



## E. PERCEPTION OF THE OMBUDSMAN

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## **I. ADMINISTRATION**

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The perception of the Ombudsman held by different public services depends, mainly, upon two factors. The first is the degree of information about and familiarity with the institution, and the second is the adequacy of their staffing, the competence of their personnel, and the quality of their material infrastructure. Although there are exceptions, as a general rule the more pronounced the presence of these factors (particularly familiarity with the office), the more positive is the perception of the Ombudsman.

More specifically, the majority of the public services which the Office of the Ombudsman dealt with up to the end of December 1998 had a positive attitude towards the institution. This was evident in prompt responses to inquiries, telephone messages, and requests for clarification from the Ombudsman. In general, the positive responses tended to come from the major social insurance funds (such as IKA and OGA), the central services, and from relatively high-ranking personnel. This is the case partly because the existence of the Ombudsman is well known mainly among middle- and higher-ranking civil service personnel.

It is too early to know whether the positive perception of public sector services is based on fear of "getting mixed up with the Ombudsman" or on the belief that, in the long term, it is in the interest of the administration for the institution to function smoothly. At this point, any conclusion regarding this crucial question would be premature.

The experience of the first months of operation indicates that the services with a more negative attitude included the smaller insurance funds, such as the Chemists' Supplementary Insurance Fund and the Metal Industry Supplementary Pension Fund, Tax Offices, forestry services and urban planning departments, local government in border regions and isolated cases of professional associations. Fear of responsibility and a refusal to co-operate were characteristic

of most of the Ombudsman's contacts with services in these categories.

Services that are poorly informed about the Office of the Ombudsman react in a variety of ways, including suspicion, reluctance to co-operate with representatives of the Ombudsman (whether from fear of responsibility or of ignorance) and referral of the issue to a higher ranked member of the service.

Finally, the Ombudsman is sometimes compared to the Body of Inspectors-Controllers of Public Administration, and is perceived as its successor.

In conclusion, the experience of the first three months of operation indicates that the administration is withholding judgement on the broader role which the Ombudsman is called upon to play. To a considerable extent, this stance is due to lack of information, especially among the lower-ranking public sector employees, about the institution and its mission. Correcting this situation is a challenge for the Ombudsman.

## **2. CITIZENS**

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The perception of the Ombudsman held by individual citizens varies according to various objective or subjective factors, mainly having to do with the following:

1. The nature of the problem the particular individual is facing (whether the complaint is well-founded or not, if it can be solved, etc.)
2. The experiences the complainant may already have with other government services.
3. The complainant's ability to deal with bureaucratic procedures.
4. The general personality of the individual involved. Often people with inaccurate ideas about what can be done administratively, appeal to different services in order to satisfy their unfounded complaints.

Generally, the public seems to be positively disposed towards the Ombudsman, as is apparent both directly, from the office's daily



contacts with citizens and thank-you letters received, and indirectly, through the mass media. There are many reasons for this positive perception and they are linked with the different causes which made the particular individual appeal to the Ombudsman in the first place, as well as to the different impressions which the public have about precisely what this newly-established institution is and exactly what it can do to help citizens.

The petitions received by the office during the first three months of operation indicate that there are basically four different attitudes towards the Ombudsman.

- People with particularly high expectations. Some people believe that the Ombudsman is in a position of "power" over all other government services, able to act like "a bolt from the heavens" and solve chronic problems in one or two days.
- People with low expectations. These individuals feel completely let down by all government services and expect little, but submit their petitions to the Ombudsman as their last hope.
- People who correctly apprehend the institution's role. Most of these people express their problems clearly, are quite co-operative, and provide the Ombudsman with information about their cases. They recognise the difficulties government services have, are patient, and willing to grant the office the time needed to solve their problems.

- People seeking revenge against public services. For years these people have been exploiting managerial weaknesses, which they understand well, and feel particularly ill treated when, in some instance, the law is applied to them strictly.

### 3. CONCLUSIONS

Ascertaining the overall perception which society has of the role of the Ombudsman will not be possible until enough time has passed for both public services and citizens to understand and accept the, by definition, ambiguous operation of the Ombudsman as simultaneously a defender of individual rights and a mediator between public administration and the citizen. In the short term, the purpose of this ambiguous role is to deal with the personal complaints of individuals. In the long term, the purpose is to help remove the deep-seated causes of maladministration.

To deal with these issues, the Ombudsman must establish a clear and effective public relations policy directed towards three different audiences; the public administration, individuals, and the mass media. Achieving this goal will strengthen the already clearly positive stance the public has taken towards the institution, will improve the attitude of the administration, and will contribute substantially to the broader acceptance and legitimation of the Ombudsman.