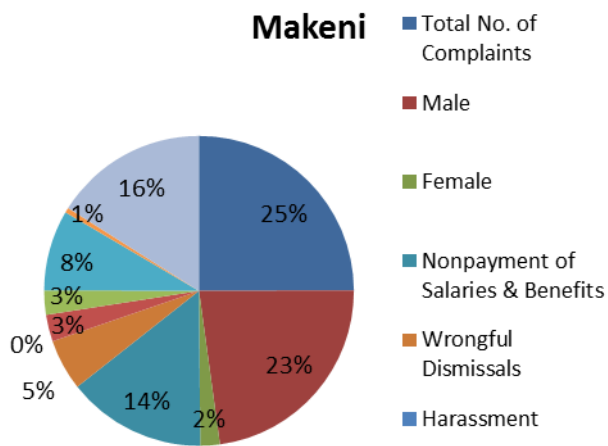
2012 COMPLAINTS ANALYSES

Bo



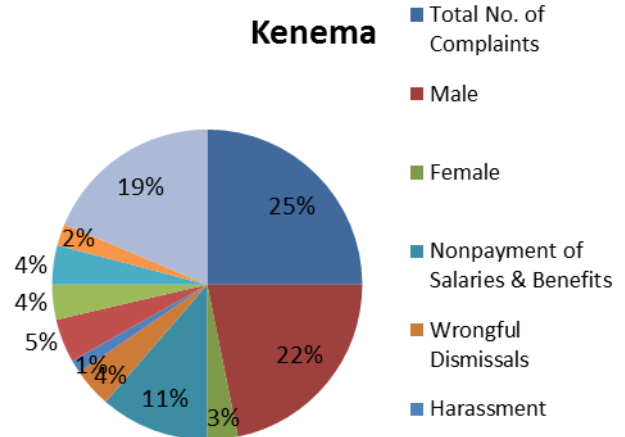
2012 COMPLAINTS ANALYSES

Makeni

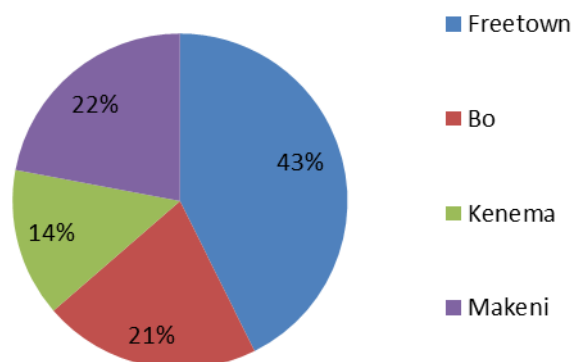


2012 COMPLAINTS ANALYSES

Kenema



2012 COMPLAINTS ANALYSES National



Awareness Raising and Accessibility

Awareness raising and accessibility is the top priority objective in our Strategic Plan. The Plan identifies insufficient awareness and understanding of the Ombudsman's role by the public as the main problem facing the Office. With funding from the JSDP, the Ombudsman embarked on a 'Meet the People' tour to the 11 of the 12 districts in Sierra Leone from 8th August to 7th September 2011. The aim of the tour was for the Ombudsman to directly discuss the mandate and activities of the Office with the general public, increase public confidence in its services, and report on the achievements of the institution.

Picture 1: Ombudsman explaining his mandate to the people of Bo



During the tour of the districts, the Ombudsman and team also visited the district prisons in Kailahun, Kenema, Kono, Pujehun, Moyamba, Bo, Kabala, Makeni, Magburaka, Port Loko Kambia and the Central Prisons in Freetown. At the prisons, the Ombudsman explained to inmates about their rights to lodge complaints with the Office about issues they feel dissatisfied with while in detention.

At all the prisons visited, the Ombudsman observed that there were more remand inmates than convicted prisoners. Some remand prisoners complained that they had waited for years for their indictments.

Picture 2: Ombudsman and team posed with prison officers after sensitisation exercise in Kaillahun Prison



From our investigations into individual prisoner complaints, we found out that the committal process from the magistrates court to the high court coupled with the absence of magistrates in some districts were the main reasons for so many inmates on remand. The Ombudsman's findings and recommendations on his visit to the prisons were detailed in a report that was sent to the Director of Prisons, the Chief Justice, the Attorney General and Minister of Justice and the Inspector General of Police for their attention.

