

A Three-Day Training Workshop Module on Administrative Justice and the Role of the Ombudsman in Democratic Governance in the 21st Century

Duration: 3 Days (6 Sessions)

Training Approach: Interactive lectures, Group discussions, Case studies, Practical exercises, Role play, Question-and-answer sessions, Experience sharing.

Overall Goal:

To strengthen participants' understanding of administrative justice and enhance their capacity to promote accountability, transparency, good governance, and effective public service delivery through the institution of the Ombudsman.

Learning Objectives:

At the end of the workshop, participants should be able to:

1. Describe the evolution, strategic objectives, and functions of the Ombudsman as an institution from both Nigerian and global perspectives.
2. Explain the concepts of administrative justice and democratic governance.
3. Identify and apply the core principles of administrative justice.
4. Examine the legal framework governing Ombudsman institutions.
5. Analyze contemporary challenges facing Ombudsman institutions.
6. Recommend strategies for strengthening administrative justice in democratic governance.

Day One: The Ombudsman Institution (History, Mandate, and Impact)

Morning Session (2 hours)

Topic: The Ombudsman Institution: Evolution, Strategic Objectives, and Functions

Learning Outcomes: By the end of this session, participants should be able to understand the historical origins of the Ombudsman, the specific imperatives for establishing the Public Complaints Commission (PCC) in Nigeria, and its overarching strategic objectives.

Session Content:

1. History of the Ombudsman

Content: The origins of the Ombudsman in Sweden (1809). The spread of the model globally (e.g., Denmark, New Zealand, UK). The different "waves" of Ombudsman adoption. The Ombudsman as a tool against bureaucratic excess.

2. The Imperatives for the Public Complaints Commission (PCC) in Nigeria

Content: The pre-1975 administrative landscape. The rationale for the establishment of the PCC (e.g., addressing administrative injustice, protecting citizen rights, providing a check on executive power). Distinction between the PCC and other grievance mechanisms (e.g., courts, internal complaint units).

3. Strategic Objectives of the PCC

Content: To ensure fair and just administration. To protect the rights of citizens against administrative wrongdoing, injustice, or unfair treatment. To promote transparency and accountability in public service. To be a catalyst for systemic administrative reforms. To foster a culture of human rights and good governance.

4. Core Functions of the Ombudsman

Content: Receiving and investigating complaints. Mediating disputes. Making recommendations and issuing reports. Conducting systemic investigations (own-motion investigations) to identify systemic issues. Promoting best practices in administration through training and advocacy.

Afternoon Session (2 hours)

Topic: Testimonies, Achievements, and Global Perspectives

Learning Outcomes: By the end of this session, participants should be able to appreciate the tangible impact the PCC has made, understand the need for continuous professional development (this training), and benchmark the PCC against international best practices.

Session Content:

1. Impact and Achievements of the PCC

Content: Presentation of case studies and success stories (e.g., recovery of wrongful pension deductions, reinstatement of wrongfully dismissed employees, resolution of land disputes, and improvement of service delivery in a government agency). Statistical data on complaint resolution rates. Testimonies from staff members or partners on the change they have helped facilitate.

2. Appreciating the Need for this Training

Content: Addressing the evolving nature of public administration. New challenges (e.g., digital governance, complex contracts). The need for a more proactive and strategic Ombudsman. The importance of professionalizing the workforce and enhancing investigative skills.

3. Global Best Practices and Benchmarking

Content: Overview of the "gold standard" Ombudsman models (e.g., the classical, the human rights, and the hybrid models). Principles of effective Ombudsman institutions (e.g., independence, impartiality, accessibility, effectiveness, transparency). Comparative analysis of other national Ombudsman offices (e.g., South Africa's Public Protector, Philippines' Ombudsman, UK Parliamentary Ombudsman).

4. The Ombudsman in International Frameworks

Content: The role of the Ombudsman in achieving the Sustainable Development Goals (SDGs), particularly Goal 16 (Peace, Justice, and Strong Institutions). The Venice Principles (on the protection and promotion of the Ombudsman institution).

Day Two: Administrative Justice in Democratic Governance

Morning Session (2 hours)

Topic: Understanding Administrative Justice and Democratic Governance

Learning Outcomes: By the end of this session, participants should be able to define administrative justice, articulate the principles of democratic governance, and demonstrate how these principles are applied in public service delivery.

Session Content:

1. Definition and Concepts of Administrative Justice

Content: Definition of "administrative action." The difference between administrative justice and judicial justice. The "right to good administration." The link between administrative justice and human rights.

2. Core Principles of Administrative Justice (The "Administrative Law" Pillars)

Content: Fairness (Audi Alteram Partem): The right to be heard. **Legality:** Action must be authorized by law. **Reasonableness:** Decisions must be rational and logical. **Procedural Propriety:** Following correct and established procedures. **Promptness:** The duty to act without undue delay.

