

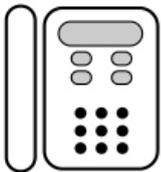
*Issue No. 4 of Reporting Year 2014/15
(27 January 2015)
Office of The Ombudsman*



Brief Report for Calendar Year 2014

The Ombudsman has prepared a brief report on the work of the Office for the year of 2014 (January to December 2014) at **Annex 1**.

Enquiries



For press enquiries, please contact Ms Kathleen Chan, Senior Manager (External Relations) at 2629 0565 or by email kathleenchan@ombudsman.hk.

Office of The Ombudsman
27 January 2015

**Brief Report
of the Office of The Ombudsman
for Calendar Year 2014**

In 2014, the Office of The Ombudsman received 12,290 enquiries and 5,367 complaints, similar to the figures in the previous two years. For details, please refer to the attached Table.

2. Based on the statistics of allegations made by the complainants, the top three causes for complaint against Government departments and public organisations were:

- error, wrong decision or advice (32.7%)
- ineffective control (14.2%)
- delay/inaction (14.0%)

These were the same three major causes as in the previous two years, with only slight variations in their percentages.

3. Depending on their nature and complexity, cases pursued will be handled by way of inquiry, mediation or full investigation.

4. In 2014, we concluded more cases by mediation and full investigation (126 and 345 cases respectively). Meanwhile, the number of cases concluded by mediation was four times that of the previous year. Among these cases, some protracted disputes, which had dragged on for 10 to 12 months, were successfully settled within a few days or several weeks after our intervention. According to our surveys conducted on conclusion of these cases, both the complainants and departments/organisations concerned gave positive feedback about the mediation procedures and results achieved. As some complaints received by this Office involve no or only minor maladministration, we will continue to promote the use of mediation in handling complaints to facilitate quicker and more direct dispute resolution.

5. For complaints involving serious maladministration, we will uphold our principle and conduct full investigation to identify any inadequacies on the part of the departments/organisations concerned and make recommendations for improvement.

6. Besides handling complaints received from members of the public, we also conduct direct investigations (“DIs”) into social topics of wide community concern, with a view to examining systemic deficiencies in Government’s administration systems at a macro level. Before deciding whether or not to launch a DI against a department or organisation, we may very often conduct an “initial assessment” (DI assessment).

7. In 2014, we completed a total of 23 DI assessments and the following 7 DIs:

- Mechanism of Transport Department for Monitoring the Frequencies of Franchised Bus Services
- “Special Procedures” of Buildings Department for Handling Unauthorised Building Works Cases Involving Celebrities
- Public Records Management in Hong Kong
- The Access to Information Regime in Hong Kong
- Management and Release of Patient Records by Hospital Authority
- Regulatory Measures and Enforcement Actions against Street Obstruction by Shops
- Government’s Regulation of Guesthouses

We will continue to pay attention to worthy topics to determine the direction of our investigations.

Office of The Ombudsman
January 2015

Caseload

	2014 ¹
Enquiries	12,290
Complaints	
(a) For processing	6,525
- Received	5,367
- Brought forward	1,158
(b) Processed	5,400
Non-pursuable²	2,723
Pursued and concluded	2,677
- By inquiry ³	2,206
- By full investigation ⁴	345
- By mediation ⁵	126
(c) Percentage processed	82.8%
= (b) / (a)	
(d) Carried forward	1,125
= (a) – (b)	
Direct investigations completed	7

Note 1. From 1 January to 31 December.

Note 2. Outside our jurisdiction or restricted by The Ombudsman Ordinance; withdrawn by complainant; discontinued or not undertaken by the Office, e.g. *sub judice* or lack of *prima facie* evidence.

Note 3. Pursued under section 11A of the Ordinance, for general cases.

Note 4. Pursued under section 12 of the Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.

Note 5. Pursued under section 11B of the Ordinance, for cases involving no, or only minor, maladministration.