Picture 3: Sample of complaint boxes



Complaints boxes were placed in the various prisons and district headquarter towns for inmates and the general public to lodge their complaints. These complaints would then be collected and followed up by the provincial investigation team.

Since local radio stations are the primary source of information for many Sierra Leoneans, the Office also aired jingles, public notices and hour long discussion programmes on at least one radio station in each of the eleven districts visited. Press conferences were also held to update journalists on our activities. The Ombudsman and his public relations team also participated in popular television programmes on the SLBC and talk shows on major radio stations in Freetown.

Capacity Building

Efficient service delivery in line with international best practices demands that our personnel are trained by external professional bodies. To this end, making international training available to our investigative staff was one of the main activities undertaken in 2011 and 2012.

Two of our investigators, Abdulai Senesie and Alhaji Mansaray, were trained in Ombudsman Practices in July 2012 by the Queen Margaret University and the AORC at the University of Kwazulu Natal in South Africa. And another Investigator, Abdul Hassan Sesay, received training in Human Rights, Peace and Security in Sweden and in Ombudsman Practices and Investigations from the IOI in Vienna, Austria in August 2012.

Evans Lyndon Baines Johnson, the investigator in Kenema attended the IOA conference in the USA in 2011 where he also participated in several training courses.

The Legal Officer, Lois Kawa, in 2012 attended two seminars organised by the African Union on Anti – Corruption Prevention in Post Conflict African Countries in Senegal and Burundi respectively.

Picture 4: Two of our Investigators, Alhaji Mansaray and Abdulai Senesie, at the AORC training in South Africa



SYNOPSIS OF SELECTED CASES

This section provides a selection of cases investigated by the Ombudsman in 2011/2012. The aim is to present a clear picture of the work of the Ombudsman.

RSLAF: Complaint of Withholding Salary Resolved

The Ombudsman received a complaint from a serving military officer against the RSLAF. The complainant alleged that the Chief of Defence Staff had instructed that his salary and rice be withheld because of his refusal to pay 10% of his peace keeping allowance to the army. The complainant was among a group of officers that served in the UN Observer Mission in Sudan between 2009 and 2011.

The complainant contended that the 10% contribution had no justification and that there was no prior arrangement between him and the army. He further refused to pay because he was due to proceed to retirement in December 2011.

The Ombudsman held meetings on two separate occasions with the senior management of the RSLAF on the matter.

The Ombudsman was informed that Section 14 of the 'Ministry of Defence Peace Support Co-operation Policy' requires army personnel to contribute 10% of their peace keeping allowances to the RSLAF Peace Keeping Benevolent Fund. The funds are used to support all visits, medal parades and equipment of the army's overseas missions.

The Ombudsman was further informed that all the other personnel who served in the same Mission as the complainant had made their contribution. The main reason why the complainant refused to pay was because he was going on retirement.

The Ombudsman recommended to the RSAF that the 10% contribution be deducted from the complainant's outstanding salary. And that the rest of his salary and ten bags of rice be given to him. The RSLAF agreed to this and the complaint was amicably resolved.

Police Paid Le 18, 000,000.00. as Compensation for Loss of Properties

The Ombudsman received a complaint on the conduct of some officers attached to the Bo Police Division. The complaint was first dealt with by the CDIID and disciplinary actions were taken against the officers for the misconduct. However, the CDIID action did not entirely resolve the matter as the complainants were unable to recover what they claimed the officers wrongfully took from them.

The complainants alleged that the officers raided their homes at night without a warrant and executed an unlawful search and arrest. The raid was in connection to a report of theft made against them by their employer. During the raid, they alleged that properties including motor bike, refrigerator, musical set and fiscal cash of about Le4, 000,000.00 were taken away by the said officers. The properties, they claimed, were never returned to them nor tendered as exhibits in court. They asked the Ombudsman to intervene so that their properties would be returned to them.

The Ombudsman found that the properties in question were given to their employer by the police in a bid to resolve the matter out of court. However, the complainants said they were not a party to that arrangement and that there was no evidence to prove that they had agreed to that.

The Ombudsman also found that it would be very difficult to recover the properties. As a way of resolving the matter, the Ombudsman facilitated negotiations between the defaulting officers and the complainants. And the officers agreed to pay Le18, 000,000.00 as compensation to the complainants for the loss of their properties. The complainants were satisfied with the outcome of the Ombudsman's intervention.