3. Principles of Democratic Governance

Content: Participation: Citizens' involvement in decision-making. **Transparency:** Openness and accessibility of information. **Accountability:** Officials answerable for their

actions. **Responsiveness:** Addressing the needs of the public. **Consensus Orientation:** Mediating differing interests for the common good. **Effectiveness and Efficiency:** Producing results that meet needs while making the best use of resources. **Rule of Law:** A government of laws, not of men.

4. Application of Principles in Public Service Delivery

Content: Practical case studies. How to ensure a citizen's voice is heard in a public hearing (Fairness). How to provide clear, accessible information on government services (Transparency). How to set performance standards and indicators for public servants (Accountability and Effectiveness). **Practical Exercise:** Participants work in groups to identify examples of where these principles are breached and how the PCC can intervene.

Afternoon Session (2 hours)

Topic: Legal Framework of Administrative Justice and Democratic Governance

Learning Outcomes: By the end of this session, participants should be able to identify and apply the specific legal statutes that empower the PCC and govern administrative justice.

Session Content:

1. The Legal Framework of the PCC

Content: A detailed review of the **Public Complaints Commission Act (Cap. P37, Laws of the Federation of Nigeria, 2004)**. Analysis of key sections (e.g., jurisdiction, powers of investigation, protection of complainants, and recommendation enforcement mechanism).

2. The Constitutional Framework of Administrative Justice

Content: Relevant provisions of the 1999 Constitution of the Federal Republic of Nigeria (e.g., Fundamental Rights provisions in Chapter IV, the right to fair hearing in Section 36).

3. Related Legal Frameworks and Protections

Content: The Freedom of Information Act (FOIA) and its role in facilitating investigations. The National Human Rights Commission Act as a complementary institution. Other sectoral laws (e.g., the Public Procurement Act) that relate to good administration.

4. The Imperative of Democratic Governance for the Ombudsman

Content: How the Ombudsman is a critical pillar of a democratic state. The "checks and balances" role of the Ombudsman in relation to the Executive arm. The Ombudsman as a bridge between the state and its citizens. **Case Study Discussion:** Analyze a scenario where a government agency is suspected of maladministration, and participants must identify the relevant legal provisions the PCC would use to intervene.

Day Three: Challenges, the Future, and Strengthening the PCC

Morning Session (2 hours)

Topic: Contemporary Challenges Facing Ombudsman Institutions

Learning Outcomes: By the end of this session, participants should be able to understand the major challenges hindering the effectiveness of Ombudsman institutions, learn strategies for managing these challenges, and clearly understand the public's expectations.

Session Content:

1. Internal & Institutional Challenges

Content: Inadequate funding and resources. Limited enforcement powers (recommendations are often advisory). Lack of awareness

among the public. Bureaucratic bottlenecks within the PCC itself. Insufficient staffing and skill gaps in complex areas (e.g., digital forensics, public procurement).

2. External & Systemic Challenges

Content: Non-compliance by government ministries, departments, and agencies (MDAs). Political interference. The rise of complex "mega" contracts and multi-layered government. Issues of digital governance, data privacy, and cybercrime.

3. Managing and Mitigating Challenges

Content: Building strategic partnerships with civil society and the media. Utilizing social media for awareness and complaints intake. Developing internal quality assurance and training. Strengthening the capacity to conduct "own motion" investigations on systemic issues.

4. Understanding Public Expectation

Content: What citizens want: Speedy resolution, fairness, empathy, and clear communication. Bridging the gap between public perception and the legal mandate of the Ombudsman. Role of the media in shaping public expectation. **Group Discussion:** Participants discuss the most pressing challenges they face and brainstorm practical solutions.

Afternoon Session (2 hours)

Topic: Strengthening the PCC for Democratic Governance and Administrative Justice

Learning Outcomes: By the end of this session, participants should be inspired to improve their service delivery, feel a renewed sense of commitment to the PCC's strategic objectives, and understand the performance and ethical standards required by the public.

Session Content:

1. Strategies for Institutional Strengthening

Content: (a) **Advocacy:** Strategies for lobbying the legislature for stronger enforcement powers. (b) **Resource Mobilization:** How to effectively budget and make a case for more funding. (c) **Technology & Innovation:** Building a robust ICT system for case management and data analytics. (d) **Human Capital:** Creating a career path for investigators and building a culture of excellence.

2. Inspiring Better Service Delivery

Content: The "Customer Service" approach to handling complaints. The importance of emotional intelligence in dealing with distressed complainants. Professional ethics and the code of conduct for Ombudsman staff. The "trauma-informed" investigation approach.

3. Commitment to the PCC's Strategic Objectives

Content: Moving from a reactive to a proactive Ombudsman. The role of the Ombudsman as a "change agent" and a promoter of good governance.

4. Meeting Public Expectation and Understanding Role

Content: Recap of the public's expectations vs. the law. How to be an ambassador for the PCC. **Action Planning Exercise:** Participants are asked to write down three personal commitments they will make to improve their work when they return to their posts. **Closing Plenary:** A final Q&A and summary of key takeaways by the Lead Facilitator.