

Academic for office of ombudsman

A POLITICAL science senior lecturer advocates the idea of a Hongkong ombudsman, saying that the post is the most effective means of protection against arbitrary administrative action.

Dr Ian Scott of the University of Hongkong said yesterday the procedures for selecting an ombudsman are quite simple. But he also said that there has to be "sufficient political will" to prod the government along.

The lecturer cited New Zealand as an example, saying that the ombudsman there has very quickly bolstered public support and confidence since its inauguration in 1962.

He said in the cases of New Zealand and many Scandinavian countries, the independence of the ombudsman from the government is essential.

He said no matter how well government "complaint-handling" institutions carry out their functions, they are not always deemed independent.

The professor dismissed the suggested government

option of a board similar to the British Parliamentary Commissioner. He said such an arrangement is not an entirely independent one — being a government office.

The ombudsman, with his vigilant presence, can prompt the civil service to be more efficient, effective and responsible, he elaborated.

Dr Scott refuted the official arguments against having an ombudsman. He said objection was already "mooted as early in 1969 when the government drafted a Commissioner of Administration (Ombudsman) Bill, which was never published or debated."

He said the case against the ombudsman rests on lame premises: That Umelco is doing a good job; that the civil service would disapprove; that the suggestion came from an educated minority, and the new post would cost plenty.

Dr Scott said the Umelco system is "over-loaded" and it is difficult to see how the average member can spend much time on public complaints.

He also said the unofficials "act as a court of final appeal rather than as a prim-

ary source for the redress of grievance.

"Since initial investigations are being conducted by civil servants, it would seem to make sense to give their work greater legitimacy by transferring them to an independent body."

"Umelco members could still take complaints to the Legislative Council or refer them to the ombudsman, as they saw fit."

On the argument that the movement for an ombudsman is elitist — it being the proposal of a vocal educated minority — he said all along in Hongkong, the power of legislation is the province of a small group of senior civil servants and Legislative and Executive Council members. The public has, until now, little say in the acts of governance and that its own interests are not necessarily served by those bestowed the mandate.

Dr Scott disagreed that installing an ombudsman would be costly. The lecturer said because of his impartiality, the ombudsman can probably dispense with much of the "self-protective, duplicating" investigations which are going on now.