Njala University: Complaint of Nonpayment of Terminal Benefits Resolved

The Ombudsman investigated a complaint from a foreign lecturer alleging that Njala University had refused to pay him his actual terminal benefits. In addition to his gratuity, he claimed that the University owed him three months basic salary in lieu of notice of termination and a reimbursement for a professional meeting he attended in Nigeria on behalf of the University.

The University in their response stated that the complainant's services were terminated on April 30 2011 and not 21st June 2011, as he claimed. The University did not approve his travel to Nigeria prior to his departure and was therefore not entitled to reimbursement.

The Ombudsman found that the complainant was indeed terminated in April and not June. There was no evidence that the University had approved his meeting in Nigeria. As such, the Ombudsman recommended that the complainant be paid two months' salary in lieu of notice together with his gratuity. The University immediately effected payments to the complainant following the Ombudsman's intervention.

RSLAF: Sacked Army Officers Reinstated

The Ombudsman investigated a complaint of wrongful dismissal against the RSLAF.

The first complainant alleged that while he was serving a 3 months sentence, routine medical checks were carried out on all personnel. The sentence was passed by a Court Martial. His bosses reported that he had been absent from duty instead of stating the actual facts. He was summarily dismissed for not availing himself for the medical checks.

The second complainant's name was listed against another officer from a different battalion. The mix-up of names caused the complainant to miss out on the routine medical checks. He was therefore also summarily dismissed.

The Ombudsman recommended to the RSLAF in a meeting with the senior management that the complainants be reinstated because their absence had not been deliberate. After the meeting with the Ombudsman, the RSLAF reinstated the complainants and paid them their backlog salaries.

Local Govt. Service Commission: CSO Complaint of Administrative Injustice Unjustified

The Ombudsman received a complaint from the Youth Alliance for Justice and Peace (YAJP) relating to allegations of administrative injustice. This civil society organisation complained that the Local Government Service Commission (LGSC) had unjustly demoted one Mr. LK from the position of a finance officer to that of an accountant.

Mr. LK was employed in 2007 as an accountant by the LGSC and posted to the Port Loko District Council. YAJP alleged that the council in 2009 appointed Mr. LK to act as Finance Officer (FO), following the resignation of the substantive FO. Mr. LK served in an acting capacity for three years. It was therefore expected that Mr. LK would be appointed as the substantive FO in the Port Loko Council. But the LGSC instead transferred Mr. LK to the Moyamba District Council as an accountant.

The LGSC responded that Section 38 of the Local Government Act 2004 prescribes that transfers, promotions and discipline of core staff are mandated by the LGSC and not councils. The Port Loko Council on the other hand denied that Mr. LK was appointed to act as FO.

The Ombudsman found that following the resignation of the substantive FO, a change of signatory was made through a letter written by the Chief Administrator to the Branch Manager of the Sierra Leone Commercial Bank in Makeni stating that Mr. LK had replaced the former Finance Officer. This letter is what Mr. LK and the YAJP had interpreted to mean that Mr. LK was appointed to act as FO.

The Ombudsman concluded that the letter was written for administrative convenience between the bank and the council and not as an appointment letter. And that it was only the LGSC that had the statutory mandate to designate acting positions, promotions and transfers. The complaint was therefore unjustified and no remedial action was recommended.

SLOIC: Complaint of Undue Hardship Resolved

The visually challenged complainant had served the SLOIC as an instructor since 1996. In August 2011, he complained to the Ombudsman that his salary had been withheld for months because he was unable to effectively perform his duties as a result of ill health. The complainant suffered visual impairment while in active service.

The complainant's application for a study leave to learn Braille literacy was rejected by SLOIC. SLOIC replied that the Braille does not fit into any of their programmes and therefore asked the complainant to resign.

The Ombudsman engaged the Executive Director of SLOIC in several meetings to resolve the complaint.

The Ombudsman recommended that SLOIC should report the medical condition of the complainant to NASSIT so he could receive invalidity benefits and that SLOIC should continue to pay his salary until then.

The SLOIC accepted the Ombudsman's recommendations. The complainant was paid his salary and terminal benefits and is now receiving his invalidity benefits from NASSIT.

