

Address to the Annual Meeting of the British and Irish Ombudsman Association (Dublin Castle – 23 May 2006) by David Hanson MP, UK Minister of State for Northern Ireland.

Thank you Madam Chairman, ladies and gentlemen. I was delighted to be invited to attend this very important event today, the occasion of the British and Irish Ombudsman Association's Annual Meeting. It is particularly interesting for me to be here and sharing the platform with Dermot Ahern, the Minister for Foreign Affairs, who has been working so hard with others in the process of restoring devolution of the Assembly at Stormont – he probably could do without seeing me so frequently!

In the process of preparing for today's meeting and researching the background of BIOA, I was very interested to note that this association was known in 1993 as the UK Ombudsman's Association. In 1994, demonstrating real vision and foresight, the association expanded to include comparable offices in the Republic, and changed its title to the British and Irish Ombudsman Association. It seems to me that this expansion was of major significance, in that it formally recognised the value and importance of links and dialogue between the different jurisdictions on these islands.

Importantly, this approach also forms a cornerstone of the Good Friday Agreement, in which it is recognised that the future of all of the peoples of these islands is interlinked. The focus in the Agreement on North/South and East/West relationships recognises that we have so much to gain from the synergies that working together - Belfast and Dublin, Dublin and Edinburgh, Edinburgh and London, London and Cardiff, Cardiff and Belfast - offer us.

The organisational arrangement provided by BIOA facilitates and enables all the voices, and indeed many more, represented in this audience today to learn together, to learn from each other and to constantly share best practice in a way that ensures all of the citizens in these islands benefit. Therefore, it can truly be said that BIOA was ahead of its time, a real pathfinder, contributing to an architecture across sectors within the individual jurisdictions that seeks to demonstrate accountability, transparency and fairness.

Yesterday, in the seminar that preceded today's events, the heads of organisations from both Northern Ireland and the Republic shared with colleagues from England, Wales and Scotland, major developments in relation to accountability and protection

for citizens on this island. Within the presentations, you heard from Bob Collins. Interestingly, Bob is a man born and educated in the South West of Ireland. Following an outstanding career in public service broadcasting at RTE, last year he was appointed as Chief Commissioner of the Equality Commission in Northern Ireland. That agency was itself the product of the merger of four agencies - the Commission for Racial Equality for Northern Ireland; the Equal Opportunities Commission for Northern Ireland; the Fair Employment Commission; and the Northern Ireland Disability Council. This merger was again ahead of its time in relation to England, for example, which is still in the process of creating a single equality organisation. Bob now heads a Commission which continues to build equality into every aspect of public life in Northern Ireland and, with his predecessors, can demonstrate real progress in this very important area.

You also heard from Nuala O'Loan, the Police Ombudsman. The creation of this Office was interestingly proposed by Dr. Maurice Hayes, a former Northern Ireland Ombudsman, who now sits in the Seanad as an independent senator. Yet another example of the ongoing and developing exchange of expertise, experience and knowledge across, and within, these islands.

The introduction of the Police Ombudsman demonstrates another challenge that faces all of the offices represented within BIOA, and that is the challenge of securing public confidence in the competence and independence of the Office. I am very conscious of the significant challenge this represents, because winning the public trust is, in itself, very demanding, but maintaining it can be even more demanding. Again, BIOA has an important role in supporting its members in meeting this challenge.

All of these initiatives, and many others which you will be aware of, both within your own jurisdictions and beyond, have a central role to play in contributing to the development of good governance and citizen-centred services that are accountable and fair. Again, an objective that is shared by the Houses of Parliament at Westminster, the Assembly in Cardiff, the Oireachtas in Dublin, the Parliament in Edinburgh, and, with a fair wind, an Assembly in Northern Ireland.

One of the most encouraging aspects of the architecture of accountability in Northern Ireland is that it cannot be accused of complacency. A Review of the Assembly Ombudsman's Office has recently been completed – not as a result of a government

initiative, although we sponsored it, but as a result of a request from the office itself. We are currently making preparations to consult publicly on a range of measures that will make that office even more fit for purpose in the coming years.

These developments recognise that as society changes so too must the institutions which exist to serve it, including those which you represent. Changing demographics, changing levels of expectation among users of both private and public sectors, growing recognition of the rights and entitlements of various minorities, and of the ways in which our systems have at times failed them in the past. So there are many good reasons for the existence of such an architecture, and many reasons why it must be refreshed, renewed and, if necessary, reformed to ensure that the public is served as well as it should be.