Northern Polytechnic: Backlog Salary Paid

A complaint was lodged with our Makeni office against the Northern Polytechnic regarding the non-payment of backlog salaries. The Polytechnic denied that the complainant was entitled to eleven months backlog salary as claimed.

The Ombudsman found that the Polytechnic did owe money to the complainant but that the authorities were refusing to pay because of some misunderstanding between them and the complainant.

In a meeting between the Principal and the Registrar of the Northern Polytechnic and the complainant, the misunderstanding was resolved and the complainant was duly paid his outstanding salary. The meeting was organised and chaired by the Ombudsman's office in Makeni

Bo Prisons: Five Year Remand Prisoner and Six others Released

A letter of complaint was collected on the 9th January, 2012, from the Ombudsman's complaint box located in the Bo Prison. The letter alleged that the prisoner had been remanded for five years without a single witness coming forward to testify against him at the High Court. The complainant was accused of rape.

The Ombudsman engaged the Senior State Counsel in Bo. The Senior State Counsel informed the Ombudsman that the prosecution had difficulties in bringing witnesses to testify at the High Court against the complainant.

The Ombudsman recommended that the prosecutor apply for a discharge in the absence of witnesses. The Senior State Counsel acting on the Ombudsman's advice applied for a discharge the following week. The complainant and six others, who also complained to the Ombudsman from the Bo Prisons on similar grounds, were released.

Eastern Polytechnic: Complaint of Wrongful Dismissal Unjustified

The Ombudsman investigated a complaint from a former Lecturer of Eastern Polytechnic, Kenema. The complainant alleged that he was dismissed whilst on sick leave. He claimed that he wrote to the administration for a one year sick leave in line with the Eastern Polytechnic staff handbook, which states that staff who have served a period of five year were entitled to such a leave.

The health policy of the Polytechnic stipulates that before sick leave is approved, the applicant must first be examined by the institution's medical retainer.

The Ombudsman found that the complainant was neither examined by the medical retainer nor did he present a certified medical report on his health condition. The Ombudsman therefore concluded that the complaint was unjustified.

Seed Multiplication Project: Supervisor Paid Six Months' Backlog Salary

An employee of the Seed Multiplication Project in Makeni complained to the Ombudsman that he had worked without salary for six months. All previous human efforts to get his salary proved futile until he complained to the Ombudsman.

The Ombudsman found that the complainant's salary had been used by his supervisor to pay for seedlings. The Ombudsman directed that the complainant's salary be paid. The supervisor complied and immediately paid the complainant his six months backlog salary.

Wrongful and Humiliating Dismissal of Head Teacher Reversed

The complainant was the Head Teacher of the Jefferson Baptist Primary School, Kenema who had served the school for 3 years. He alleged that the manager of the school announced his dismissal in a humiliating manner in the presence of all staff during an emergency meeting. The manager's action was as a result of a minor misunderstanding between him and the head teacher.

The Ombudsman's office successfully mediated between the complainant and the manager and the dismissal was reversed with an apology from the manager.

Makeni Prisons: Complaint of Malicious Transfer Reversed

A junior prison officer of the Makeni State Prisons complained that he had been maliciously transferred to the Sefadu Prisons because of a quarrel with the wife of his boss. He argued that the transfer was inconsistent with the Prisons Ordinance and appealed against it to the prison authorities but the appeal fell on deaf ears.

The Ombudsman found that the complainant was transferred because the prison authorities wanted to please their colleague's wife who was sharing the same quarter as the complainant. The Ombudsman also found that the complainant was the legal occupant of the said quarters and had agreed to share with his boss's wife as a favour.

The Ombudsman recommended that the transfer be reversed and it was.

NPA: Complaint of Nonpayment of Benefits

The visually challenged complainant was first employed with the NPA in 1984 and was later transferred to the BKPS, where he retired in February 2006. At retirement, he claimed, he was entitled to gratuity from both NPA and BKPS; a situation that applied to all workers that served the two institutions. The BKPS paid his gratuity but the NPA, he alleged, had refused to pay.

A payment voucher was submitted to the Ombudsman to prove that NPA did transfer cheques to the BKPS for subsequent payment to the complainant, but the said voucher did not have the signature of the complainant. As such, he denied ever receiving such payment.