As I have outlined, in Northern Ireland, as elsewhere, the formidable architecture of accountability forms a strong safety net, ensuring those with cause for complaint are given a hearing and, if appropriate, offered redress. Across the whole range of public services – health; education; benefits; planning; policing; services for children and young people; human rights; employment; housing – and private services, Northern Ireland must surely be considered a world-leader in terms of its systems of accountability and redress.

But with the complexity of accountability arrangements comes a risk – and it is by no means unique to Northern Ireland - the risk of accountability fatigue. It's a debilitating condition that we must guard against. Such fatigue may develop among two distinct groups. The first group is those organisations subject to accountability. A feeling can easily develop within these organisations, both public and private, that no matter how hard they try, they will always be accused of getting it wrong – that there will always be someone waiting to point to the third of the glass that remains empty, while ignoring the two thirds they have managed to fill. Such a view brings with it the danger of demoralisation and cynicism, neither of which will ultimately serve the interests of those whom those organisations exist to serve. Any organisation has a finite supply of energy – physical, intellectual and emotional – and there is a risk that too much energy spent giving account of their actions could leave too little for the core purpose – delivering high quality public services.

Accountability fatigue is something of which we in Government also need to be aware. We need to take seriously those who voice concerns about the danger that

rather than improve the service they provide, excessive accountability threatens it – the doctors who complain that they struggle to find the time or capacity for doing clinical work because of the amount of audits, inspections and reviews to which they are subjected. The police who are striving to respond to the public demand for more police on the streets, but feel frustrated that too much paperwork is keeping officers behind desks. The teachers who protest that the level of reporting and assessment sometimes prevents them from doing the very thing they joined the profession to do.

And the second group amongst whom accountability fatigue may develop is the general public. A general public which could so easily become baffled and frustrated at the myriad organisations and offices that have been established to investigate their concerns – so complex in fact that they struggle to identify to which, if any, they are entitled to bring those concerns. A general public who might also be forgiven for questioning whether such a range of potentially overlapping bodies provides best value for them as taxpayers.

For both these groups, one of the most powerful antidotes to accountability fatigue must surely be effective communication.

I would encourage you to ensure that among the audiences to whom you seek to communicate the rationale for your existence you include the people whose work you are called upon to investigate.

The challenge is to help them see that the accountability that is being sought by members of BIOA is not an end in itself, but a means to an end – the end being better services, more satisfaction among users and citizens because of a job well done. Reasonable and effective accountability is essential if these ends are to be achieved. The very existence of an “architecture” of accountability increases the levels of trust, acceptance and cooperation which effective public service depends on. It also offers an opportunity that all organisations should grasp – the opportunity to gain real-time feedback on how they are performing from the very people for whom they are providing a service. If viewed in that light, accountability should become less of an energy dissipating burden, and more of a motivational opportunity.

Public services are, I am sure you will understand, a particular concern of Government. And you have a crucial role to play in getting across to those who work as public servants that the centre of any public service organisation is not its

Headquarters, nor its funding Government department. Rather, the centre is where citizens are served by that organisation. They need to be helped to see that when the demands for accountability threaten to overwhelm them, they shouldn't think of it as an exercise in keeping their Chief Executive or Chairman happy, or the Ombudsman happy, or whoever else wants a piece of their time. Rather they need to think of it as a valuable opportunity for review in order that the public can be provided with an ever improving service; that review provides them with a mirror in which they can see themselves as others see them, reinforcing and encouraging them when the service is as good as they should want it to be, and motivating them towards improvement if it is not.

And for the public, there is a critical need for you, both individually and collectively, to make accessible the routes to accountability, helping them to find the right organisation to handle their complaint. I know BIOA strives towards this aim, and you are to be commended for that work. Government too has a responsibility, and we must do all that we can to open up the system to people, to make it easier to access redress, and in particular to ensure that those who are most vulnerable and therefore often most in need of advocacy, can find such advocacy where and when it is needed.

Within BIOA, could you consider a working practice in some way akin to that which operates in Toronto, where any government funded body is responsible, upon receipt of a complaint that falls outside of their jurisdiction, for taking ownership of that complaint until they identify the appropriate body to take it on, and hand it over to be addressed. The complaint may be passed from pillar to post until the right avenue is found, but the complainant, already dissatisfied with the system, is not.

Beyond that, to ensure that the public remains confident that their taxes are being well spent, you must of course demonstrate the value of what you do. If there are ways by which, through shared services and support, for example, your organisations might cooperate and save resources, then there is an onus upon you to pursue those. In regard to all of these issues, again, BIOA is to be commended for its work and I wish you well in your continuing endeavours.