The Ombudsman was able to prove that the complainant did receive the gratuity payment but did not sign the receipt voucher. He admitted after the investigation that he received the money but was dissatisfied with the amount. He wanted to verify through the Ombudsman's investigation

whether what he received was his correct benefits. He was suspicious that he has been cheated because he was blind.

SIERRATEL: Complaint of Early Retirement Unjustified

The Ombudsman investigated a complaint from a former employee of SIERRATEL relating to early retirement. The complainant claimed that SIERRATEL sent him on retirement two years earlier. He contended that his year of birth was 1954 and not 1952 as recorded by SIERRATEL.

The Ombudsman found that there was an attempt to change the complainant's date of birth from 1954 to 1952 on his employment record form. The Ombudsman therefore concluded that the complainant had no case.

CHALLENGES OF THE OFFICE OF THE OMBUDSMAN

The key challenges facing the Office are highlighted under the following headings:

Inadequate Funding and Logistics

The major challenges of the Office are inadequate financial resources and logistics. The budgetary allocation from the Ministry of Finance is barely enough to cover our expenses and activities. In 2011, we submitted a budget proposal of Le 1,688,944,582 toward the implementations of the programmes in the Strategic plan, but only Le 420,770,000 was received. This was about 25% of what we asked for. Similarly, we requested for Le 2,077,900,624 in 2012 but only received Le 564,400,000. This was about 27% of the proposed budget.

Lack of sufficient vehicles frustrated our efforts to fully extend our services in rural communities. Because the Office only had three vehicles that are based in Freetown, we were unable to make regular visits in the districts.

Insufficient Knowledge of the Work of the Ombudsman

A number of outreach activities are ongoing in an effort to increase awareness and enhanced public confidence in the services of the Ombudsman. However, a good number of Sierra Leoneans are yet to fully understand the mandate and role of the Ombudsman as suggest by the OGI in its 2012 public perception survey.

Noncooperation of Some MDAs

Though we have been receiving the cooperation of majority of the MDAs, we are however finding difficulties getting some to respond to our correspondence. This negative attitude on the part of some agencies is impacting seriously on the time it takes the Office to conclude its investigations.

Also, some institutions would agree to implement the recommendations of the Ombudsman but would most often renege on their promises. The Ombudsman would have to sometimes write several reminders to some agencies to implement what they have agreed to. Unfortunately, the Ombudsman's recommendations are not binding and would therefore rely on the sincerity and commitment of the MDAs to undertake genuine administrative reforms.

STAFF OF THE OFFICE OF THE OMBUDSMAN AS 31ST DECEMBER 2012

Head Office:-

Justice Edmond Cowan	Ombudsman
Dr. Sheku Conteh	Executive Secretary
Mr. Daniel O. Cole	Director
Ms. Lois Anita Kawa	Legal Officer
Mrs. Abigail Finda Gbo-Musa	Administrative/Finance Officer
Mr. Abdul Hassan Sesay	Investigating Officer
Mr. Alhaji Mansaray	Investigating Officer
Mr. Minkailu Francis Sama	IT/Procurement Officer
Mr. Alieu B. Gibrill	Account Assistant
Mrs. Joyce Conteh	Confidential Secretary
Ms. Marie E. Dumbuya	Confidential Secretary
Mr. Lamin Kamara	Clerk/Typist
Mr. Lahai Bangura	Driver
Mr. Santigie Kamara	Driver
Mr. Mohamed J. Murana	Driver
Mr. Saidu Bangura	Messenger
Mr. Charles Kanu	Cleaner
Mr. Emmanuel Kamara	Cleaner

PROVINCIAL OFFICES

Kenema:-

Mr. Lyndon Baines-Johnson	Investigating Officer
Ms. Katumu Junisa	Confidential Secretary
Mr. Abraham Kanneh	Cleaner
Mr. Abdul K. Kallon	Messenger

BO:-

Mr. Abdulia Senesie	Investigating Officer
Ms. Nattia Lebbie	Confidential Secretary
Mr. Solomon Caulker	Security
Mr. Issa Conteh	Cleaner
Mr. Khalilu Saccoh	Messenger

Makeni:-

Mr. Alex Yembeh Mansaray	Investigating Officer
Ms. Comfort Moses-Thoronka	Clerk/Typist
Mr. Alie Makalay Mansaray	Messenger
Mr. Rashid Deen Sesay	Security
Mr. Alhassan Koroma	Cleaner